

# FORENSIC INTERVIEWING OF CHILDREN

- BASIC PRINCIPLES

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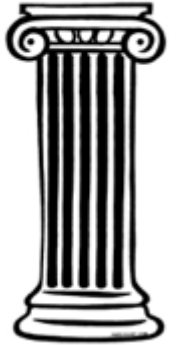
# A forensic interview

- A developmentally sensitive and legally sound method of gathering factual information regarding allegations of abuse or exposure to violence.
- This interview is conducted by a competently trained, neutral professional utilizing research and practice-informed techniques as part of a larger investigative process.

**Child Forensic Interviewing: Best Practices**

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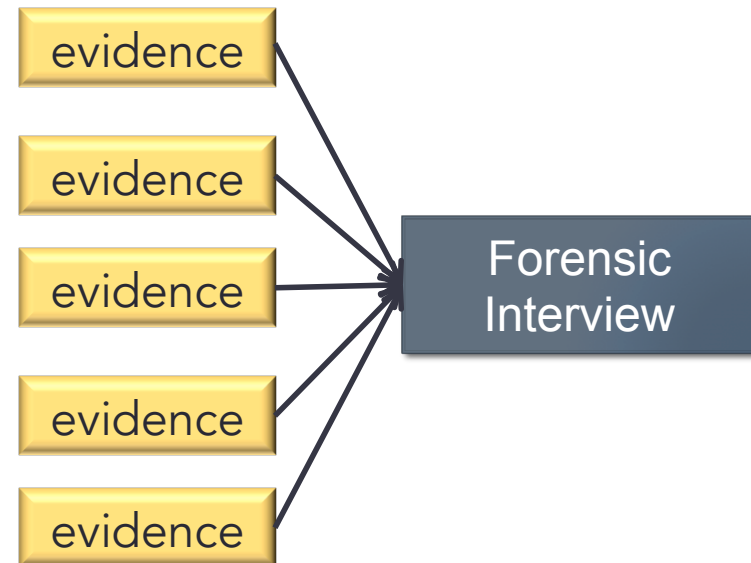
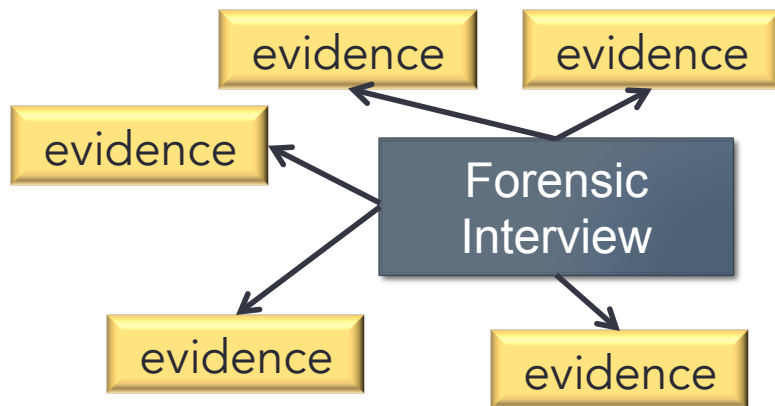
# Goals for today



1. Hypothesis testing/fact-gathering
2. Research & practice “best evidence”
  - Prompts & interview phases

# HYPOTHESIS TESTING

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Questioning:

- Leading/suggestive /misleading
- Highly specific
- Repeated (within/across)

Props/  
Aids

Bias

Authority

Imagination

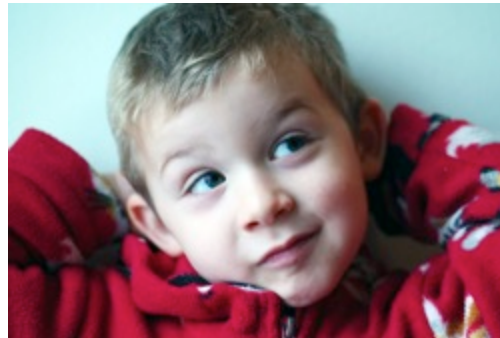
Rumour

Other  
events

Script-based  
errors

Meanings &  
Pronunciations

Linguistic  
ambiguity



What's  
your goal?

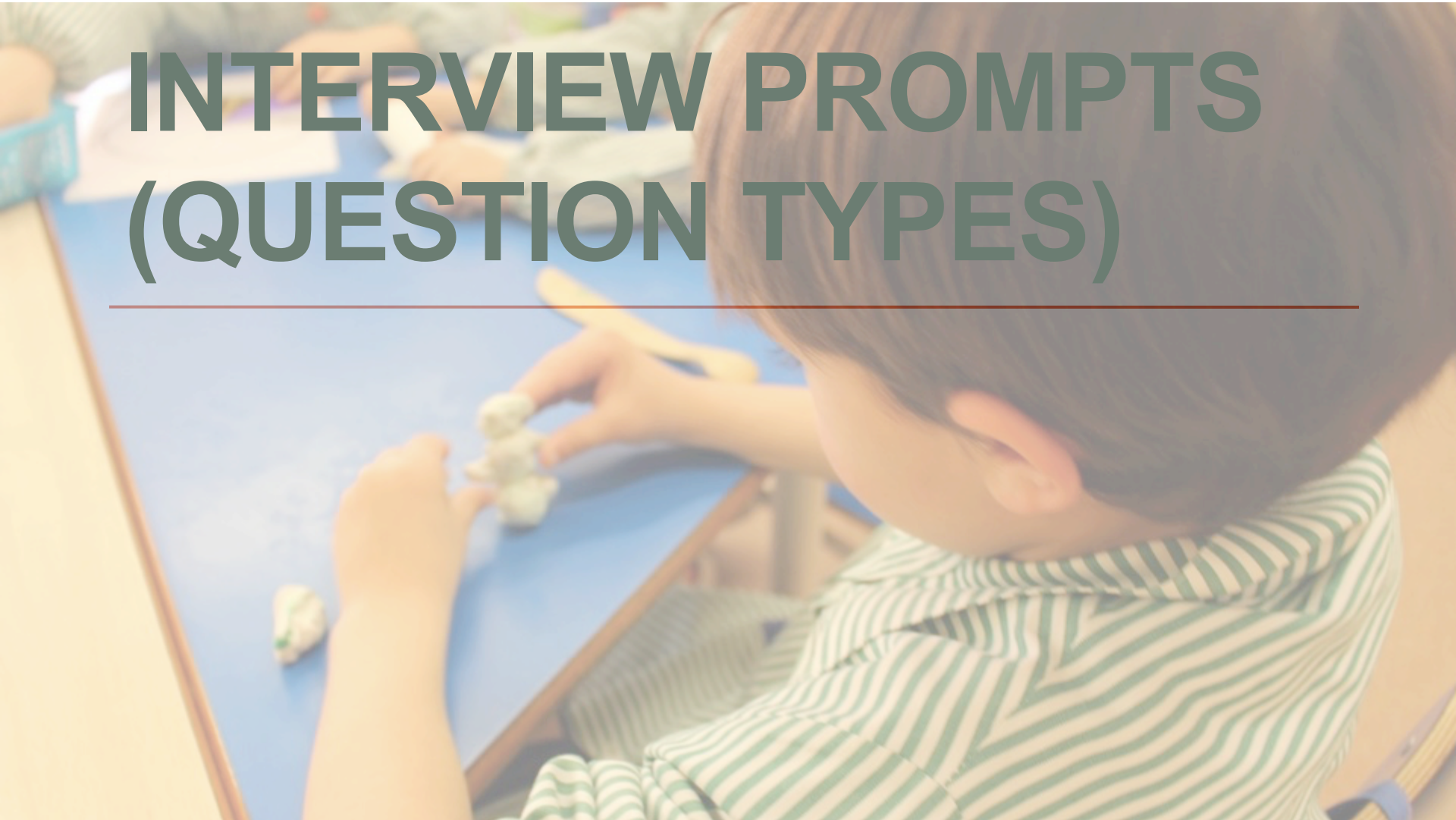


What happened?  
What's *their* story?



# INTERVIEW PROMPTS (QUESTION TYPES)

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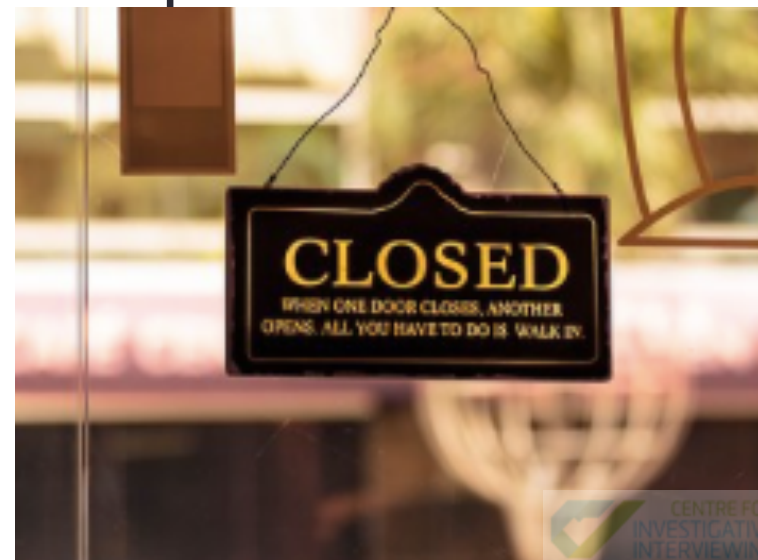


# Main Categories



- Tap recall memory
- Encourage elaboration
- Don't dictate content of response

- Tap recognition memory
- Don't encourage elaboration
- Dictate content of response







# Question Types

- First/Initial invitation
  - Tell me everything you can remember from the very beginning to the very end (about the time X)
- Breadth prompt/General invitation
  - Broad detail about the overall event
    - “Then what happened” “What else happened”
    - “What happened next” “Tell me everything that happened”
- Depth prompt/Cued invitation
  - Probing deeper into something the child has already mentioned
    - “Tell me more about [X]” “Tell me about the part where [X]”
    - “You said [X]. Tell me about that”
- Remember to use different kinds of questions!

# Question Types



- Time segmenting
  - Tell me everything that happened from *the time when* (or *the part where*) he sat down on the bed until he left
  - Tell me everything that happened from the time you got up this morning until you came to see me today
- Sensory
  - Tell me how everything looked/felt/smelled/sounded
  - Tell me about all of the things you saw/heard

# Question Types: Non-questions

- SILENCE (“Wait time”)
- Minimal Encouragers/Facilitators
  - Uh-huh, Mmm-hmm, K, Mmm, Yep, Nodding
- Paraphrases/Paraphrases + elaboration
  - Simple paraphrase = repeat child’s words
  - Paraphrase + elaboration = repeat words + Tell me more
  - P+E tends to work better, especially for younger children
- Summaries?
  - Who decided what was important?
  - Can disrupt child’s narrative
  - Puts the ‘conversational ball’ back on your side of the field



# Question Types: Directives

- Wh- (**Who**, **Where**, When, Why, How/How Come) and sometimes **What**
  - Who is Joe?
  - Where did he put his hand?
- **Who, where, and what develop earliest.**
- What (narrow) vs What (broad)
  - What colour was the car on the outside?
  - What did you have for breakfast?
  - **What happened next? → Open-ended**



# Question Types: Directives

- Why (how come), when, and how are more challenging
- Why did you say X? (How come you said X)
- Why do you think... Why did he... 😞
- When did this happen? 😞
- How do your pajama pants do up?
- How does mum get to work?
- How many/how long/how far/how high/how old 😞

# Question Types: Directives

- What are the recommendations?
- Less desirable than open-ended questions but better than closed questions
  - May be helpful for younger children
  - But stick to *who*, *where*, *what*, and follow up with open-ended
    - Where were you in Nana's house?
      - Okay, tell me what happened in the closet
  - Children are less suggestible in response to directive than more closed questions (up next!)
    - Much more likely to say "I don't know"

# Question Types: Closed

- Avoid as much as possible (children do guess)
- Yes-No
  - Did Gary do something bad?
  - *\*\*Mom said you were upset about something, Were you upset?*
  - “Can you...” questions considered YN – child may or may not interpret the polite request
- Other Forced Choice (2+ options)
  - Were your pants on or off?
  - Was it spring, summer, fall or winter?
- “Or something else?”
  - Use to ensure question is not leading
  - Were your pants on, off, or some other way?



# Leading



- Prompts that introduce information not mentioned by the child or imply that a specific response is expected.

Consider the following brief scenario:

Jaymee reported that her uncle Gary babysat her on the weekend. She said they baked and decorated some snacks, then they watched a gross movie with naked people and Gary put a blanket over his legs and did something weird and then when it was bath time, he wanted to help wash her. Which of the following prompts is *leading*?

- ① “Gary was watching porn, wasn’t he?” (Yes-no)
- ② “Tell me about the part where your uncle washed you” (Open)
- ③ “What did he say during the movie?” (Directive)
- ④ “Did he do anything weird while you made snacks?” (Yes-no)
- ⑤ “Were his pants on or off under the blanket? (Forced choice)
- ⑥ “So you said your uncle Gary is gross” (Simple paraphrase)



# INTERVIEW PHASES

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# Common Interview Protocols/Guidelines

- NICHD & Lyon's 10-step
- NCAC
- SIM (Standard Interview Method)
- Achieving Best Evidence
- Stepwise Guidelines
- Developmental Narrative Elaboration
- CornerHouse
- Child First

# Introduction

- Introduce self / role

*“My name is X. My job is to talk with kids...”*

- Introduce child / role
- Clarify purpose of interview in open ended manner
- Clarify that child will be asked questions and child isn't passive observer but active participant

*“Your job is to to tell me the truth about what happened as best you can.”*



# Orientation

- Explain purpose of video and two-way mirror, but without focus on child being watched.

*The video camera will record what we talk about today.*

*Someone I work with is watching to make sure I don't forget to ask you anything.*

*I might write some things down*

*I have a bad memory and I don't want to forget what we talk about today because it is important.*

*I talk to lots of kids and I don't want to mix up your information with their information.*

# What is Rapport?

- Often described as a phase... **it's so much more!**
- **Defined as:**
  - Creating a relaxed, comfortable feeling
  - 'Productive interpersonal climate'
  - 'Harmonious, empathetic, or sympathetic relation or connection to another self'
- Better rapport tends to be related to **↑ disclosure, ↓ suggestibility**



## How to:

- ✓ Use child's name
- ✓ Praise (effort, not content)
- ✓ Eye contact, vocal intonation, open posture, smiles (when appropriate)
- ✓ Casual dress, comfortable setting, relaxed pace
- ✓ Establish rapport early

# Ground Rules (Interview Instructions)

- ◆ Why needed?
  - ◆ Forensic interview differs from everyday conversations:
    - ◆ Expert vs Student (narrate vs test)
- ◆ What ground rules (are supposed to) do:
  - ◆ Highlight children's role as expert
  - ◆ Facilitate understanding of interview purpose
  - ◆ Reduce power dynamic
  - ◆ Increase accuracy (↓ suggestibility)

# Ground Rules: Common rules

- ◆ Child expert/interviewer **naïve** (“I wasn’t there”)
- ◆ Tell me when you **don’t understand**
- ◆ Tell me if I say something wrong (**correct me**)
- ◆ Say **“I don’t know”** (don’t guess)
  - ◆ But if you do know...
- ◆ Some questions may be repeated
- ◆ Ok to use any words you want
- ◆ Ok to take a break



# Ground Rules – Brief Notes



- “Don’t know” is the easiest ground rule (acquired the earliest, between 4 - 5)
- Delivering a practice example with ground rules helps

“If I asked you my dog’s name, what would you say?”

- “Don’t understand” and “correct me” are challenging even at age 9 (& even with practice)
- Don’t assume older kids can’t benefit (practice examples can be made relevant)
- Better interviews ↓ need for ground rules

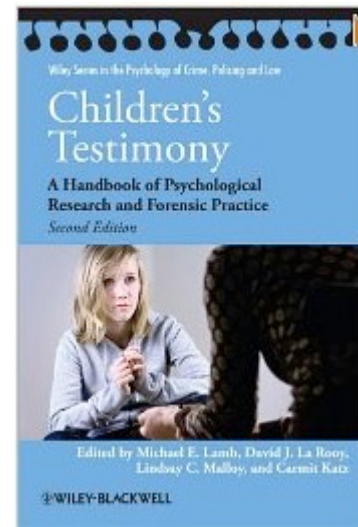
# Eliciting a promise

- What questions/examples do you use to deliver truth/lie instructions?
- Not needed!
  - And not a good idea!!
    - Usually test vocabulary, comprehension, abstract concepts
    - Not predictive of behaviour
- *We always need to talk about the truth. The things that really happened. I need you to promise to tell the truth when we talk today. Do you promise that you will tell me the truth today?*

# Narrative Practice (Episodic Memory Training)



For review, see: Roberts, Brubacher, Powell, & Price, 2011



# Narrative Practice

## What are the benefits?

- Practices child in **responding to open questions, providing detail, being the expert**
- Promotes more **efficient** responding
- Builds & maintains **rappport**
- Gives interviewee a few minutes to **get settled**
- Practices **you** in asking good questions
- Allows you to assess their **communication/language ability**
  - Is communication **similar** between practice and substantive?
- Might give you a sense of **reluctance**

# Narrative Practice

- Important to ask about an EVENT
  - Elicit episodic information
- Optimal length not clear, but suggested 3-7 minutes

## **But the child is in active disclosure!**

- Don't interrupt

*Thank you for telling me that/sharing that with me. That's what we're here to talk about today. First I'd just like to spend a few minutes getting to know you. Is that okay?*

- Follow the *child's* lead – if the child persists with the disclosure, then go with that.

# Substantive Phase

- Transition
  - Getting a narrative
- Exploring repeated events
  - Focused Questions
  - Closure

# Transition to Substantive Phase

- Shift topic and inquire about abuse-specific concerns in most open ended manner possible.

*Tell me what you've come to talk to me about [today]*

- ~85% of kids with prior disclosure are responsive

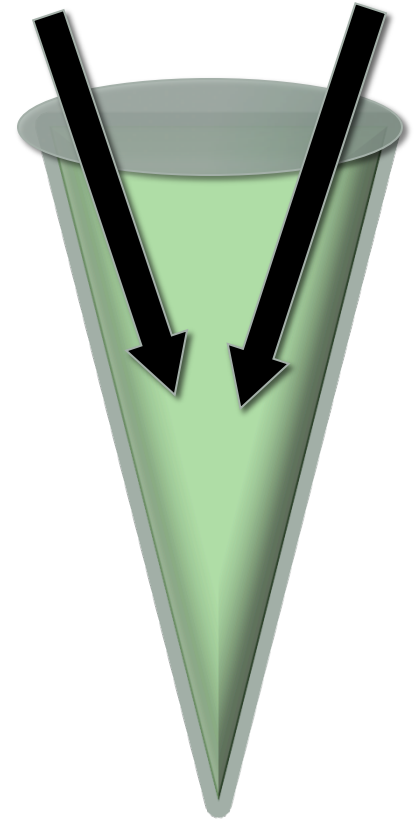
## ***What is better than why***

- Recent lab research demonstrated that 72% of kids 5-9 gave an informative response to the “what” question versus 42% to the “why” question.

# Transition to Substantive Phase

Use escalating and focused prompts if needed: (case specific)

- ⊙ *“I understand that something may have happened to you. Tell me everything that happened from the beginning to the end.”*
- ⊙ *“I heard you saw a police/nurse/etc last week. [Did you see \_\_\_\_ ?] Tell me what you talked about?”*
- ⊙ *“I see you have [marks/injuries/bruises] on your \_\_\_\_\_. Tell me about that”*
- ⊙ *Has anybody been bothering you?*
- ⊙ *Has anything happened to you at [location/time\*]*
- ⊙ *“Is your mom worried that something may have happened to you? Tell me what she is worried about.”*
- ⊙ *“Did someone do something to you that you don’t think was right?”*





“Tell me everything that happened on the bus”

“Tell me everything Lewis did”

“Tell me what happened with the bad man”

“Tell me all about what happens when dad gets mad”

“You said mom’s sleepy all the time. Tell me more about that.”

# Eliciting a narrative

- Exhausting open ended prompts
  - Remember to use a variety!
- Scripts (“what usually happens”) or episodes?





# Interviewing about allegations of repeated abuse

# EPISODES VS SCRIPTS

## Child's Language


- ◆ Episodic: Often past-tense, specific
  - ◆ “I went into the yard so she would stop yelling”
- ◆ Script: ‘Timeless present’, generic language
  - ◆ “You’ve just got to get away from it. I go outside when she yells.”

## Interviewer Prompts:

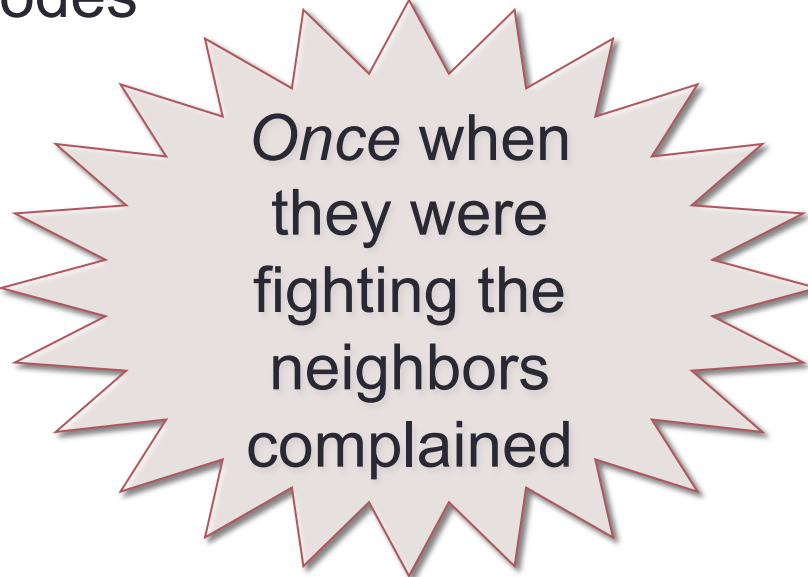
Script	Episode
“Then what happens?”	“Then what happened?”
“You said yells. Tell me about the yelling”	“You said she yells. Tell me about the [last] time she yelled.”
“What happens when Dad’s angry?”	“Tell me about one time when Dad got angry”

# Helping them talk about episodes

- Be aware of your (and their) language
- Note episodic leads/labels – what's unique?
- Use children's words to label episodes



I had my  
*brand new*  
*Christmas*  
*pajamas on*



Once when  
they were  
fighting the  
neighbors  
complained

# Break & Non-narrative Questions?

Take a break to consult with monitor

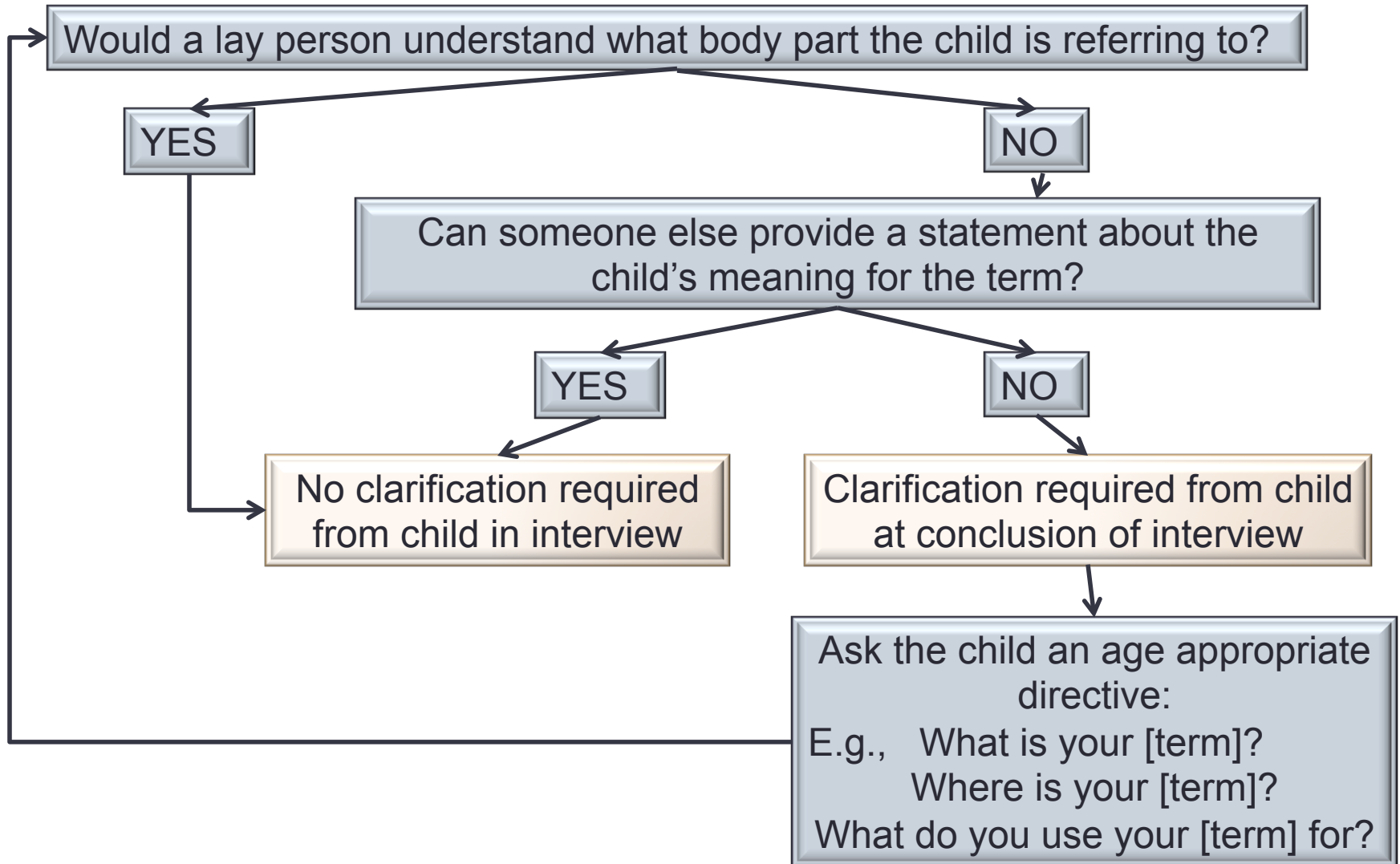
Specific/Closed questions should only be used if needed, and **paired** with open-ended questions:

Earlier you said he took off his pants. Did something happen to your clothes?"

Yes...

Tell me what happened to your clothes

# Body Parts



# Closure

- Thank child for speaking with you.
- Ask if there is something more the child would like to talk about.
- Ask child if he/she has any questions for interviewer.
- Let child know how to contact you if they wanted to tell you anything further.
- Shift to neutral topic
  - what are you going to do after the interview?



# Websites for further information

1. Canadian Child Abuse Association <http://www.ccaa.org>
2. Centre for Investigative Interviewing <http://www.investigativecentre.org>
3. NICHD Protocol [www.NICHDprotocol.com](http://www.NICHDprotocol.com)
4. National Children's Advocacy Centre  
<http://www.nationalcac.org>
5. American Professional Society on the Abuse of Children  
<http://www.apsac.org>

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