



D46 An Interdisciplinary Approach to Child Sexual Abuse Investigation in Colombia

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After attending this presentation, attendees will have a general knowledge about the importance of a multidisciplinary approach in order to do a proper forensic analysis as well as social, legal, and criminal in cases related with sexual child abuse, at the same time attendees also will understand the Colombian forensic work in the reported cases.

This presentation will impact the forensic science community by showing how hundreds of people in Colombia had been found guilty of child sexual abuse without a scientific interpretation of forensic evidence and/or a proper criminal investigation.

Since 1999, when Luis Alfredo Garavito, one of the worst serial killers and child abusers of Latin-America was arrested, the number of accusations of child sexual abuse in Colombia have increased year by year and in 2009 the Colombian Institute of Family Welfare reported

17,000 cases in which most of the victims are children under 14-years- old of which 75% are girls. But it is possible that an important number of these cases are just false reports

Within the Colombian criminal code, child sexual abuse is represented by two kinds of crimes, sexual touching and sexual assault. In the first case there are not any physical evidences in victim's body; while in the second the victim has been penetrated. In accordance with statistics children less than 12 years old are in most of the cases, victims of sexual touching while children up to 13-years-old are victims of sexual assault.

Beginning January 1, 2005, with the implementation of the adversarial system in Colombia, hundreds of people had been found guilty of charges in cases related with child sexual touching and child sexual assault without any forensic evidence or a proper criminal investigation.

Child sexual touching cases around the world as well as in Colombia can be very difficult to prove largely because cases where definitive, objective evidence exists are the exception rather than the rule. When child sexual abuse occurs the child victim sometimes becomes the only witness and the child's statements are usually the only or most important evidence. In such cases, the central issue becomes whether the child's statements can be trusted but neither prosecution nor defense are doing an appropriate legal and/or forensic interview to find the true.

In spite of the high number of accusations and the Colombian State's efforts for protection and prevention, the criminal and forensic investigation of child sexual abuse cases in Colombia is still far away from international levels due to several factors. Within these are an inadequate criminal investigators' training on these kinds of crimes, the analysis, reports, and testimonies of non-forensic experts in the court, manipulation of victims' minds, the use of neither scientific nor technical resources by psychologist and a bad praxis from some medical doctors, especially in rural areas.

Together with this scientific issue, there are other difficulties. On one hand, judges, attorneys, and prosecutors are not trained sufficiently to use and understand physical and forensic evidence but on the other, the mass media and social prejudgment about these cases are taking an important impact in judges' minds.

Since 2007 with the new children's protection code, people who are condemned by child sexual abuse in Colombia have no legal benefits even if they confessed to their crimes. This is the only crime that has no benefits for offenders in this country and unfortunately some people are using it for personal revenge or economical interests.

Through a multidisciplinary analysis from the legal context, forensic sciences (psychology and medicine), criminal investigation, and social anthropology, an interdisciplinary team working in some cases for the defense and in others for the victims, will bring real cases, their physical and testimonial evidences, criminal processes and sentences.

Child Sexual Abuse, Forensic Interdisciplinary Work, Crime Scene Investigation