NICHD Protocol:

Cutting Edge Practice for Investigative Interviews with Children

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Presentation given at the Child Advocacy Centres Knowledge Exchange 2011
Ottawa, February 28, 2011

Results of research conducted over the last 25 years have convincingly shown that children have the ability to report precise information about events they have experienced or witnessed (see Ceci & Bruck, 1998; Kuehnle & Connell, 2009; Poole & Lamb, 1998). Such results may be observed with children as young as three or four years old. Obviously, the quantity of details obtained from children is proportionate to their age. Narratives of very young children contain few details when compared to those of pre-school or school-age children. Research has also shown that information obtained with a free recall memory prompt using open-ended questions is more likely to be precise.

These studies paved the way for the development of a consensus about the practice guidelines to be followed, which were broadly disseminated starting in 1990 in the United States (see APSAC) and in England (Memorandum of Good Practice, 1992). In Canada, Yuille and his colleagues (1993) developed the Step-Wise Interview Guidelines. Among the generally accepted interview techniques, Myers et al. (1996) underlined the importance of establishing a relationship with the child and giving the child support, instructions regarding expectations, the tasks requested and confidentiality, asking the child initial questions that are the least suggestive possible, and then proceeding with increasingly specific questions. Saywitz and Camparo (1999) added that the interviewers must adapt the interview and interpret the child’s answers on a development perspective basis (for example, level of functioning, skills, language, knowledge). They must strive to remain objective (tone, facial expression, etc.) and minimize suggestions.

Unfortunately, research on the current practices of interviewers (police officers or social workers) has shown a significant discrepancy between these interview models and various recommendations and what interviewers actually do during interviews. The results of the studies conducted by Davey and Hill (1999), Warren et al. (1996) and Cyr & Wright (2003, 2005) show that interviewers largely ignore the recommended steps when conducting their interviews. In addition, the studies conducted by Aldridge (1992), Aldridge and Cameron (1999), Davies et al. (2000) and Sternberg et al. (2001) in Great Britain, by Cederborg et al. (2000) in Sweden, by Cyr and Lamb (2009) in Canada, by Orbach et al. (2000) in Israel and by others in the United States (Faller, 1996; Lamb et al., 1996a, 1996b, Sternberg et al., 1996) show that interviewers rarely use open-ended questions to obtain information. The majority of them use specific questions and leading statements. In the practice settings studied, more than 80% of the statements made by interviewers were close-ended questions while only 6% were invitations to speak. In addition, research specifically focused on investigative interview training clearly shows that interviewers’ awareness of preferred behaviour increases as a result of such training sessions. This new knowledge does not, however, result in a reduction in inappropriate behaviour during interviews, such as using specific questions, or an increase in more appropriate behaviours, such as using open-ended questions. Similar results were noted no matter what the duration of this training was, which varied from three to 10 days, and regardless of whether it included practical cases with feedback.

NICHD Investigative Interview Protocol

It was on the basis of these studies, which showed that interviewers did not follow recommended
procedures and that attempts to change their behaviour were disappointing, that the Protocol of the National Institute of Child Health & Human Development (NICHD; Lamb et al., 1998, 2008; Orbach et al., 2000) was developed. The purpose of the Protocol was to transpose the recommendations resulting from research into operational steps that would increase the likelihood of obtaining complete and precise information. The Protocol integrates recent knowledge about memory functions and suggestibility of children. It may be used with children who are suspected of having been sexually or physically abused. In addition, the Protocol skills may be used in situations in which children may have been witnesses to crimes, spousal violence or any other event for which it is necessary to have their version. This Protocol is based on existing protocols, including the APSAC’s protocol, the Memorandum of Good Practice, the Step-Wise Interview Guidelines and cognitive interviewing, but differs from them in that it uses a more structured approach. The Protocol is more precise and practical. For example, the Protocol contains a series of open-ended questions to assist interviewers during investigative interviews. They are thus less likely to ask close-ended questions that can develop suggestibility in the victim’s mind.

The NICHD Protocol involves three main stages. The purpose of the pre-declarative stage is to prepare the child to become an effective informer. The definitions of the parties involved, the roles they play and the basic rules (telling the truth, correcting the interviewer, saying “I don’t know,” saying “I don’t understand”) are explained to the child. The child is asked to speak about things he or she likes to do to gradually build a relationship of trust. The victim then recounts recent events unrelated to the sexual abuse to practice using his or her recall memory. This stage helps continue building the relationship of trust while helping the child understand what is expected of him or her. Through practice, the child understands that he or she is expected to give very detailed answers and becomes accustomed to the type of open-ended questions (invitations) which will be used. The stage dealing with details of the sexual abuse is introduced with an open-ended question (invitation). The Protocol provides a series of alternative non-leading questions to be used if necessary with a victim who does not disclose anything in answer to this question. One feature of this Protocol is that it takes into consideration new discoveries about how memory functions, including recognition, recall and scenario. The Protocol structures the sequence in which the events of sexual abuse are reported (disclosure of one incident, the last incident and the first incident, and a detailed recall of one of them). This stage of the interview is conducted using open-ended questions (invitations) and questions involving specific clues given by the victim. If required, the use of close-ended or specific questions is allowed at the end of the interview. The last stage, the closing phase, allows the child to discuss who he or she disclosed the sexual abuse to, and how the disclosure was made. This stage also ensures that the child has said everything he or she wanted to. The interview ends within an invitation to discuss another neutral subject if the child wishes to.

The training session takes into consideration the recommendations made to date. It begins with an intensive week which involves several steps. Current knowledge of memory, suggestibility and developmental capacity is presented and discussed. The Protocol is then studied in detail and the reasons for its structure and format are explained. Videos are shown to demonstrate its use. A practice period enables investigators to use the Protocol in role playing in which the victim scenarios are predetermined and increase in difficulty. The role playing is filmed, reviewed and analyzed with the interviewer who conducted the interview and difficulties are discussed with the whole group. It is also recommended that, following this week of intensive training, the interviewer should receive, for each interview conducted using the Protocol, written feedback about his or her proficiency in using the Protocol and the appropriateness of the questions asked. Suggestions for invitations and invitations with clues are also given to help the interviewer build up his or her repertoire of open-ended questions.
The purpose of this feedback is therefore to help interviewers become better skilled and competent in their use of the Protocol and in their interviews with children.

To date, the NICHD Protocol has been the one most studied (Lamb et al., 2007, 2008). It has demonstrated its effectiveness in correcting interviewers’ skills and helping the victims interviewed give more detailed and credible testimony. The open-ended questions or the invitations used in the Protocol make it possible to elicit answers that are four times longer and contain three times more details than the answers to the other types of oral questioning used by interviewers. In addition, interviewers significantly modify their behaviour at interviews by increasing the number of open-ended questions and by cutting in half the number of close-ended, leading or suggestive questions. (Cyr & Lamb, 2009; Lamb et al., 1996a, 1996b; Orbach et al., 2000; Sternberg et al., 1996). In addition, in cases where victims are reporting multiple incidents of abuse, invitational-type questions prompt the victim to give more core or relevant details (Sternberg et al. 1996). Hershkowitz and his colleagues (2001) showed that the use of invitational-type statements which included clues previously given by the child, as compared to invitations only, made it possible to increase the number of details. Lamb and his colleagues (2003) showed that, in using the Protocol, children aged from four to six years gave a significantly greater number of details in answer to open-ended questions rather than to specific questions. Use of the Protocol also led to higher results on the total Criterion-Based Content Analysis scale (CBCA; Hershkowitz et al., 1997). In addition, Hershkowitz and his colleagues (2007) showed that when interviews were conducted using the NICHD Protocol, it was easier to distinguish interviews in cases in which it was highly probable that sexual abuse actually did occur from interviews in cases in which the allegations were unlikely. In another study, Hershkowitz et al. (2005) showed that the disclosure rate was significantly higher, increasing from 61% to 71% when the Protocol was used. Finally, in 2008, Pipe and his colleagues noted 1.52 times more charges being brought when interviews were conducted using the NICHD Protocol than without it.

Studies Conducted in Quebec

Two studies conducted over the last few years in Quebec assessed the effectiveness of the NICHD Protocol. The purpose of the first study was to determine to what extent a French-language adaptation of the Protocol would make it possible to increase the number of open-ended questions used by an interviewer and increase the number of details elicited using these questions. Eight police officers participated in an intensive week of training on the use of the Protocol. Following the training, the interviews conducted with the help of the Protocol were paired with similar interviews conducted by the same police officers in the two years preceding the training. These interviews had been paired on the basis of the child’s age, the relationship between the victim and the assailant, the type of abuse sustained and the number of sexual assaults. Accordingly, 45 pre-training interviews were compared to 45 interviews conducted with the NICHD Protocol.

The results of the variance analyses show significant differences for each type of question. As expected, the number of invitations tripled, increasing from 7% to 33% of all utterance types. As far as all other utterance types were concerned (leading questions, offering a choice, suggestive utterances and summaries), their proportion was significantly reduced by half when the interview Protocol was used. It is also interesting to note that the total number of utterances made by the police officers was significantly reduced by 32.8% with the use of the Protocol. The average duration of interviews increased 13 minutes with the use of the NICHD Protocol.

Covariance analyses, which control the number of questions asked, showed significant differences in terms of the number of total or core details between interviews conducted without the Protocol and those conducted with it. Most of the details obtained with the Protocol were the result of invitational-
type utterances, which respectively represented 56% and 58% of all of the details obtained. This is the opposite of the interviews conducted without the Protocol, in which only 11% of the total details and 13% of the core details had been obtained using invitational-type questions. It may accordingly be noted that the number of total and core details obtained using invitational utterances is four times greater with NICHD interviews than the number obtained in interviews without a Protocol. These results are similar to those of other studies conducted in England, Israel and the United States (see Lamb et al., 2008).

The purpose of the second study was to determine if the feedback following the intensive training week was necessary to maintain the skills acquired with the Protocol. In fact, the results of a study by Lamb and his colleagues (Lamb et al., 2002) show that after one week of intensive training and feedback for a certain number of interviews, when the feedback ceased, the number of leading questions in the interviews increased to the detriment of invitational-type questions. In our study, 11 police officers had been trained on the use of the NICHD Protocol during an intensive week-long session. Following this training, the police officers were given no feedback on the interviews they had conducted with the Protocol. One year later, the interviews conducted with the Protocol were gathered and paired with the interviews conducted before their training. Accordingly, 39 interviews conducted with the Protocol were compared to 34 interviews that had similar characteristics but were conducted before the training and therefore without the NICHD Protocol.

The results obtained were similar to those of the first study but with some differences. As expected, the number of invitations multiplied by six and represented 21% of all of utterances with the Protocol instead of 3%. As far as the other types of utterances were concerned, the proportion of leading questions and those offering a choice was significantly reduced when the interview Protocol was used. The number of summaries and suggestive questions remained stable. These results lead us therefore to conclude that when no systematic feedback on the Protocol is given, its use by investigators continues to result in a greater number of invitational-type questions without reducing the other types. Covariance analyses for total and core details show that such details elicited with invitational-type questions are seven and six times greater than without the Protocol. They represent, however, only 37% of the number of details elicited during the interview.

When the results obtained for the group which was given feedback are compared to the group which did not receive any, it appears that the number of invitational-type question is much greater, and that there were fewer leading questions, questions offering a choice and summaries. In addition, feedback allows police officers to elicit more details using invitational-type questions.

Discussion

A number of conclusions may be drawn from these results. First, the use of the NICHD Protocol allows police officers to ask more invitational-type questions in their investigative interviews of children. This type of question is recommended because it calls on the child’s recall memory and because of that it elicits more precise information. Accordingly, following initial training and use of the Protocol, police officers improve their non-suggestive interview technique with children. Use of the Protocol makes it possible to elicit a greater number of details from the child’s recall memory. This proportion varies from 37% to 56% of all details.

The second conclusion concerns the effect of feedback. When systematic feedback is given about the use of the Protocol following initial training, more invitations are used in interviews and the majority of total or core details are elicited as a result of these invitations. This also allows the police officers to significantly reduce the number of questions they have to ask to obtain the details sought.
These results accordingly support the effectiveness of the NICHD Protocol. They also confirm the complexity of the investigative interview of children. Although use of the Protocol following proper training is sufficient to improve interviewers’ practices, the addition of detailed feedback regarding the structure of the interview as well as the type of questions used allows interviewers to be more effective. Future research should try to identify the types of supervision and feedback that are the most effective and that take into consideration the restrictions associated with the practice setting in which these interviews are conducted.

References
Aldridge, J. 1992. The further training of professionals dealing with child witnesses. In H. Dent & F. Rhona (Eds.), Children as Witnesses. Chichester; Toronto: John Wiley & Sons Ltd.


