

The Top Mistakes in Child Forensic Interviews

***a non-scientific but probably pretty accurate study of the interviews I have reviewed**

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- Interviews conducted at BOOST – Child and Youth Advocacy Centre (CYAC), Toronto and SickKids Hospital – SCAN
- Protocols : National Children’s Advocacy Center (NCAC), Huntsville, AL and The National Institute of Child Health and Human Development (NICHD) Investigative Interview Protocol
- Trainer/Specialist – CYAC

*"Perfection is not attainable in
Child Forensic Interviews but it
should always be the goal."*

What makes this job so tough?

- we have no control over the child we are going to interview
- we have no control over what their life experiences have been before you meet them - trauma
- we sometimes have no frame of reference for what that kind of life has been like
- we don't know what their experiences with law enforcement/social workers have been
- we need to have some knowledge of child development
- we are expected to be “on our game” regardless of what is going on with our personal lives/work

What can we control?

- our commitment to continual training
- our commitment to following a protocol
- an interviewing practice that includes preplanning
- making sure we are up to date with the research
- asking for help when we don't know the answers

What can we control?

- participation in peer review
- a willingness to change approaches when best practice/research dictates
- how we take care of ourselves/each other before and after each interview
- willingness to be self-reflective and to receiving feedback

Lack of Preplanning

- **essential for interviewer to take the time to preplan for their interview**
- discussion ahead of time with non-offending caregiver, other members of the Multi-Disciplinary Team (MDT)
- possible discussion with teachers, other professionals who work closely with child
- a plan that includes possible Narrative Practice event, transition to substantive questions, other questions, different hypotheses to explore

Caregiver Questions for Pre-Planning

- Who lives in the home and what names / labels does child use for them? (including pets)
- Significant family members / friends that child may mention?
- Does child attend daycare and/or school including grade and teacher
- Caregiving routines?
- Describe child's language skills. (full sentences, receptive / expressive lang., pronunciation, language spoken in the home)
- Any concerns with overall development (learning at school, behavior, social functioning, mood problem – any diagnoses, medications, attention span)

Caregiver Questions for Pre-Planning, continued

- Think of a something child has done in recent past which was out of ordinary and child would like to talk about it. (neutral event for practice interview, collect enough details to assess child's description.)
- Discuss need to refrain from questioning child about the substantive issues and to respond to child's statements in supportive but neutral fashion.
- Provide parent with script to prepare child for forensic interview.

Too Formal/Too Short Introductions

- You need to **set the expectation** for the child, it's not enough just to say who you are
- What is your role? What is the child's role?
- “My job is to listen to kids, and ask a lot of questions.”
- “I talk to kids about things that have happened.”
- “I talk to kids everyday about all kinds of things that have happened”
- “Your job is to tell me what happened – the best you can.”
- “You are the expert, I wasn't there.”

The Promise

- You must actually ask them “**Do you promise to tell the truth?**” and receive a clear response (hopefully)
- It is NOT enough to talk in generalities about the truth and it’s importance!
- If you get a weird/unclear answer, clarify...

Narrative Practice

Not Attempted or Not Specific

- when people remember this step, they sometimes forget to pick a specific topic to expand on
- remember to ask the caregivers of the child for a recent positive event you can ask the child about
- remember that the younger the child, the shorter the Narrative Practice should be

Get Specific!

- important to **be specific** to elicit episodic information
- **EXAMPLE:**
- “Tell me all about your last birthday.”
- **NOT** “ What usually happens at your birthday?”

Example

“Your Mom told me that you went to Canada’s Wonderland a few weeks ago. Tell me all about going to Canada’s Wonderland.”

- “It was fun. I went on all the rides but I wasn’t tall enough for all the rides but my sister was and sometimes I watched her ride the rides I wasn’t allowed on. There was this thing...this thing that measured you and that’s how they knew. I got to eat cotton candy and it was good but I got it all over my shirt. There was this one time that I got to go on a ride that I was this close to not being able to go on, but I got to go on with my sister...and it was **the best ride**. My sister screamed but I didn’t.

The Importance of the Narrative Practice

- sets a template for how the rest of the interview is going to be
- might alert you early on about the abilities/difficulties the child will have with different question types
- gives the interviewer a chance to build rapport
- will give you an idea about what kind of communicator the child is (a big talker/shy?)
- benefits are supported by research

Can/Could/Would You Like to?

- Polite sounding questions that leave room for NO
- “Can you tell me _____?”
- “Could you tell me _____?”
- “Would you like to tell me _____?”
- “Is it okay if you tell me...?”

Asking about “WHEN”

- INSTEAD of “**When** did it happen?”
- **Who** was in the room?
- **What** did the room look like?
- **Was** the TV on?
- **What** was on the TV?
- **Where** was your Mom?

Asking about TIME

- **this is an abstract concept and too hard for the younger children**
- this includes – “when did it start, when did it end?”
- also, includes “How long did it last?”
- it is up to you to get all the details you can, without asking about time, to figure out an approximate time if possible
- “what happened first, then what happened, what happened next?” *ALWAYS GO IN ONE DIRECTION*

Asking WH Questions

CONCRETE

- **LOWER LEVEL – PRESCHOOL TO PRETEEN**
- WHAT
- WHERE
- WHO

ABSTRACT

- **HIGHER LEVEL – PRETEEN AND UP**
- WHEN
- WHY
- HOW

Forced Choice Questions

- **giving the child two possible answers in a question, without giving room for another option**
- “Did you go to the store or the movies?”
- “You said you ate dinner with Dad, then did you watch T.V, have a shower?”
- remember to add: “Or something else?” to keep your question open to another possibility
- best to avoid all together for the younger children

“Playing Parent”

- remember the role of the **Child Forensic Interviewer** is as a **neutral professional**
- “don’t move around on the chair, you’re going to fall”
- “get back here”
- “you can have a snack, as long as we keep talking”
- **correcting child’s beliefs/giving your opinion** when they are offensive ex; “You shouldn’t say that about gay people.”

Compound Questions

- Asking more than one question in a row, with no space to answer
- “And then what happened? Did you go to the bedroom first or the bathroom?”
- “What were you wearing? Were you in the bedroom?”
- important to leave space between each question, a child might answer or hear only one

Asking About Conversations

- forgetting to ask about conversations can leave out crucial information
- kids will **usually not disclose conversation information unless you ask**
- Recent study by Lyons – kids are highly accurate at recalling recent conversations

Conversation Questions

- Tell me everything you heard...
- What made you want to tell? (not WHY didn't you tell)
- Tell me everyone you told (avoid WHO)
- Tell me everything you said to _____
- What did _____ say when you told them?
- What did _____ do when you told them?
- What has _____ said about _____?
- What has _____ said about talking to _____?

- When we presuppose that someone said something – is it suggestive?
- what happened next?

Anything?

- the alternative to open ended questions about conversations is CLOSED, which is not good

- EXAMPLE:

“Has your Mom said **anything** about _____?”

-if you use a word like “anything” it will pull for a “no” answer especially with a reluctant child, because it’s easier to say “no”

Concept Questions

- remember they can be difficult for the younger children
- “Is she older than me?”
- “How tall do you think he was?”
- “How many times did it happen?” (Try, “Was there another time that it happened? Tell me....”)
- “How far away was he?” (even adults have trouble with distance)
- “How old were you?”

Good Touch/Bad Touch

- we are no longer using this outdated phrasing
- remember that “bad touches” can feel good
- confusing
- shame promoting

Two Person Interviews

- other interviewers/workers should be avoided in Child Forensic Interviews
- if there is a monitoring room, there should be no reason another person should be in the room
- some people report feeling “more comfortable” having another interviewer in the room, or people they like having in their interviews because they work well together, but **it is not about your comfort level**
- it is easier to build rapport, disclose, and focus on one person

Unnecessary Conversation/Comments

- “A good forensic interview does not always look like a good conversation.” – Tom Lyons
- this is not how we talk to people in our normal everyday lives, so it’s okay if it doesn’t feel natural or feels weird
- NORMAL: “Hey, how was the movie?”
- NOT NORMAL (FI): “Brendan, tell me all about the movie you went to last night from the start to the middle to the end.”

Addressing Emotion

- remain neutral
- only address what you see, not what you think the child is experiencing

EXAMPLES:

“I can see that you are crying, tell me more about you crying.”

(OBVIOUS EMOTION)

“I can see that you are shaking, help me understand the shaking.” (NOT SO OBVIOUS EMOTION)

Admissions of Feelings/Emotions

- when you get the gift of a child actually expressing how they feel, **DON'T FORGET** to explore that admission
- “I’m just really nervous.”
- instead of just saying “It’s okay to feel nervous” remember to go further:
- “In this room it’s okay to feel nervous – tell me more about feeling nervous.”
- avoid telling child how they should feel/not feel

Coercive Language

- be careful with any language that might be taken as coercive, or makes the statement seem involuntary
- “if you sit on this chair you have to tell me the secret”
- “we have to stay here for now because we have to talk about the secret”
- “if you promise to talk, we can colour together”

TRY INSTEAD:

- “In this room, we talk and draw at the same time, is that okay with you?”
- “It’s really important that we talk about the secret, help me understand everything about the secret.”

Leading Statements/Opinions

- Things you say in your interview, can be leading, or at the very least, make you look like you are not neutral (and can cause issues later in court)
- “There are some things that are happening in the home that shouldn’t be happening.”
- “He shouldn’t have done that.”
- “Clearly, those things are the things you don’t like about him, correct?”
- “Well, that was a bad decision, and she shouldn’t have
- **It’s the child who needs to tell you how they feel** about the topic

Victim Blaming Language

- **choose your words carefully**, they can have a huge impact, and you can unintentionally send a negative message
- “You said you didn’t want to do anything, you still go into the woods with him?”
- **INSTEAD:** “You told him you didn’t want do anything, and then you said you went into the woods. Tell me all about what happened when you went into the woods.”
- “So, she just asked for pictures, and you sent them? Did she say anything else?”
- **INSTEAD:** “You told me that she asked you for pictures and you sent them. Tell me everything she said.”

Grown Up Sayings

- Try your best to omit “grown up” sayings in your interviews with children/speaking with children in general

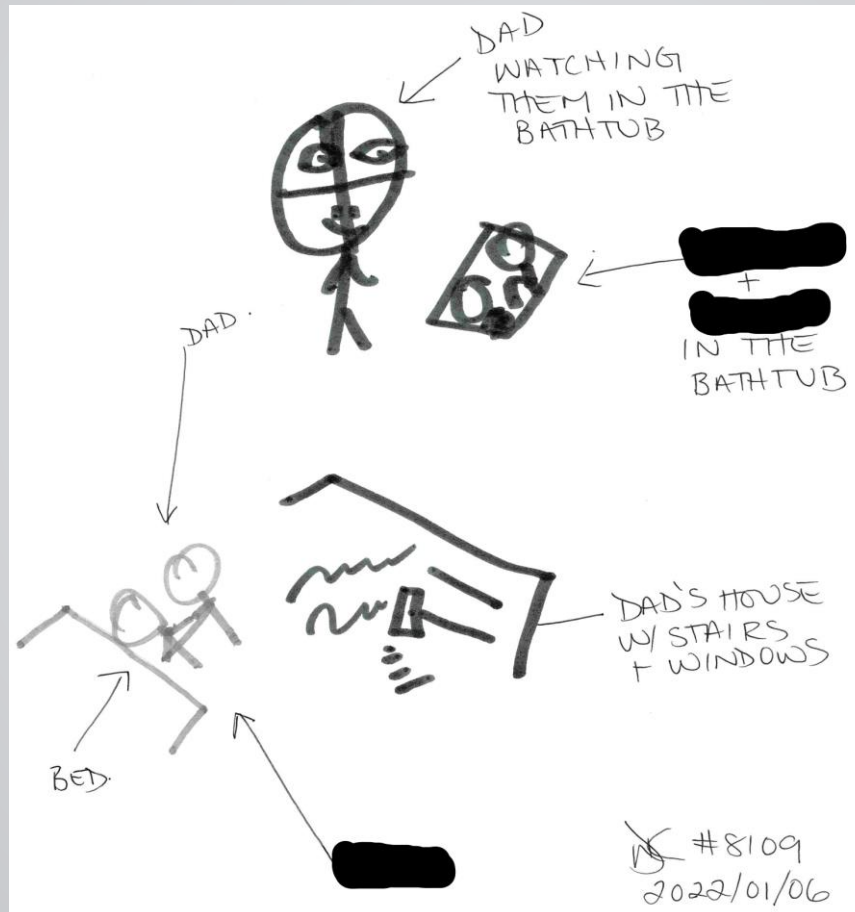
EXAMPLES:

- “Draw me a bird’s eye view of
- “We are in the truth business...”
- “You shouldn’t put all your eggs in one basket.”
- they are confusing/not necessary – use simple language


Alternatives to Verbal Disclosure

- some interviewers forget to ask children about other options for disclosure when talking about events
- drawing/writing/texting
- certain children have an easier time not having to say what has happened out loud
- a break in eye contact, questions

Age 6 –Speech Delay, Physical and Sexual Abuse



Age 10 – LD, Sexual Abuse

He grabD my~~ka~~ Hand^{mm} and mad me
touch~~the~~ His Private.
in Hes ~~room~~
Rom and it was on my ~~ipad~~
iPAD .
on the | Dad
I Laft the Rom

Age 10 – LD, Sexual Abuse

He was ^{wants} me to
Do something ~~with me~~
in a private He wants me
to s He Privates
sax
sac

to Lick He's Privates like
a LOLPOP

Age 13 – Luring/Sexual Assault



Closing Thoughts

- effective and competent interviewers are developed over time
- one time training is not enough
- supervision by an interview specialist/advanced interviewer paired with continual education is essential

Thanks!

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Internet Child Exploitation

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