

## **Convicted and then Acquitted - Why Different Courts Reach Different Conclusions in the Same Child Sexual Abuse Cases**

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The aim of the present study was to examine what factors the Swedish District Courts and Courts of Appeal consider relevant when ruling in the notoriously difficult cases of child sexual abuse (CSA). One of the main features of sexual offenses is the absence of corroborative evidence, and testimonies are often the only evidence available to the courts. This is problematic especially in CSA cases where the victims are young, and it raises the question of whether a child is capable of providing a testimony detailed enough for the court to convict. In this study CSA court rulings from District Courts ( $n=177$ ) and from Courts of Appeal ( $n=84$ ) with preschool complainants were analyzed. Binary logistic regression analyses showed that strength of evidence was a predictor for the perpetrator to be convicted and for the case to remain unchanged on appeal. The use of the Supreme Court credibility criteria did not differ between courts, but were more frequently used among the altered vs. unchanged cases. The results indicate that the use of the Supreme Court criteria is inadequate and fail to provide the objective judgments that are needed in these difficult cases.

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