

## Round Table discussions

after

Panel # 1: *Investigations and Interviewing Techniques*

Child Advocacy Centres Knowledge Exchange, Ottawa

Monday, February 28, 2011

### Panel # 1: *Investigations and Interviewing Techniques*

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[Kevin Pierce](#), Child abuse investigator, Regina Children's Justice Centre, Regina, SK

[Kim Roberts](#), Professor, Dept of Psychology, Wilfrid Laurier University, Waterloo, ON

#### *See Presentations:*

[Cyr] [NICHD Protocol: best practices – investigative interviews with children](#)

[Roberts] [Interviewing Children who are Victims or Witnesses](#)

#### *See full papers:*

[Cyr] [NICHD Protocol: best practices – investigative interviews with children](#)

[Roberts] [Interviewing Children who are Victims or Witnesses](#)

After this panel, delegates at the Round Table addressed three questions:

Question# 1 - *Child- and youth-friendly, safe environment for forensic interviews*

Question # 2 - *Training and protocols for interviewers*

Question # 3 - *Uniform access to video-recording*

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## ROUND TABLE DISCUSSION

*Question # 1) What must be in place to ensure a child- and youth-friendly, safe environment for forensic interviews in your jurisdiction? Please give examples of innovative child- and youth-appropriate resources and locations that are being used – or could potentially be used - in any community.*

### What makes an interview place “safe” and “child- or-youth- friendly”?

Delegates noted that the majority of police stations are not child-centered environments.

However, the key issue for children and youth when being interviewed is that they are helped to feel reassured and safe. When a child-friendly setting is not available, the key factor in making a child feel safe will be the skills, personality, training and experience of the interviewer – whether that person is a police officer, a child abuse investigator, or any other professional involved in interviewing the child or youth.

While most people, including children, have positive attitudes toward police, prior negative experiences [with police] of some families will influence the level of trust or the attitude they feel when they, or their children, are required to become involved in the justice system. Being questioned by an officer in uniform may be an intimidating or sometimes frightening experience for some children.

The issue of access to child centred interview facilities was addressed for rural or remote locations. Where availability is limited, it was suggested that other venues could be used -- the requirements being **privacy, confidentiality, comfort** and the ability to use **video-recording equipment**. During this discussion, delegates suggested that jurisdictions that include a number of remote communities could consider investing in a properly equipped and furnished mobile unit that can be brought to different locations to interview children.

There was a strong consensus among delegates that the basic elements of child-centred interview rooms and waiting areas should include:

- separated from the general office space of a police station or child protection office
- soundproof

- comfortably furnished to accommodate both young children and teens with neutral decor, and with no distractions
- where possible, police officer should not be in uniform when interviewing children/youth

### **Youth/teens need a different safe place**

Although many jurisdictions have set-up a child-friendly space for interviews, a room that's too focused on young children will not work well for interviews with teenagers. Several delegates commented that, while it's now well known that specially-designed spaces are needed for very young children, CACs and similar type agencies should also plan to set-up areas for young people over age 12.

### **Smaller / remote communities – privacy issues**

Although privacy is essential to the creation of safe spaces for interviews, there may be no real privacy in small, remote communities where everyone knows everyone else. A solution to this problem may be to use the local nurse's station or another medical office, or a mobile interview unit.

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*Question # 2) **How can your jurisdiction ensure that forensic interviewers have the appropriate training and follow consistent***

### **Build relationships before protocols**

It is challenging to build relationships and share information across different professional bodies. The key issue here – before any progress can be made and best practices shared – is the willingness of all parties to do things differently, and to learn from other professionals, who deal with children in different ways. One

suggestion was that collaborations can improve when police and child protection investigators work the same shift hours.

Don't rest on your protocols. Protocols should be reviewed once a year.

### **Confidentiality – how limited are you... really?**

There was much discussion on this issue. It is difficult to build collaborative working relationships when you cannot share information about cases. Many agencies find it difficult to share information or develop practical inter-agency protocols, due to concerns and regulations protecting client confidentiality. However, some delegates suggested that everyone should review their own regulations, the guidelines of their organization, and of their own professional governing bodies. Assumptions about legal restrictions on info sharing may be out-of-date.

In Alberta, for example, the Child Youth Family Enhancement Act allows for disclosure of information, if it is in the best interest of the child, and where there is a suggestion that the child is at risk.

Several delegates urged their colleagues to re-visit their local legislation, and seek legal advice.

### **Good training = re-training**

Training should be continual and regular for all professionals who work with children.

Many rural communities are policed by RCMP, where members are frequently transferred. Frequent interdisciplinary training is even more important in areas where staff turn-over is high. Also, it helps to arrange both formal and informal opportunities for local knowledge transfer, from a more experienced officer to the new replacement.

Best practices become out-dated quickly. They need to be reviewed and improved frequently.

It is important to implement new training immediately – and then practice it!

Care should be taken to ensure that an equal number of male and female officers are being trained – so that child victims/witnesses can have the choice to be interviewed by a well-trained person of either gender.

### **Invest in the right people**

Delegates repeatedly said that it is important to identify key people in mandated agencies who work well with children -- and to offer them additional training opportunities. As they move into senior positions, they will be more inclined to focus resources on better services for children.

Dedicated “champion” justice professionals who are recognized for their talent and skills in working with children and youth, should be celebrated for their contributions. They should be encouraged to provide supervision and mentorship.

### **Youth victims/witnesses – special issues with online media**

Texting, Facebook and other online social media are all starting to play a major role in cases involving youth. Interviewers need special training in how to ask questions in forensic interviews about texting, Facebook, etc. – and any other form of cyber communication.



*Kevin Pierce, Child abuse investigator at the Regina Children's Justice Centre, explains how police, child protection workers and crown attorneys all work together in Regina, Saskatchewan, on cases involving children and youth.*

### **Peer review leads to improved interviews**

Police officers and child abuse investigators benefit from peer review of their video-recorded interviews with children. Poorly conducted interviews, or mal-functioning equipment can negatively impact a child and damage a court case.

As one delegate said: *“Peer reviews are a chance to talk openly, close the doors, and review files to see why certain decisions were taken in a file.”*

### **Collaborations that benefit remote communities**

How can remote communities benefit from connections and mentoring from an established CAC (or similar child centre) in a larger urban centre?

Delegates from northern communities suggested that the best approach may not be to fly a team to a remote community from a urban CAC. That's not a sustainable solution to the needs of the remote community.

More practical and creative solutions are needed on the best ways for remote / Northern communities to benefit from linkages and mentoring with a better established CAC (or similar child centres) in an urban area.

There are many qualified professionals and organizations already established in rural and remote communities, who can become involved in assisting in cases with children. Efforts should be made to investigate these options and provide appropriate training.

### **Collaborations need on-going maintenance + joint-training**

Collaborations deteriorate quickly without regular care and feeding.

Establish a regular schedule for “collaboration-maintenance.”

Police and child protection investigators benefit from joint training, on a regular basis.

When people train together, they develop a common understanding of each other's roles, and begin to use a common language.

Info sharing / cooperation across different organizations will improve when an identified person is assigned to manage those inter-agency contacts.

Senior management has to actively support multi-disciplinary collaborations in order for them to work.

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*Question # 3) We all agree that forensic interviews should be video-recorded. Is this a challenge for your jurisdiction? Please share your creative solutions about providing uniform access to video-recording equipment, across your jurisdiction.*

### **How common is video-recording?**

Do most jurisdictions video record all interviews with children under age 18? There is very little formal tracking information from across the country about how many interviews are recorded – or not. A comprehensive survey is needed to determine what percentage of the total number of interviews are video-recorded, in all jurisdictions; and when they are not video-recorded, with some investigation of the reasons why they aren't recorded.

Delegates reported that video-recording of interviews is rare in most rural / remote communities.

Some delegates recommended that new legislation should be drafted that requires all interviews with children/youth to be video-recorded.

Interviews should be planned so that they can be done at a time and place where video-recording equipment is known to be available.

### **Is any recording is better than no recording?**

Video-recording should be standard practice when interviewing children.

Sometimes interviews cannot be video-recorded – for a variety of reasons. In those circumstances, several delegates emphasized that the key thing would be to “*just to capture the child's voice*” -- in a recording format that can be played back in a wide range of contexts, on any kind of equipment. “*Even a simple audio recording taken on a small recorder is better than no recording.*”

### **Need video equipment that is readily available -- and easy to use**

Easy-to-use video-recording equipment is better than complicated equipment that some people may find difficult to use properly.

Many delegates believe that problems with poor quality videos interviews are not due to the equipment – but rather due to the fact that the interviewer is not trained to use the equipment properly. For example: the microphone is not correctly placed; or too much outside noise leaks into the interview room; or they haven't checked the equipment prior to the interview. It was noted that courts have not accepted video-recorded statements by children, because the recording is hard to hear or see.

### **Recording options for remote communities**

Not all police stations and child protection agencies in rural areas will have the equipment to video-record interviews. More portable recording equipment would be useful to rural communities.



*Bonnie Tulloch, Special Advisor on Northern Issues for the Public Prosecution Service of Canada, listens to Rod McKendrick, Interpersonal Violence Specialist, and Manager of Victims Services Training Initiatives in Regina*

### **If video-recording was part of the offense?**

Investigators must take care in recording an interview with a child when cameras and technology were part of the offense. It is important for the interviewer to take the time to orient the child to the interview room, and:

- point out the camera -- letting the child know that the interview will be videoed;
- explain to the child why it is necessary to record the interview;



- be sensitive a child's possible strong negative reaction or refusal to be recorded.

For more information, see this Government of Canada report ***“Every Image, Every Child***, about Internet-facilitated Child Sexual Abuse in Canada (2007): <http://www.victimfirst.gc.ca/pdf/childp-pjuvenile.pdf>

## **Compatible equipment**

It's important that the interview is recorded in a format that can be viewed easily by all the mandated agencies involved in the process -- police, child protection, crown attorneys and courts. Before investing in equipment, find out what equipment and software other agencies in your jurisdiction are using – or are about the upgrade to.

When one sector is using outdated or incompatible technology, it's harder to share information.

The Zebra Child Protection Centre in Edmonton, Alberta, uses a video-recording system called FTR (“For The Record”) -- bought with community donations -- that is also used in Alberta courts, as well as by police, and in interviews with accused. This new equipment allows the interview with the child to be recorded in real time, while monitor notes are taken on a keyboard simultaneously. The monitor notes are simultaneously linked with live recorded images. For more information on this system see: <http://www.fortherecord.com/>

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