



# At Zebra, Kids Can Tell Against All Odds

## THE PROSECUTION OF A CHILD SEX OFFENDER

**the** little girl wouldn't tell. Her stepfather had told her he'd kill her and her older brother if either of them breathed a word about what he had done. She had good reason to believe him. And so not one word she said during her 30-minute interview with the Zebra Centre investigator divulged any evidence of abuse.

Before the Zebra Centre was founded in Edmonton in 2002, the fact that an alleged victim reported no abuse after extensive interviewing would have likely brought the case to a halt. The investigation would have taken place at the police station, where many other cases were demanding attention. Before Zebra, the police didn't have the advantage of a multi-disciplinary team to monitor the interviews and confer with one another.

The Zebra team had something else: the testimony of the girl's 10-year-old brother. This young boy showed awesome courage. Despite the stepfather's death threats, the boy told his mother that he had encountered his stepfather exposing himself and masturbating in front of the little girl. The brother repeated the account bravely to a Zebra Centre police detective. He also drew a picture of what he had witnessed, adding further credibility to his account.

Two Zebra investigators and other professionals monitoring the interviews worked together to strive to get at the truth of the allegations. During the initial interview with the little girl, Zebra's Children's Services investigator returned with a different tact. She said that the girl's brother was concerned about her. A dam opened up. The girl began to tell of extensive sexual abuse she had suffered from her stepfather since she was six-years old. In her terror of her stepfather, she had held tightly to her secret for years.

**“In her terror of her stepfather, she had held tightly to her secret for years.”**

Now, with two highly credible taped children's interviews, the case was ready for preliminary hearings. But again, circumstances got in the way of the truth coming out. The Prosecutor asked each of the children to identify the stepfather in court. This necessitated them coming out from behind the protective screens where they were to testify. It was indeed an unfortunate diversion since the identity of the accused was never really in question. As it turned out, neither child identified the stepfather. The Zebra team later learned that the brother had been confused because the appearance of the accused had significantly altered from the last time he had seen him. The little girl was simply too frightened.

The judge dismissed the case.

Again, in the justice system prior to Zebra, this would likely be the end of this investigation. But the team wasn't about to give up.

Through Zebra, crown prosecutors, investigators and all concerned had several years of experience learning from one another and honing their skills in child abuse investigations and prosecutions. They believed the little girl and her brother. They believed in the truth of the interviews and they had one another to support moving forward in the face of the dismissal.





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A senior Crown Prosecutor continued building the case, reviewing the files and the interviews of the children. His diligence earned a direct indictment. This meant the stepfather could be brought directly to trial without a preliminary hearing. Direct indictments to trial are a rarity in the rigors of the judicial system.

The case was brought to trial in 2006; two years had passed since the brother and sister had been interviewed at the Zebra Centre. The youngsters had difficulty remembering some details between their initial interview, the preliminary hearing, and their trial cross-examinations. The little girl, who is bright and outgoing, tended to regress under the pressures of questioning in court. The defence counsel very skillfully pointed to these inconsistencies as evidence of lack of credibility of the children that would allow for reasonable doubt of guilt.

Again, the Zebra team marshalled its forces. A psychologist was consulted as to how support could be given to the little girl to help her maintain her composure in court. He suggested that the little girl could better cope if information exchanges happened in shorter, more manageable time spans. The team also learned that if she was given the transcripts from the preliminary hearing, she was better able to follow the points the defence lawyer was making. Using the transcripts in court meant that the defence could specifically refer to passages in the testimony. This gave the little girl an important point of reference and the chance to orient herself before giving her response.

Fortunately, Zebra has a donor who funds the transcription of testimony. Transcriptions can otherwise be difficult to get since there is debate in the justice system as to whom is responsible for paying for them. This is one example of how our community works together to say, if something will help an abused child achieve justice, we will ensure it happens.

**Two Zebra child advocates supported the little girl and her brother from the time they came to the Centre. They were with them during court preparation sessions and attended court with them; they helped them along every step of the way.**

The Zebra team also rallied to overcome a disadvantage the Crown Prosecutor faced due to the fact that he is suffering from a debilitating eye disease. The Crown Prosecutor called a special meeting of Zebra investigators, the psychologist and others to review the taped interviews of the children. This multi-disciplinary team of professionals each spoke to what he or she saw in the body language of the children and what they heard each child say. It was a busy day at Zebra and the only place available for this urgent meeting, was the kitchen. However, this team was not to be put off by the lack of a conventional venue. It was something to see...all of them huddled around the kitchen table. By the time they had shared their expertise, the Crown Prosecutor was ready to go back to court. Not only did he have 20-20 vision of the children's interviews, he now had the scope of vision that the eyes of an expert community could see.



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The end of this story shows the difference that the community has been able to make through the Zebra Centre. In 2006, the Justice convicted this child sex offender on six offences, including: sexual assault, sexual interference, invitation to sexual touching, indecent exposure and uttering threats to each of the two children.

In explaining his judgment, the Justice noted the inconsistencies brought forward by the defence, but concluded that they were insignificant in light of the credibility of the children, especially in the interviews first conducted at the Zebra Centre.

He made several references to Zebra's child-friendly environment. Clearly, he understood Zebra's critical role in putting children at ease to illuminate the truth.

It was only after this conviction that the judge was able to be privy to this child sex offender's long previous record of multiple sexual offences against children. The Crown Prosecutor set in motion measures to have the child sex offender declared a dangerous offender.

This verdict marked an important victory. The sexual abuse and violent threats to the brave children who came forward in this case are at an end. The potential for sexual abuse to his own younger children is halted. And all other children who might be victims to this child sex offender have been relieved.

Before the Edmonton community came together as the Zebra Child Protection Centre, this story would have undoubtedly ended in tragedy with further abuse to these children and others.

It would have ended when the little girl, sexually abused since she was six and threatened for her life, could not initially overcome her terror to tell.

And if not then, it would have ended when the case was dismissed at the preliminary hearing.

And, even after the indictment, the defence lawyer might have won the case without the highly credible recorded interviews conducted by the Zebra team, which stood above any confusion in court.

When one of their herd is threatened Zebras gather in a circle. Their stripes blend together so that the enemy cannot tell where one zebra ends and another begins. This child sex offender almost slipped through. But the members of the Zebra circle were bound so tightly together in their pursuit of justice and recovery for these young children that they didn't leave any space between those stripes.