

Cultural Practices and Values that can Masquerade as Child abuse: A Literature Review and Recommendations for the Forensic Psychologist

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ABSTRACT

Cultural competency is the ethical responsibility of the forensic psychologist, especially concerning child custody and abuse evaluations. This article reviews the literature concerning healing practices, cultural values, and hierarchies of abuse to demonstrate the importance of cultural considerations for the forensic psychologist when evaluating child abuse. Conclusions and recommendations from the literature are offered to support the forensic psychologist in continued best practice. Direction for future research is also discussed.

Keywords: Culture; Child custody; Family forensic psychology

INTRODUCTION

Culture is an essential piece of the puzzle in clinical work, no matter the niche of psychology. Understanding the ways culture shapes an individual's worldview and actions can be a vital part of doing well as a psychologist. In forensic psychology, especially concerning child custody evaluations, the stakes can be high; all information, including culture, must be considered when conducting such evaluations. It is especially relevant for forensic psychologists to increase cultural competencies concerning child abuse so they might now how to work appropriately and professionally with all communities. The purpose of this literature review is to provide an understanding abuse and neglect as a vital first step for evaluating the presence of abuse in a family.

The literature will be reviewed to provide data concerning ways culture shapes the recognition of and responses to abuse to help the forensic psychologist make informed decisions concerning custody in cases where child abuse may be present.

LITERATURE REVIEW

Articles for this review were taken from the PsycINFO database in a systematic review process. Key words used were "forensic psychology" AND "cultural competence" AND "child abuse or child neglect or child maltreatment." Articles published before 2010 were not included. Articles were also found using GoogleScholar. Articles that author was not able to gain access to due to the COVID-19 pandemic were also excluded. Dissertations or thesis studies were not included.

Culture

Culture is defined as "beliefs, attitudes, values, and standards of behavior". Components of culture not only include processes usually thought of such as clothing and food, but also notions of wellness, child-rearing patterns, and styles of communication [1], all of which can affect how we interact with the world, our family, others, as well as how others perceive us. Culture also includes values that can also affect how parents "view and treat their children" and how individuals behave in everyday life [2].

Abuse and Neglect

"Child abuse" is a broad term used to describe various types of abuse such as physical abuse, sexual abuse, and emotional abuse; in addition to abuse, children can experience neglect at the hands of caregivers. Physical abuse is "the intentional use of physical force that can result in physical harm". What is interesting about this definition is the word "intentional" and "can." Just because the physical harm occurred maybe does not necessarily mean physical harm was the intent. Secondly, concerning the word "can," if the actions of the abuser do not result in physical harm that does not mean abuse did not take place. Sexual abuse involves "pressure or forcing a child to engage in sexual acts"; emotional abuses are "behaviors that harm a child's self-worth or emotional well-being"; and neglect is "failure to meet a child's basic physical and emotional needs" which can include but is not limited to housing, clothing, and access to services like medical care and education [2].

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Received: June 12, 2020, **Accepted:** July 16, 2020, **Published:** July 23, 2020

Citation: Waters-Tozier SA (2020) Cultural Practices and Values that can Masquerade as Child abuse: A Literature Review and Recommendations for the Forensic Psychologist. J Foren Psy. doi: 10.35248/2475-319X.20.5.160

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The impact of abuse and neglect extends further than damaged physical well-being; children experiencing abuse can experience disturbed emotional health, impaired social-emotional skills, and the development of psychological problems such as anxiety [3]. Additionally, abuse that is chronic in nature can lead to the development of PTSD, abnormalities/delays in brain development, and difficulties with attention, learning, and memory [4], which can impact the child's ability to do well academically.

RESULTS

The literature has much to say on the response of families from multicultural backgrounds concerning child abuse. The literature demonstrates that perceptions and understandings of child abuse can be significantly affected by culture.

Healing practices

In an article by C.M. Killion [4], Ph.D. Associate Professor of nursing from the University of California, Los Angeles, she noticed the importance of cultural competence concerning "Specific belief systems and practices of cultural groups," especially concerning healing practices, that may masquerade as child abuse to the untrained professional [5]. Killion cited the practice of coining, also called caogio, a cultural healing practice used among Vietnamese, Cambodians, and Laotians to bring healing and balance in the realms of the physical, metaphysical, and supernatural. This practice is a form of dermabrasion that uses oils and herbs to rid the body of illness. Even when done properly, marks after the remedy is administered such as rashes or small red lesions can appear on places where the treatment is commonly administered; some believe that the remedy is only effective when marks are seen.

Other forms of healing that can mimic abuse are that of moxibustion an Asian medicinal remedy meant to alleviate fevers and abdominal pain which involves burning herbs on acupuncture points till the point of pain; even today, studies from Korea indicate that moxibustion can be helpful when combined "with conventional therapy to enhance immune functioning in children with cerebral palsy". Another remedy, originating in Mexico, meant to cure a sunken anterior fontanel, what is called caida de mollera, which can be the result of dehydration, and causes poor feeding and irritability; some believe that caida de mollera is the result of removing the baby from feeding too quickly, traveling on roads that are too bumpy, letting the baby suck on an empty bottle, or improper care of the baby (i.e., holding, dressing, carrying the baby incorrectly) [4]. A variety of remedies used by a folk healer, called a curandero, can be sucking on the fontanel, pushing the pallet of the baby's mouth, slapping the soles of the baby's feet, or shaking the baby while holding him/her in a vertical position [5].

A literature review article highlights the importance for professionals developing cultural competency regarding healing practices that can look like abuse injuries, such as those described by Killion, to accurately diagnose the presence of abuse [5]. The conclusion of the article noted that despite the presence of literature discussing the use of traditional healing remedies that can look like abuse, many individuals who are receiving traditional treatments and are misdiagnosed as a result [6]. According to the above articles, to obtain accurate results when conducting child abuse evaluations, the forensic psychologist should be aware of cultural factors, such

as healing practices, that may masquerade as abuse. Additionally, forensic psychologists must not only be aware of practices that can present as abuse but must also consider other factors for unreported abuse.

CULTURAL AND ABUSE REPORTING

Cultural values

The literature demonstrates that cultural values can hinder abuse reporting. When evaluating for child custody, abuse may be brought up later rather than sooner when working cross-culturally. Cultural factors and values may be present which dictate how families react to abuse, especially sexual abuse; these cultural values could hinder reporting the abuse to anyone who is not part of the immediate family system or culture of the client.

In a meta-analysis on existing literature concerning the report of sexual abuse in the United States and internationally, the study found that cultural values such as shame, taboos, and an emphasis on virginity were factors that inhibited the survivor of abuse from disclosing [5]. In addition to these barriers, a study in Canada of 67 participants who had or were currently receiving therapy services for their sexual abuse, found that cultural barriers to reporting abuse included factors such as power dynamics, fear the family unit would come apart, and/or the feeling of "general secrecy and containment within the family" [6]. These factors may inhibit both children and their parents from disclosing abuse, especially to a stranger. Additionally, religious values may hinder the reporting of abuse such as feeling the abuse is due to karma which may stem from Buddhist beliefs, or enduring/overcoming adversity/feeling that God will not give more than you can handle, such as the case with some individuals who hold to a Catholic creed [6].

Systemic issues are also present concerning abuse reporting. A metanalysis study by Fontes and Plummer found that the literature demonstrates overrepresentation of African American and Native American children in the child protection system in the United States stem from systemic issues such as "disproportionate poverty, institutional racism, high rates of neighborhood crime and deterioration in some minority communities, pervasive joblessness [...]" [7]. The literature also shows that Native American, African American, and Latino children who are removed from their homes, experience adverse rather than positive effects, and are likely to stay in the foster system much longer than non-Latino/White children [8]. There is likely a fear among these communities that these children will become a statistic, or if they are taken from their homes they will not be returned. Additionally, the literature shows there is a "cost" for disclosing abuse which can include privacy and financial losses. The loss of privacy is complex and may involve loss of social status or jeopardize immigration status [6].

Hierarchies of Abuse

The type of abuse (i.e., psychological, sexual, physical, neglect) and its perceived severity vary by culture which can have an impact on child when and what type of abuse is reported. A study looking at the differences in the perceived severity of abuse found a difference in the perceived severity of abuse between ethnic groups of Korean Americans, European Americans, and Koreans [9]. The study found while Koreans had a greater emphasis on psychological aggression

and neglect, European Americans focused on physical aggression and did not identify psychological aggression as "an extremely abusive type of abuse" [9]. The study notes that while standardized classifications of abuse have previously been implemented, the perceptions of abuse by professionals affect the outcome of the classification measures used [10]. For example, a Child Protective Service (CPS) study in Spain found that only one-fifth of CPS workers correctly classified abuse after looking at a vignette [11] revealed further demonstrating the point those perceptions of abuse and the severity of abuse can greatly vary.

Translation issues

Language barriers may also need to be overcome when completing child abuse evaluations with cross-cultural clients. Conducting child abuse interviews with children present unique challenges as children are highly suggestable and influenced; child abuse evaluations with children must be done correctly the first time to avoid a type I or type II error [12]. Interviewing children or families who speak English as a second language or do not speak English can be a challenge in forensic interviewing, especially when it comes to translating interviews [12] and must be handled with special care. In a study looking at challenges when translating interview protocols for child survivors of sexual abuse, the study found that translating investigative interview protocols for children (IIPCs) using forward translation methods (translating so that the words read smoothly) lost the integrity of the protocols, while direct translation lost the style of the language in which the protocol was translated into [12]. The study concluded that culturally adapted IIPCs must involve post-hoc analysis to ensure the purpose of the protocol is maintained when used cross-culturally, and that translators of protocols must be knowledgeable in child interviewing to preserve the integrity of the protocols [12]. Using the correct tools and resources to understand and be understood when conducting child abuse evaluations is of the utmost importance.

These studies and meta-analysis demonstrate some of the cultural considerations concerning abuse for the forensic psychologist. Such considerations should include cultural values and practices, systemic issues, perceptions of abuse and severity of abuse, as well translation/communication issues when conducting a child abuse forensic interview. It is not enough for forensic psychologists to be aware of cultural considerations; they must also continually reflect on their own biases that can affect their ability to evaluate information from all available data sources objectively.

Bias and the Psychologist

The importance of being reflective of biases is discussed by Pamala Hays [13] who wrote on the importance of reflecting on ways bias can affect clinical work and how being reflective of personal and cultural bias can impact clinical judgment. The American Psychological Association also produced guidelines to support clinicians in becoming culturally competent practitioners. For example, in 2017 the American Psychological Association adopted guidelines that describe an ecological approach to "context, identity, and intersectionality". The purpose of these guidelines is to give a framework from providing multiculturally competent care [14]. While all ten guidelines are helpful for the culturally competent psychologist, guideline 2 asks the psychologist to use reflexivity in their work stating,

Psychologists aspire to recognize and understand that as cultural beings, they hold attitudes and beliefs that can influence their perceptions of and interactions with others as well as their clinical and empirical conceptualizations. As such, psychologists strive to move beyond conceptualizations rooted in categorical assumptions, biases, and/or formulations based on limited knowledge about individuals and communities [14]. The work of understanding the client is only half of the job. Forensic psychologists need to know and understand how their own cultural values, traditions, and reactions to child abuse, affect their work.

Recommendations

The research provides forensic psychologists with recommendations on how to conduct their work in a culturally competent way. The importance of this topic cannot be overstated. Cultural competency is a vital part of any work within the field of psychology, and much more so is the competence important concerning child custody and abuse cases, where there is little room for error. According to a study in 2009, the divorce rate among Black/African American couples was the highest, followed by white, Hispanic, and Asian individuals. Additionally, the rate of divorce among immigrant couples in 2011 was 11% [15]. These statistics as well as the literature presented above, demonstrate the importance of cultural competence as a consistent part of the forensic psychologist's professional development and practice. Although there are many resources to pull from, Benuto and Garrick [16] provide succinct and synthesized recommendations on culturally competent methods of conducting child abuse evaluations.

Language

The first is language; it is imperative that forensic psychologists ensure they are being understood and understood when it comes to interviewing. The importance of language also discussed above by Navarro C, Knight T, Sharman SJ, and Powell MB [12]. Benuto and Garrick discuss the distinction between language proficiency and language preference writing that it is most important to interview the child in the language they are proficient in rather than the language they may prefer as the child may feel pressure to say they would prefer to have the interview in English rather than their proficient language [12]. Additionally, Benuto and Garrick provide a list of interview protocols that have been translated and culturally adapted for use; they strongly discourage the use of translators who are not adequately trained due to the suggestibility of interviewing children [16].

Rapport

The importance of building rapport is also emphasized. Individuals may be hesitant or uncomfortable engaging/disclosing personal information to people who are not from their same ethnic group as there may be a fear of being misunderstood. Rapport building in culturally appropriate ways can be a way to overcome barriers when ethnic matching is not present. Rapport should be established before the interview takes place which can help establish trust. Rapport building is also an essential factor when working with individuals whose immigration status is uncertain or when reporting the abuse may cause legal difficulties for them that could put their immigration status at risk. Building rapport can help put a client at ease when they may be feeling nervous about

the ramifications disclosing abuse could have on their immigration status [16].

DISCUSSION AND CONCLUSION

Distinguishing child abuse from cultural practices can be a difficult task but must be done nonetheless in order to generate an accurate report. Taking cultural factors into account such as cultural practices, understandings of abuse, and decisions concerning abuse reporting can inform the forensic psychologist's work. There are some limitations to the review that are worth mentioning. The body of literature presented is not as robust as could be due to the author's limited resource access. The author's access to journal articles is limited due to the COVID-19 pandemic.

The literature presented demonstrates how easy it can be for the forensic psychologist to overlook culture and jump to conclusions during a child abuse evaluation. As seen from the recommendations, careful consideration of cultural values, continued research, open communication, and overcoming language barriers are important ways for the forensic clinician to be culturally competent in their work. The literature presented did not discuss bias and the ways bias can hinder culturally competent work, however it is important to be reflective about bias, especially in cases of child abuse where decisions made by the forensic psychologist can have long-term impacts. While the literature presented has been immensely helpful for providing information on how a forensic psychologist should build cultural competency when working with families from different cultures, no literature was found discussing child abuse evaluations among families of blended cultural backgrounds. Child custody work with families where the caregivers have differing cultural backgrounds and traditions can add additional unique challenges to a case where possible abuse involved. Forensic psychologists may benefit from research that focuses on the unique challenges, considerations, and recommendations that are presented when conducting child abuse evaluations with families from blended cultural backgrounds.

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