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PROTECTION OF CHILDREN INVOLVED IN SEXUAL OFFENSES: A NEW METHOD OF INVESTIGATION IN ISRAEL

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The author is the first juvenile court judge in Israel. He was appointed in 1950. He is chairman of a committee of Youth Examiners appointed to implement the law which is discussed in the following article. He is a member of the Advisory Board on Laws for Children and Juveniles, and Secretary of the Committee to Investigate Causes of Juvenile Delinquency in Israel.—EDITOR.

DEFINITION OF PROBLEM

Sexual offences in general, or Offences Against Morality as they might be called, cover a wide range. To mention a few examples only, there are acts of indecent behaviour such as: an indecent act or gesture in a public place or in such a way that it may be seen by a person in a public place; an indecent act (or attempt of it) upon another person without his consent by using force or threats; or without using such force; solicitation for immoral purposes; procuration of any female to become a prostitute; having unlawful sexual intercourse; committing an act of sodomy or rape by using force or threats; using deceptive means to obtain consent, etc. According to the circumstances and severity of the particular offence committed, Criminal Codes make provisions—relating to judicial traditions in each country—to punish the offender. Public feelings run high when sexual offences become known, and the public is particularly shocked if children are the victims or culprits.

We distinguish between three different aspects in which children might be involved. There are children who are victims of an offence against morality; others may be witness to such an offence committed; (witness not only against children) and there are children who are sexual offenders. These categories imply separate and different approaches. For the purpose of this article we shall be concerned with the first two aspects alone, because the third is of an entirely different nature. Although there is of course also a contrast between the first two aspects, and yet, there is a common denominator in relation to the emotional upheaval for those involved. The personality make-up of the child is an important factor with unforeseen reactions. I know of several children who were witness to a sexual offence which had upon them a more traumatic effect than on the victims of the same offence.

TRADITIONAL JUDICIAL METHODS

The world over, is a sine qua non that, no person shall be convicted of having committed a sexual offence unless there is some additional material evidence against him. In other words, even in countries in which it is legally possible to achieve a conviction based on one witness alone, this can never be done in an offence against morality. Here, some additional material evidence must be brought forward in order to get a conviction against a person. This provision is regarded as an elementary and basic safeguard against mischievous, false, imaginary or revengeful accusations. The dangers of vindictive feelings particularly in this field which is generally emotionally charged—overtly or concealed—cannot be sufficiently stressed. Much harm can be done even by mere accusations which are found baseless on close scrutiny.

When the prosecuting authorities have sufficient material against a particular person, they naturally base their case first of all on the information received from the child who was the victim or was witness. Here we are up against a severe handicap for the child concerned seen from the angle of Mental Hygiene. Victims of sexual offences, who are frequently young girls under the age of 10 years, are called upon to relate to the police what happened to them, elaborating on as many details as possible. In fact, the more details a child is able to convey, the more likelihood of bringing about an apprehension and conviction of the offender. For many children this may mean a re-living, or re-experiencing of what was in many cases a most unpleasant and traumatic experience. Often, children have difficulties in going through this experience again, and there begins the process of
“blocking”, “forgetting”, and giving “false descriptions”. Sometimes these features are also prompted by guilt feelings on behalf of the child. These guilt feelings may originate from the child himself, or they be the result of outside intervention, mostly influenced by members of the family. In this process, even most benign methods of investigation can contribute considerably to emotional difficulties of children. These are not always realized by the investigator. It is usually, also, not his task to get involved in aspects which according to their nature belong to an entirely different field, and which are not integrated into the usual investigation methods.

It is obvious that, inherently, the focus of the investigation is upon gathering material in order to bring about a conviction of the offender. No particular attention is paid to the emotional upheavals for the child concerned. This is hardly appreciated as being part of the issue. However, parents and sometimes teachers, observe changes in children which take place either immediately after the offence, or at a later date. There are children who react with vomiting, depressions, vagrancy, truanting, nightmares, etc. These changes in the behaviour of children lead in many cases to disclosure of what happened to them, because children are often ashamed or afraid to tell their parents about it, and can do so only after being questioned.

Moreover, there exists even a larger degree of jeopardy for the child if his appearance is required in the court. There, the child is confronted with the offender, and he may be subjected to cross-examination. For the child this may turn out a more traumatic experience than the offence itself. Sometimes, only the court appearance and the cross-examination bring home to him most clearly that he was the victim of a sexual offence. The importance attached to his stand in the witness box often supplies the phantasy of the child with material which stands in no relation to the offence itself. From this, behaviour difficulties may easily evolve.

Many countries have made provisions—by law or through administrative regulations—to the end that children giving evidence in court in matters of sexual offences, should be heard in camera only. This is done in order to lessen the ordeal for the child. But it should be recognized that this provision is absolutely inadequate as a safeguard as far as children involved are concerned. The appearance in court, the feeling of uneasiness connected with it, and, above all, the unconscious fear of punishment, may have traumatic and detrimental effects on the child. These tense and intense feelings are not discounted even if children are accompanied to court by parents or other relatives.

A case in point is a girl of nine years, who was playing in a public garden near her home. For some time she had been used to doing this on her own. A young man visited frequently the same public garden, and from time to time he exchanged a few words with the girl. One day, while talking to her, he forced her on his lap, and played with her genitals. The girl was so tremendously shocked that she couldn’t even cry, let alone free herself from the man. A short while later she was found there by her mother in a very disturbed state. Her parents took the usual appropriate measures, informed the police and volunteered what was known to them.

The next steps were an additional ordeal for the child. She had to make a detailed statement to the police, of what she did and what the man did; afterwards she was taken to undergo a medical examination. Shortly afterwards she was asked to come to the identification parade, and, because of the need to get additional material, she had to make a further statement to the police.

After a short while the girl showed marked emotional disturbances, and the parents turned for help to analytical treatment. After about a year the offender was brought to court, and the child was called upon to give evidence. The father was frantic about it, maintaining that the child had calmed down and ‘had recovered her previous’ equilibrium. She was on the best way to master her traumatic experience. A new re-living of the matter in court, he feared, might thwart the progress already made, and perhaps prevent further progress. In his despair the father said “It seems to me that my child has to pay too high a price. Maybe I would have done more to the interests of my child had I not turned to the police at all”.

We, as members of society, may be satisfied when appropriate action is being taken against a culprit having committed an offence against a child. However, to let it rest at this, does not seem adequate. The issue still remains open, namely, what have we done for the benefit of the child whose character formation may have been affected by this experience? This aspect has not received sufficient attention so far.
A New Approach in Israel

It is acknowledged as fundamental to human rights that a defendant is entitled to rebut any charge brought against him, and to try to prove his innocence. Often he can do this only when confronted by the child concerned. A defendant may take into account that a child might be afraid to tell the whole story in court in front of him, or he might endeavour to induce contradictions in the child's statement which may be sufficient reason for a judge to acquit him. On the other hand, often only in court, being confronted with the child who alleges having been involved in an offence against morality by the defendant, can the latter prove his real innocence.

A way out of this dilemma, taking into account the basic rights of the defendant as well as principles of Mental Hygiene to protect the child, can be seen in an Amendment to the Law of Evidence, passed by the Knesset (Parliament of the State of Israel) on 7th June 1955. It is called: "Law Of Evidence Revision" (Protection of Children) 5715-1955. This Law came into force on 20th September, 1955.

In Israel we felt that such a law, (see Appendix) aiming to protect children against traumatic experiences at the level of investigation prior to court appearance and in court itself, is a matter of greatest importance. There are the following major points in this law: 1. No child under 14 years shall be investigated, examined or heard as a witness in the matter of an offence against morality, save with the permission of a youth examiner; 2. A statement by a child as to an offence against morality committed upon his person, or in his presence, or of which he is suspected, shall not be admitted as evidence, save with the permission of a youth examiner; 3. For the purpose of the law, youth examiners shall be appointed after consultation with an Appointment Committee. This Committee shall consist of a Judge in the Juvenile Court (Chairman), an expert in mental hygiene, an educator and an expert in child care; 4. Evidence as to an offence against morality committed upon his person, or in his presence, of which he is suspected, shall not be admitted as evidence, save with the permission of the youth examiner; 3. For the purpose of the law, youth examiners shall be appointed after consultation with an Appointment Committee. This Committee shall consist of a Judge in the Juvenile Court (Chairman), an expert in mental hygiene, an educator and an expert in child care; 4. Evidence as to an offence against morality committed upon his person, or in his presence, or of which he is suspected, shall not be admitted as evidence, save with the permission of a youth examiner; 5. For the purpose of the law, youth examiners shall be appointed after consultation with an Appointment Committee. This Committee shall consist of a Judge in the Juvenile Court (Chairman), an expert in mental hygiene, an educator and an expert in child care; 4. Evidence as to an offence against morality committed upon his person, or in his presence, or of which he is suspected, shall not be admitted as evidence, save with the permission of a youth examiner; 5. Where evidence as referred to above has been submitted to the court, the youth examiner may be required to re-examine the child and ask him a particular question, but he may refuse to do so if he is of the opinion that further questioning is likely to cause psychic harm to the child; 6. A person shall not be convicted on evidence by a youth examiner unless it is supported by other evidence.

As we can see the most important innovation in this law is to keep out of court children under 14 years. According to circumstances, if deemed harmless, the youth examiner can decide on the merits of a case in which a child may appear. The second important innovation is that the investigation as to what happened is put into the hands of experts, trained in the field of mental hygiene.

The Youth Examiner

The appointment committee, in its deliberations, following the spirit of this law has suggested appointment as youth examiners mainly people trained and experienced in interviewing techniques. Professional workers who are connected in their daily work with aspects of dynamic behaviour of the human mind, such as psychiatric social workers, clinical psychologists, psychiatrists, probation officers and child care workers, seem to be most suitable candidates for this job. There are of course also teachers, who, if interested and trained in understanding the working of the conscious and unconscious mind, may be qualified for this job.

It was felt that an appropriate expert approach at the initial stage will diminish or even obliterate the traumatic experience caused to a child who became involved as victim or as witness in an offence against morality. The first contact with the child while relating the story of what happened, the way questions are asked and further details required, are of greatest importance. One must add the neutral environment in which the statement at the initial stage is being taken. Parents, turning to the police with a complaint, are being told that the child's statement is not taken at the police office, but either at the child's home or at the home or office of the youth examiner. The child concerned an investigation at the police office may be charged with guilt feelings. It may mean being exposed to a punishing situation which in return may have detrimental effects on future behaviour.

It may generally not be sufficiently realised how often young children, aged four, five or six years old, become victims of sexual offences. By and large, children under 14 years are those mainly exposed to an offence against morality. Most of
them are girls. This prompted us to appoint mainly women as youth examiners. With them, girls feel more at ease. The same may be expected in relation to boys when they are confronted with men as youth examiners.

It is my belief that children who have committed an offence, or children who were involved as witnesses or were victims of an offence against morality, are better able to relate to a professional and understanding person. This in itself may have therapeutic aspects for the child concerned.

However, there are certain essential requirements for a youth examiner which are foreign to his initial professional training. It is inherent in the task of the youth examiner to acquire some knowledge in legal procedures, particularly in matters relevant to offences against morality. In this field belongs also the behaviour in court and at cross examination especially. A proper and fearless stand in the witness box, straight forward answers and jargon-free explanations are essential requirements. To my mind these can be acquired and integrated more or less easily by professional people trained in the disciplines mentioned above. It might be more difficult for people trained in legal conceptions to acquire real feeling and understanding in the dynamics of human behaviour and in interviewing techniques. Strange as it may sound, an adequately trained youth examiner can make a real contribution to the legal profession which in relation to sexual offences, needs a new and a more challenging approach.

Frequently, the child’s statement is not sufficient and there is need for physical examination, visiting at the place of offence and participation at an identification parade. These activities, if necessary, are part and parcel of the task of the youth examiner. For him, a conflict arises sometimes if he has to decide whether to allow the child to participate at the identification parade or not. Often this may be a most important action in order to get hold of an offender, and if successful, it is a matter of general public interest. On the other hand, to pass along a line of men who look similar to one another, and to try to pick out the offender, may be a shocking experience to the child. But here again, the appropriate action by an expert, having in mind the needs of the child as well as those of society, seems expedient for all concerned. The impression is that the presence of the youth examiner gives the child the necessary support and confidence apt to minimize a harmful situation as far as possible.

A further conflict may arise if a youth examiner, being confronted with a child who needs attention in order to overcome the traumatic experience, has mainly to concentrate on procedural and legal aspects. Yet, he must constantly be aware that the material he is getting may be the most important evidence in court, and has therefore to be concrete and free of information based on rumors. Often, the method of question and answer has to be applied according to legal rules and practices. This is particularly relevant because children manifest sometimes the tendency to distort, to repress or to forget important details while telling the story. These situations need careful attention and recourse to close study and examination cannot always be avoided. Though by inclination the youth examiner may accept the child’s “right” to this attitude, from the therapeutic point of view, to follow these inclinations at the level of investigation may be defeating.

The youth examiner has also to keep in mind that it is he who may be cross examined about the material which he is getting from the child. Therefore, it is relevant and of value not alone to note the factual material but also gestures, mimics and other affective moments and details.

Frustrations are still more enhanced if an offender is acquitted because of lack of sufficient evidence against him, or if the verdict is not as severe as ought to be according to the circumstances known to the youth examiner. In this matter, the general public is also rather sensitive and upset if their idea of retribution is not dealt with in the way they feel it should be. However, if youth examiners know how to focus their attention on this special task and accept it as such, they will usually find possibilities for doing justice to both aspects.

The youth examiner, geared to understand and evaluate mental and social conditions, can take immediate steps to transfer to the appropriate agencies those who seem in need of it. This may often be a most urgent matter for the child and parents concerned. From the view point of the community, it may be a most valuable instrument. Our experience so far has shown how important this can be also in matters of prevention.

A youth examiner had been investigating the case of an eight year old girl who was the victim of an indecent assault. She visited the home of the
girl three times at different hours of the day, and never found her parents. The girl always said that her parents had just gone. The home was very neglected and so were the children. Together with the girl were her two younger siblings, aged six and three years old, of whom she was in charge.

The offender who knew about the state of the children, took advantage of their being alone for long hours, and used to visit them, bribing them with small gifts.

The youth examiner, although she had received already all the necessary details concerning the sexual offence committed, regarded it her duty to inform the social agency of the plight of these three children, who were obviously not taken care of properly by their parents. Later, on inquiry, she was told by the social agency that steps were being taken to bring these children to court as in need of care and protection. Here, not only the girl who had become already a victim to a sexual offence was taken care of, but also her younger siblings.

Another case in point was a 13 year old girl, who became the victim of a young man who had sexual intercourse with her, and then tried to make a living on her, inducing her to become a prostitute. She was a dull girl; his promises of money, frequent visits at the cinema, good new clothes, were stimulating to her. Fortunately, quite at the beginning of her new career, the whole matter became known. The youth examiner who investigated the case realized that the girl was beyond control, and that no improvement could be anticipated because her parents had no means of preventing the girl from going astray. She took pains therefore to inquire into the background of the girl and found that there was a charge pending on a minor offence which the girl committed some time before. On this she was brought to the juvenile court as means for protection from further trouble. The girl was sent to an educational institution. A follow-up report revealed that after some difficulties she adjusted fairly well, and that there are good prospects for her rehabilitation. It is recognised that the function of the youth examiner is clearly laid down in law. But his alertness to an overall situation is a significant feature.

DILEMMA OF POLICE

Inherently, it is difficult for the police to integrate into their investigation youth examiner activities which are not subordinated to their regime. The youth examiner constitutes, as it were, "foreign body” within a tightly knit unit which has its own methods and traditions of investigation. Moreover, the new law requires the police to depend on civilian people trained in disciplines which have nothing in common with their own. It is certainly difficult to adjust to this, and the resulting resentment is obvious. Section 4 of the above mentioned law prohibits the examination of a child by any person as to an offence against morality save by a youth examiner. That is to say, the police, whose function per se it is to investigate such cases, are not allowed to do so if children under 14 years are involved. Furthermore, section 7 of the same law makes provision that if "it appears necessary to carry out an operation requiring the presence or participation of the child, such operation shall not be carried out save in accordance with the directions of a youth examiner.”

This implies for instance that if there is necessity to arrange an identification parade so that the child concerned can point at the offender, or if examination at the place of the deed seems desirable, these activities can be forthcoming if only permission by the youth examiner is secured first. The intention of the law being, of course, to enable the participation of the youth examiner as a moral support and protection to the child. It was correctly envisaged that these activities might imperil the emotional equilibrium of the child. In fact, the youth examiner may use his discretion and refuse permission if this seems to be in the interest of the child.

At first glance there seems to be an additional handicap, namely, if court appearance is required. It goes without saying that only part of known offences committed turn up in court for trial. Yet, every complaint has to be investigated, though the offender is often an anonymous person, or the description given by the child is too vague to serve to apprehend the offender, or evidence collected is not sufficient to base a charge on. In Israel, roughly 50 percent of complaints regarding sexual offences get a court hearing.

Now, if the youth examiner is not used to court appearance and court procedures, he might “spoil” a perfect case. An offender, so acquitted, might continue to be a menace to society. The police can then point with certain justification at the undesirability of having people mix in matters they are no experts in. Resentment at being forced to depend on these “civilians” may activate conscious or un-
conscious desires to show that it just doesn't work. There are innumerable ways to prove that it is one thing to make a law, and another to implement it. As investigation and prosecution rest often with the police, it might not be too difficult to establish that youth examiners are a nuisance and no help.

Seen from this angle it is of the utmost importance to see to it that youth examiners should possess the necessary qualities and qualifications. It is up to them to stand up on their own in court, and they ought to be able to interpret their findings to the court. There is no reason to accept as a sine qua non that only traditional police methods of investigation should continue to prevail. Needless to say that a correct and professional approach on behalf of the youth examiner towards the police can do a great deal to change attitudes, and to break down existing barriers.

On the other hand, the willingness of the police, and their genuine acceptance of the new law are most important factors for the smooth working of the youth examiner. To a considerable extent it may depend on this readiness to determine whether the law is going to be a success or a failure. Fortunately for us, in spite of hesitations and misgivings, the police has, by and large, been assisting to implement the law in its true spirit.

**Reactions of Children**

Obviously, children react differently. This may depend on their personality make-up, on their age, on the atmosphere prevailing at home, and, last but not least, on the circumstances and character of the offence. Generally it can be said that whenever force is used, there are detrimental repercussions to it. Because of the nature of the offense many children try to hide what happened to them. There are children who seem not disturbed at all, others pretend not to be disturbed, others still have very strong guilt feelings. There are children who are ashamed of what happened to them, and those who have a tendency to show off and rather proudly to tell their friends their experiences in this field. Innocent, or half hearted innocent provocations on behalf of children, play also a role as a contributory factor to the offence. Often children get involved in sexual play out of curiosity, or they are dragged into it accidentally. Some continue for longer periods without disclosing it out of fear lest discovery might expose them to punishment by parents or to abuse among their friends and acquaintances. Yet, sexual play, at pre-puberty and puberty age, particularly if not involving genuine sexual intercourse, is a source of attraction and satisfaction to many. This stimulant, as a contributing factor in the behaviour of children, cannot be overlooked.

In these spheres we may find the explanation of the phenomenon that children, upon whom a sexual offense has been committed, continue voluntarily doing so and influence other children, mostly close friends, to do the same. Not infrequently, a sexual offender is supplied with victims of his deeds without being active at the initial stage of it. However, it would be erroneous to regard these children as morally defective.

A girl of nine years related how a man approached her and started to talk to her. He said she was a nice girl and he was going to give her some money so she could buy a doll for herself. When he pulled down her knitters he suddenly became nervous and went away. The girl, relating this, added, “he promised me the money but didn’t give it to me”. Versions of this kind one hears frequently, and one wonders whether the “kindness” of the approaching man is not an important factor which motivates children to get involved with them. As a guess one would think that most of them are not accustomed to kind treatment at home.

The general impression is that, children who are able to talk freely of what happened to them, are perhaps emotionally not so much affected. This may be different with children who repress the happenings, and object strongly to talk about the whole affair. One girl, aged 12 years, said rather furiously, “Why do you compel me to talk about these indecent and naughty things?” Another girl, aged nine years, was unable to talk when she was first approached. At the second interview, she was still very timid, and it was obvious that she wouldn’t be able to give the necessary information. Upon this she was asked what the dwelling of the man looked like. With some hesitation the girl took paper and pencil, drew a room and roof, and then, more freely, explaining while drawing, said “here is a table with three chairs. Above it is a luster, and there, in the corner, is a bed. Here was the man, and I was standing there. Suddenly he drew me up to the bed, and I don’t know what happened then.” This girl, after having told her story, looked up anxiously, waiting, as if wondering what is going to happen now? She was very relieved when her fears and expectations were found
baseless, and the Youth Examiner continued to talk to her in the same way as previously. Following this she was able to talk about all details, which were most important in this case. It could be seen that this talk with the Youth Examiner had much meaning for the girl.

Generally, to make use of drawings as a means to establish contact with a child is frequently advisable. However, one has to be careful about it, not to use it as a therapeutic tool. Here lies a pitfall, for a youth examiner, of which one has to be aware in order to avoid mistakes. The technique, using drawings for investigation or for treatment, serve different purposes. At the level of investigation one would generally not consider making interpretations to the child. For the purpose of investigation the child is asked to describe a particular situation, which is more in line with fact finding as it were. Drawings are used for a momentary or isolated matter. Unless there are convincing reasons for it, interpretation should be avoided. During a treatment process, however, interpretations might be one of the important tools of the whole treatment process. Many a child can express, in simple lines drawn on paper, discreditable situations, which he would find very difficult to start talking about. By having done the drawing, the emotional blocking has been removed partly or completely, and the child feels more secure in relating situations from which his own contribution to the affair can easily be gaged.

It is my contention that if we, as members of society, are able to pay adequate attention and to use appropriate measures at the level of initial investigation and in court procedures to help and support children who were involved in an offence against morality, this might prevent them from becoming problem children later on. Not a few of the children, having been harmed in this way at a tender age, develop behaviour difficulties, produce neurotic traits, become delinquents and prostitutes. There are girls who are unable to marry or who don't succeed in marrying, without of course knowing the real reason for it. There are also mothers, whose over protection towards their children if they are girls, can often be attributed to a traumatic experience they have had in childhood.

Naturally, not always, developments take place in the way outlined above; nor can one always prevent them from taking place in spite of precautionary measures. Often, more important and additional factors play their part. But experience has shown that an alert youth examiner can detect early signs of behaviour difficulties, and can make provisions for appropriate treatment. This is not always confined to children alone, but applies equally well to their parents.

**ATTITUDES OF PARENTS**

Parents, having become aware that their children were involved in an offence against morality, particularly if they were victims of such offence, react frequently by beating their children. They often expose them to insults and degradations. These are spontaneous reactions of many parents. This fact may explain partly why many children try to hide from their parents what happened to them. In return, this causes delay in taking appropriate actions, and may consequently prevent getting the necessary material to prosecute the offender. There is general agreement that immediate investigation, at least immediately after it has become known that an offence was committed, is most essential. It is of primary importance for the child's sake, and at the same time for the sake of a suspect. The latter, on information of a child, may be held in custody by the police, and for many a parent the whole affair is then settled. Here, the investigation of the youth examiner can give the clue to the police. The custody of an innocent man even for an hour, is undesirable for all concerned. However, parents are not always co-operative in this respect.

Attitudes of parents and their feelings toward the offence are an inseparable part of the investigation process. Needless to add, they are also an important factor in all proceedings at a later stage. Their feelings of revenge towards the offender make many of them disregard entirely the needs of their child. In a way, it displaces their guilt feelings for possible neglect in regard to the child, and a projection on others, as the guilty person, is a most convenient and expedient way out of their dilemma.

It is interesting to observe that parents manifest sometimes the same symptoms as do their children who were involved in a sexual offence. This is a conspicuous feature with mothers particularly. They are more vulnerable to it than fathers are.

As already mentioned, there are guilt feelings, shame, fear lest the neighborhood know what happened, anxiety as to the future of the child, etc. There are mothers who have great emotional
difficulties in talking about it, and others who refuse to give information or who prevent their children from giving information. Oftentimes one hears parents say, "she was harmed already sufficiently, now she has forgotten it all. Don't start it all over again."

And yet, it is surprising to find how quick parents are to see the benefit they can get from the youth examiner while investigating the case. Their discomfort is removed once they realize that the investigation is different from a police investigation. The interview is on an entirely different pattern which makes all the difference to them. It is because of these circumstances that the youth examiner can get the co-operation of the parents for a proper handling of the matter. They are only too grateful for an understanding and professional approach which helps their child and them as well. There is no telling how important this may be for the future development of the child concerned.

SUMMARY

In this brief outline new methods of investigation have been described which involve children in offences against morality. The position of the children involved has so far been almost entirely disregarded. Judicial efforts have mainly been concentrated to ensure the rights of defendants, leaving out of consideration, or leaving to their doom, the victims of such offences. Even if the offender has been apprehended and eventually sentenced, the child who has been harmed, has not been taken care of.

A new Israel law, aiming to protect these children but also to safeguard defendants, recruits youth examiners as assistants to implement a new approach. The youth examiner alone is entitled to investigate the child, and he appears in Court, giving evidence, on behalf of the child.

Various aspects have been discussed which indicate the complex features of this field, and also the importance of professional handling for children and parents. It is possible that because of this, more people will be inclined to refer to the appropriate authorities instead of trying to conceal from them what happened. Moreover, the youth examiner, by virtue of being a professional person acquainted with the dynamics of human behaviour and qualified in interviewing techniques, can make a real contribution to legal concepts and traditions.

When the Law of Evidence Revision (Protection of Children) 5715–1955, was passed by the Knesset there were reservations heard as to the possibility of implementing such a law. But all agreed that there is need for a change, and that it is a matter of the greatest importance that adequate measures should be taken to protect children who were involved in a sexual offence. In spite of the hesitations felt in many quarters, experience so far has shown good results. Even our police who for many and understandable reasons had doubts about this law, support it now wholeheartedly. Notwithstanding the fact that we have not yet worked out the exact administrative method as regards the employment of the Youth Examiner, i.e. as a separate and independent unit of the police, or as experts on call in each case, or as a special administrative body attached to the Ministry of Justice, it has already proved its great value.