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## A Balanced Approach to Reporting Child Abuse

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News stories daily remind us that children are brutally maltreated by their parents—the very persons who should be giving them love and protection. According to the National Study of the Incidence and Severity of Child Abuse and Neglect (conducted for the federal government in 1986), each year, over one million children are abused or neglected by their parents. About 300,000 are physically abused, another 140,000 are sexually abused, and 700,000 are neglected or otherwise maltreated.

Estimates vary, but it appears that at least 1100 children die each year as a result of maltreatment. This would make maltreatment the sixth largest cause of death for children under fourteen.

Unfortunately, children are dying because they are not being reported to the authorities—and because the wrong children are being reported. Thus, efforts to encourage more complete reporting must be joined with efforts to reduce the harmfully high rate of inappropriate and unfounded reports. Otherwise, increasing the number of reports will only increase the number—and proportion—of children ineffectually and harmfully processed through the system.

### Mandatory Reporting Laws

Reporting suspected abuse and neglect is an indispensable first step in protecting endangered children. That is why every state has passed laws which require reports from a wide array of professionals—including physicians, nurses, dentists, mental health professionals, social workers, teachers (and other school officials), day care or child care workers, and law enforcement personnel.

These reporting laws, and associated public awareness campaigns, have been strikingly effective. In 1963, about 150,000 children came to the attention of public authorities because of suspected abuse or neglect. By 1989, about 2.4 million children were reported, more than fifteen times the number reported in 1963. (See Chart 1.)

**Chart 1**  
**CHILD ABUSE AND NEGLECT REPORTING:**  
**1976 - 1987**

Year	Number of Children reported
1976	669,000
1977	838,000
1978	836,000
1979	988,000
1980	1,154,000
1981	1,225,000
1982	1,262,000
1983	1,477,000
1984	1,727,000
1985	1,928,000
1986	2,100,000
1987	2,178,000

Note: These statistics are estimates based on information supplied by the states to the American Humane Association. They include "unfounded" reports, which are now an estimated 55 to 65 percent of all reports.

Many people ask whether this vastly increased reporting signals a rise in the incidence of child maltreatment. While some observers believe that deteriorating economic and social conditions have contributed to a rise in the level of abuse and neglect, there is

no way to tell for sure. So many maltreated children previously went unreported that earlier reporting statistics do not provide a reliable baseline against which to make comparisons. However, one thing is clear: The great bulk of reports now received by child protective agencies would not have been made but for the passage of mandatory reporting laws and the media campaigns that accompanied them.

Child protective programs still have major problems. Nevertheless, one must be impressed with the results of this twenty year effort to upgrade child protective programs. Specialized "child protective agencies" have been established to receive reports (usually via highly publicized hotlines) and then to investigate them. And treatment services for maltreated children and their parents have been expanded substantially.

As a result, many thousands of children have been saved from death and serious injury. The best estimate is that, over the past twenty years, child abuse and neglect deaths have fallen from over 3,000 a year (and perhaps as many as 5,000) to about 1,100 a year.

#### **Unreported Cases**

Despite this progress, large numbers of obviously endangered children are still not reported to the authorities. According to the National Incidence Study, in 1986, professionals still failed to report half of the maltreated children whom they saw.

Professionals did not report almost 40 percent of the sexually abused children they saw. Nearly 30 percent of fatal or serious physical abuse cases (defined as life-threatening or requiring professional treatment to prevent long-term impairment) were not reported. And almost 50 percent of moderate physical abuse cases (defined by bruises, depression, emotional distress or other symptoms lasting more than 48 hours) were not reported. The situation was even worse in neglect cases: about 70 percent of fatal or serious physical neglect cases were not reported and about three quarters of the moderate physical neglect cases were not reported.

This means that, in 1986, nearly 50,000 sexually abused children went unreported, about 60,000 children with observable physical injuries severe enough to require hospitalization were not reported, and almost 184,000 children with moderate physical injuries were also not reported.

Non-reporting can be fatal to children. A study in Texas revealed that, during one three year period, over 40 percent of the approximately 270 children who died as a result of child maltreatment had not been reported to the authorities—even though they were being seen by a public or private agency (such as a hospital) at the time of death or had been seen within the past year. Sometimes two or three children in the same family are killed before someone makes a report.

The tragic death of a young child, and the sensational publicity that follows, often leads to a temporary increase in reporting. But a young life is too high a price to pay for such a short-lived "improvement." Communities must conduct continuing educational and public awareness campaigns to achieve better reporting, and many do so. However, these efforts need much better focus. For, the problem of non-reporting is now compounded by the problem of inappropriate reporting.

#### **Unfounded Reports**

At the same time that many seriously abused children go unreported, there is an equally serious problem that further undercuts efforts to prevent child maltreatment: The nation's child protective agencies are being inundated by "unfounded" reports. Although rules, procedures, and even terminology vary (some states use the phrase "unfounded," others "unsubstantiated" or "not indicated"), in essence, an "unfounded" report is one that is dismissed after an investigation finds insufficient evidence upon which to proceed.

The emotionally charged desire to "do something" about child abuse, fanned by repeated and often sensational media coverage has led to an understandable but counterproductive overreaction on the part of the professionals and citizens who report suspected child abuse. Depending on the community, as many as 65 percent of all reports are closed after an initial investigation reveals no evidence of maltreatment. This is in sharp contrast to 1975, when only about 35 percent of all reports were unfounded.

The determination that a report is unfounded can only be made after an unavoidably traumatic investigation that is, inherently, a breach of parental and family privacy. To determine whether a particular child is in danger, caseworkers must inquire into the most intimate personal and family matters. Often, it is necessary to question friends, relatives, and neighbors, as well as school teachers, day care personnel, doctors, clergymen, and others who know the family.

#### **Inappropriate Reporting Endangers Abused Children**

The flood of unfounded reports is overwhelming the limited resources of child protective agencies. For fear of missing even one abused child, workers perform extensive investigations of vague and apparently unsupported reports. Even when a home visit of an anonymous report turns up no evidence of maltreatment, workers usually interview neighbors, school teachers, and day care personnel to make sure that the child is not abused. And, even repeated anonymous and unfounded reports do not prevent a further investigation. All this takes time.

As a result, children in real danger are getting lost in the press of inappropriate cases. Forced to allocate a substantial portion of their limited resources to unfounded reports, child protective agencies are less able to respond promptly and effectively when children are in serious danger. Some reports are left uninvestigated for a week and even two weeks after they are received. Investigations often miss key facts, as workers rush to clear cases, and dangerous home situations receive inadequate supervision, as workers must ignore pending cases as they investigate the new reports that daily arrive on their desks. Decision-making also suffers. With so many cases of insubstantial or unproven risk to children, caseworkers are desensitized to the obvious warning signals of immediate and serious danger.

These nationwide conditions help explain why from 25 to 50 percent of child abuse deaths involve children previously known to the authorities. Tens of thousands of other children suffer serious injuries short of death while under child protective agency supervision.

#### **A Balanced Approach**

Professionals and private citizens need to do a much better job identifying and reporting suspected child abuse. At the same time, they must guard against inappropriate reporting. Distinguishing between reportable situations and those that are not is difficult, but current high rates of simultaneously under- and overreporting are unfair to the children and parents involved, and they threaten to undo much of the progress that has been made in building child protective programs. A proper balance must be struck.

To call for more careful reporting of child abuse is not to be coldly indifferent to the plight of endangered children. Rather, it is to be realistic about the limits to our ability to operate child protective systems. If child protective agencies are to function effectively, they must be relieved of the heavy burden of unfounded reports.

A. Sedlak, *Study of National Incidence and Prevalence of Child Abuse and Neglect* (Bethesda, MD: Westat, December, 1987).

Compare *ibid*, p. 2-2, Table 2-1, estimating 1,100; with National Committee for Prevention of Child Abuse, *Child Abuse and*

*Neglect Fatalities: A Review of the Problem and Strategies for Reform* (Chicago, IL: 1988).

Based on comparison data from Vital Statistics of the United States for 1980: Advanced Report of Final Mortality Statistics (U.S. Bureau of the Census: 1980).

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## Mandatory Child Abuse Reporting: The Child and Family Perspective

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Child abuse is a social problem which engenders strong emotions among professionals as well as the general public. It is not surprising that the issue of mandatory reporting of child abuse has received considerable attention from psychologists (Pope & Bajt, 1988; Ansell & Ross, 1990). Unfortunately, while interest concerning the implications and practices of reporting exists, there is a lack of empirical research concerning the outcome of mandatory reporting, particularly as it relates to its impact on children and families. Much of our knowledge base concerning the consequences of reporting on children and families is derived from attitude and experience surveys of clinicians working with family members. It is not based on the direct report provided by the children and/or their family members.

At the heart of the controversy is the issue of whether or not mandatory reporting laws are accomplishing their intended goals. When reporting laws were first introduced, the intent was to facilitate the physical protection of children, provide treatment when needed, and promote positive child development. It was thought possible that parents might also benefit when abuse was identified, for with identification came the option to receive assistance to improve the quality of parenting. However, assistance for parents has been traditionally viewed more as a means of benefitting the child. Despite societal support of family autonomy in most matters, the policy of state intervention in cases of child abuse recognizes that parental interests and rights are not invariably co-extensive with those of children (Melton, 1982). Governmental intervention methods with abusive families have undergone changes due to a variety of factors in the last two decades. Currently, intervention through child protective services (CPS) in the child welfare system is designed to facilitate an improved quality of life for the child, as well as ensuring his/her safety, while preserving the family system through the introduction of a variety of family services (Knitzer & Yelton, 1990).

How successful have the mandatory reporting laws been in achieving their intended purpose? It would appear that the laws are neither an unqualified success nor an unqualified failure (Standler, 1989). To some extent mandatory reporting laws may be deemed successful, since they appear to have contributed to the substantial increase in the number of abuse reports which has occurred since the 1970's. Thus, more at-risk children have been identified through the mandatory reporting requirements of such laws. One might then conclude that compliance with mandatory reporting laws by

psychologists facilitates the welfare of endangered child clients by allowing for their identification and subsequent protection within the child welfare system. However, mandatory reporting laws cannot be judged to be an unqualified success. While laws can theoretically provide for the identification of children who may require protection, it has been documented that many cases of child abuse go unreported by professionals who have contact with some member of the family system (Finkelhor, 1990). Compliance or noncompliance with the reporting mandate appears to be a complex issue. Decision-making in such instances can involve consideration of a number of factors, including legal requirements, clinician attitudes, experiences, and personal characteristics, as well as situational dimensions of the abusive situation (Brosig & Kalichman, In Press; Zellman, 1990). The relative importance of each of these factors appears to vary among therapists.

One variable which has been identified as a preliminary discriminating factor is the client advocacy role of the therapist either for the child victim or the adult abuse perpetrator (Koziol & Petretic-Jackson, 1990; 1991). Protection of children is uniformly seen as the most important factor influencing reporting. However, reporters emphasize this role more so than nonreporters. Attitudes regarding the perceived effects of reporting abuse on the child and family have just begun to be investigated empirically. There is some suggestion that clinicians' perceived outcome is related to likelihood to report, at least in studies employing case vignettes (Kalichman & Brosig, 1991; Koziol & Petretic-Jackson, 1991). For many psychologists the decision to report abuse is affected by concerns in two areas related to welfare of the client, 1) the relative accuracy of defining abuse or certainty that abuse is occurring and 2) the likelihood of the traumatic effects of child welfare/CPS involvement on the child and/or family (Zellman, 1990).

While those who argue for compliance with mandatory reporting support a need to protect client welfare through ensuring protection of children, so also do psychologists who argue against compliance identify among their concerns those which relate to protecting the welfare of a client who is a member within the abusive family system. Arguments presented on both sides of the child protection versus client confidentiality dilemma are relevant to client welfare. The focus of which family member's interests are to be considered paramount differ as a function of whether the therapist has a therapeutic alliance with the child victim, the adult who has perpetrated abuse, or some other member of the family