



# PRINCIPLES IN CHILD FORENSIC INTERVIEW

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# FORENSIC INTERVIEWING IS BASED ON RESEARCH AND PRACTICE.

- Increased reports child abuse and neglect
- Interventions needed for these children
- **Forensic interview:** how to elicit from a child accurate information about abuse and neglect
- Research and practice (past & recent) – use the potentials of children to accurately inform us
- USA: various forensic interview protocols/models and training programs
  - Developed based on the same body of research, with a few differences
  - Improved based on experiences gained from practice
- Formal initial and ongoing forensic interview training



# A LITTLE BIT OF HISTORY (USA).

- High-profile cases of alleged sexual abuse of many children by their daycare providers (1980s)
  - Law enforcers called the mental health practitioners
  - Mental health practitioners used therapeutic techniques (invited make-believe or pretending)
  - Courts said such techniques are not forensically appropriate: concerns of suggestibility
- Increase in the awareness of child abuse
  - Professionals realized need for special skills to interview children
  - Sgroi (1978) first wrote about the issue of investigative interviewing of children

# A LITTLE BIT OF HISTORY (USA).

- 1990 → APSAC
  - *Psychological Evaluation of Suspected Sexual Abuse in Young Children*
  - APSAC Practice Guidelines on Forensic Interviewing in Cases of Suspected Child Abuse (2012)
- Late 1980s & early 1990s → Researches
  - Children's developmental capabilities & appropriate ways of engaging them in the interview process
  - Specific strategies using memory-based techniques to elicit detailed information from witnesses (Cognitive Interview, Narrative Elaboration models, 1992) → current evidence-based forensic interview models



# FORENSIC INTERVIEW PROTOCOLS WERE DEVELOPED TO

<b>Structure</b>	Structure interviews – minimize the use of inappropriately suggestive techniques
<b>Lessen</b>	Lessen the chances that information elicited would result in false allegations of abuse
<b>Translate</b>	Translate lessons learned from research into practical guidelines for how to conduct interviews
<b>Formalize</b>	Formalize techniques considered to be useful by interviewers based on their experience on the field
<b>Organize</b>	Organize guidelines in a way that would be easy to learn and follow

# FORENSIC INTERVIEW PROTOCOLS WERE DEVELOPED TO

Help	Help in dealing with interviewer nervousness and uncertainty
Provide	Provide concrete suggestions for moving through an interview
Encourage	Encourage techniques that maximize accurate narrative responses and eliciting of accurate details from children
Give	Give interviewers flexibility in how to communicate most effectively with individual children
Encourage	Encourage objectivity and testing of multiple hypotheses during an interview
Help	Help interviews withstand legal scrutiny

## THERE ARE 2 MOST COMMON PROTOCOLS CURRENTLY IN USE.

1. RATAC protocol (*Rapport, Anatomy identification, Touch inquiry, Abuse scenario, Closure*)
  - Incorporates the early use of media, such as, anatomical drawings, along with specific questions regarding “touch”
2. NICHD protocol (*National Institute of Child Health & Human Development*)
  - Research-based recommendations (widely supported)
  - Structured narrative interview approach
  - Emphasis on verbal narratives elicited from the use of open-ended non-suggestive questioning
  - Widely researched protocol, widely utilized worldwide
  - Adapted by various other protocols (e.g., APSAC Child Forensic Interview Protocol)

## THERE ARE OTHER WELL-KNOWN OR WIDELY USED INTERVIEW MODELS. *(PARTIAL LIST)*

- “Stepwise” Approach
- Oregon Interviewing Guidelines
- Michigan Forensic Interviewing Protocol
- Ten Step Investigative Interview (T. Lyon)
- WA State Child Interview Guide
- National Children’s Advocacy Center Flexible Interview Model
- RADAR (N. Carolina adaptation of NICHD Protocol)
- Achieving Best Evidence in a Criminal Proceedings: Guidance on Interviewing Victims and Witnesses, and Using Special Measures
- New York Children’s Justice Task Force Forensic Interviewing Best Practices
- “Cognitive Graphic” Interview Model
- Ohio Childhood Trust Flexible Interview Guidelines
- FBI “Investigative Interviews of Children”



# THESE INTERVIEW STRATEGIES ARE MEANT TO

1. Avoid false positives – children determined to have been sexually abused, but who were not
2. Avoid false negatives – children who were sexually abused, but were not identified in the investigative process





# THERE IS WIDESPREAD AGREEMENT ON THE BEST PRACTICES IN CHILD FORENSIC INTERVIEWING.

- Interviewers should engage in practice that is research informed.
  - Know what's new in research about child forensic interviewing
  - Use this knowledge as a guide to improve interview techniques
- Interviewers should participate in ongoing training & peer review.
  - Specialized child forensic interview training alone is not enough
  - Ongoing training and review, evaluation & consultation from peers & more experienced colleagues reinforce & maintain interviewer skills
- Actively participate as part of a multidisciplinary team.
  - Need to work with other professionals involved with the child, the child's family, or the investigation before, during (if they are observing), and after the interview

# THERE IS WIDESPREAD AGREEMENT ON THE BEST PRACTICES IN CHILD FORENSIC INTERVIEWING.

- Interview is only one part of an investigation (child protection or criminal).
  - Forensic interview alone is not enough for a complete investigation
- Corroboration
  - Attempt to elicit information about specific facts that can be verified later
- Structure/Flexibility
  - Interview formats that are structured and semi-structured allows one to adhere to best practice recommendations; unstructured interviews are not advised.
  - Interviewer should be flexible and adapt the interview to the child.

# THERE IS WIDESPREAD AGREEMENT ON THE BEST PRACTICES IN CHILD FORENSIC INTERVIEWING.

- Importance of establishing/maintaining rapport
  - Rapport: engage the child, establish a relationship, make him/her comfortable (critical)
- Adapt to the individual child
  - Know the child
  - Child sets the pace, adjust
  - Listen to the child – responses guide questioning process, use child's own words
  - Accommodate to the child's needs
  - Child's age, developmental level, culture, mindset, level of support, any physical/developmental disabilities, etc. & adapt accordingly



# THERE IS WIDESPREAD AGREEMENT ON THE BEST PRACTICES IN CHILD FORENSIC INTERVIEWING.

- Linguistic & developmental considerations
  - Know the basic concepts of child development and linguistics
  - Approach each child as an individual child
- Use language that is developmentally appropriate
  - Make sure the child understands the interviewer and vice-versa



# THERE IS WIDESPREAD AGREEMENT ON THE BEST PRACTICES IN CHILD FORENSIC INTERVIEWING.

- Number of interviews
  - Depends on the number needed to elicit complete & accurate information from the child
    - Single interview – may be sufficient
    - Multiple interviews (open-ended, non-leading) → additional relevant information
  - NO to duplicative interviews

# A FORENSIC INTERVIEW OF A CHILD IS

“a developmentally sensitive and legally sound method of gathering factual information regarding allegations of abuse or exposure to violence.”

- Competently trained, neutral professional
- Research and practice-based techniques
- Part of a larger investigative process

# AN EFFECTIVE FORENSIC INTERVIEW

- Builds upon children's level of development
- Uses questions and other techniques that are concrete and specific
- Is a structured interview that typically progresses step-by-step from preparing the child to discussion of the abuse scenario to closing of the interview



# CONSIDERATIONS REGARDING THE CHILD

## AGE & DEVELOPMENT

- Age: most important determinant of children's memory capacity
  - Influence the child's perception of an experience & the amount of information that they can store in long-term memory
  - Younger children: cannot make sense of unfamiliar experiences, limited vocabulary, cannot engage in a conversation about past experiences
  - Growing: attention span improves, better understand & notice unique elements & describe their experiences verbally → store more information → discuss remembered events → consolidate and strengthen memories
  - Salient and personally experienced details can be recalled by children of all ages vs. peripheral details



# CONSIDERATIONS REGARDING THE CHILD

## AGE & DEVELOPMENT

- Metacognition: ability to recognize whether one understands a question and has stored and can retrieve relevant information
  - Young children: cannot focus and search their memory effectively when interviewed
    - Respond to words or simple phrases they recognized without considering the whole question
    - Do not know if they understand the question or their answers to questions
  - More developed in school-aged children

# CONSIDERATIONS REGARDING THE CHILD

## AGE & DEVELOPMENT

- Remembering does not mean being able to describe an experience
  - A forensic interview is unlike daily conversation
  - Young children may use adult words but do not know what they mean
  - Older children
    - Use words in a more culturally normative way
    - Difficulty with the terminology for sexual encounters, internal thoughts & feelings and forensic & legal jargon



# CONSIDERATIONS REGARDING THE **CHILD**

## AGE & DEVELOPMENT

- Adolescents
  - Are not small adults: verbal & cognitive abilities are still developing
  - Danger of having high expectations for these teens → fail to build rapport, provide instructions, ensure comprehension of questions, speak in a language teen does not understand
  - Teens want to look competent → hesitant to ask questions

# CONSIDERATIONS REGARDING THE CHILD

## CULTURE

- Culture, family, social network, socioeconomic environment →
  - child development
  - linguistic style
  - perceive experience
  - focus attention
  - memory formation
  - comfort with talking to strangers in a formal setting
  - values about family loyalty & privacy



# CONSIDERATIONS REGARDING THE CHILD

## DISABILITIES

- Interviewers untrained → seek help
- > 1 interview session may be needed
  - Gain child's trust
  - Adapt to child's communication style & limitation
  - Allow time to gather information
- Of the children who had been sexually abused, between 4% and 52% were found to have an intellectually disability.

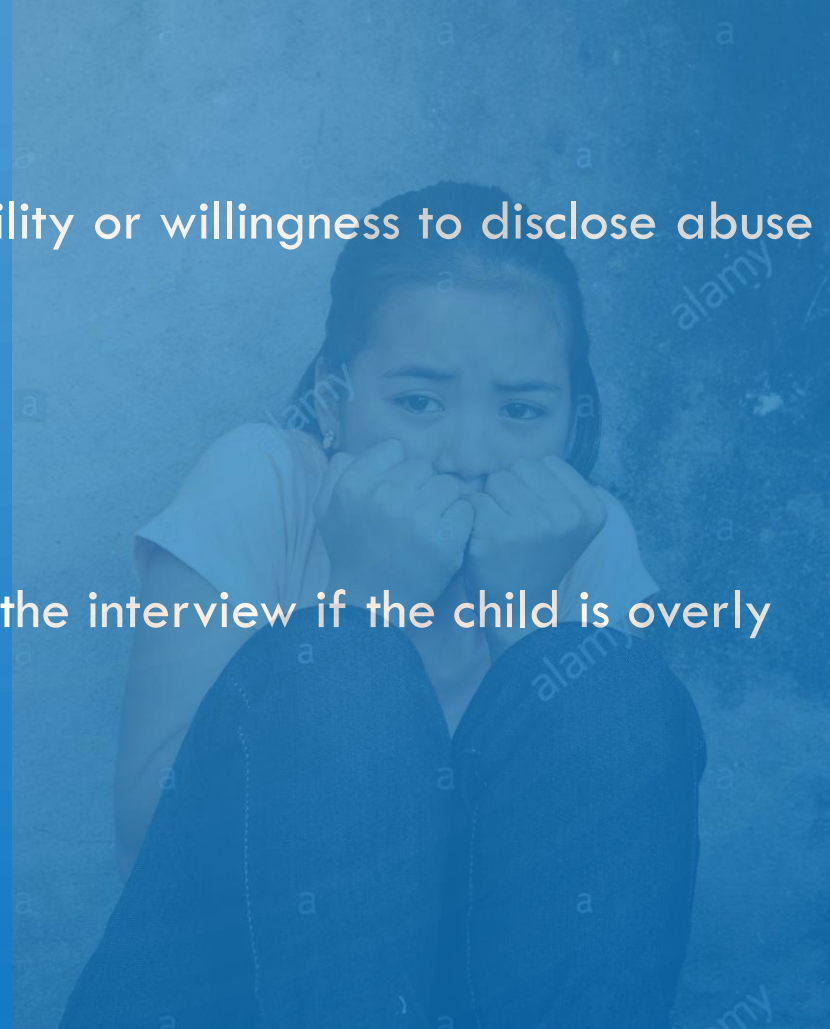
Wissink, I. B., van Vugt, E., Moonen, X., Stams, G.-J. J. M., & Hendriks, J., 2015



# CONSIDERATIONS REGARDING THE CHILD

## TRAUMA

- Trauma symptoms - interfere with child's ability or willingness to disclose abuse
- Impaired or distorted memories
- "Flashbulb memories"
- Central details >> peripheral details
- Disclosure should not be forced, discontinue the interview if the child is overly distressed
- Beneficial to the traumatized child:
  - Non-duplicative interview sessions (multiple)
  - Additional support



# CONSIDERATIONS REGARDING THE CHILD

## DISCLOSURE

- No single pattern of disclosure process
- Factors that determine whether, when & how children disclose
  - Child's characteristics, interviewer behavior, family relationships, community influences, societal attitudes
- Factors that prevent children from disclosing
  - Child's age, relationship with the alleged offender, lack of parental support, gender, fear of consequences for disclosing, fear of not being believed
- Factors that influence children to disclose
  - Precipitating events, triggering events, asked specifically about possibility of abuse, motivated to disclose
- Continuum: denial → full disclosure



# CONSIDERATIONS REGARDING THE **INTERVIEW**

## TIMING

- As close in time to the event in question as feasible
- Timed to maximize the child's capacity to provide accurate & complete information (child's physical and mental state, immediate safety)
- Overly fatigued, hungry, frightened children; those suffering from shock or still processing their traumatic experiences – poor reporters
  - May not effectively report/relate their experiences in a forensic interview

# CONSIDERATIONS REGARDING THE INTERVIEW

## SETTING

- Comfortable, neutral, informal
- Physically & psychologically safe
- Private, free from distractions
- Audio- and video-recording equipment
- Ideally, one person interviews the child



# CONSIDERATIONS REGARDING THE **INTERVIEW**

## DOCUMENTATION

- Video recording – recommended
  - Best & most accurate way of documenting interviews
  - Demeanor of the child and interviewer is clearly seen
  - Removes doubts that the child was led or coerced to answer questions
- Inform child at the beginning of the interview



# CONSIDERATIONS REGARDING THE INTERVIEW

## INTERVIEWER

- Encourage the most accurate, complete and candid information from the child → child most communicative during the interview
- Balance forensic concerns with decisions about how much information to introduce
- Attentive that their preconceived ideas may bias the information gathered



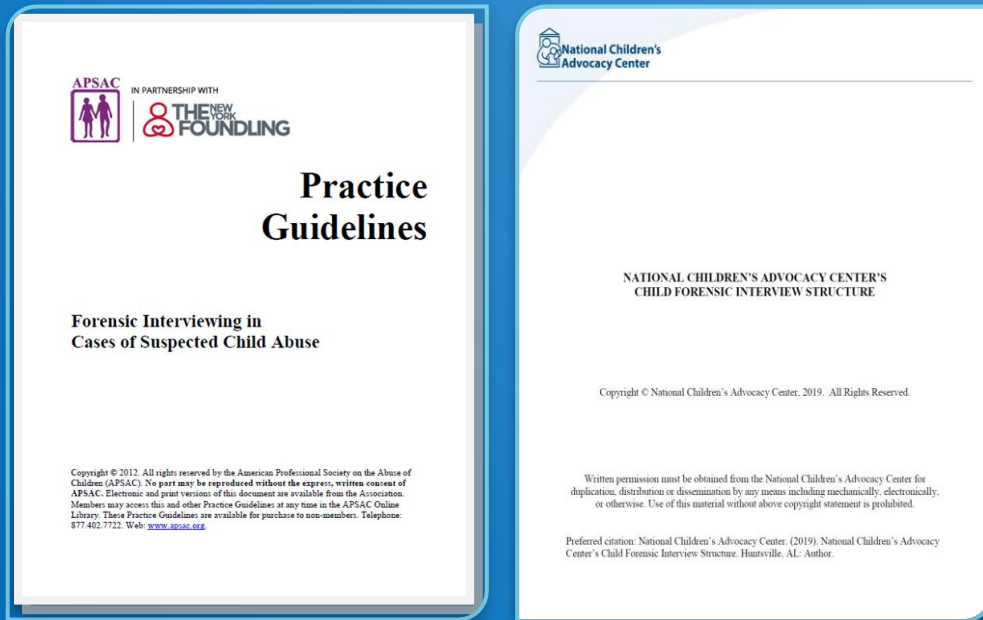
# CONSIDERATIONS REGARDING THE INTERVIEW

## QUESTION TYPE

- Narrative interview approach: research-based free recall techniques → elicit reliable verbal narratives
- Open-ended (non-suggestive) questions or prompts enhance the production of reliable information from children vs closed-ended questions
- Focused or specific questions later
- Listen more, talk less



# THE FORENSIC INTERVIEW MODELS



- Guides for interviewers through the stages of the interview structure
- Highly structured or scripted → semi-structured → flexible interviews
- All models include
  - Initial rapport-building phase
  - Substantive phase
  - Closure phase

# THE FORENSIC INTERVIEW: RAPPORT-BUILDING PHASE

- Critical phase for both the interviewer and the child
- Narrative approach
  - Child: learns to trust the interviewer, is oriented as to how the interview will be conducted
  - Interviewer: understands the child's linguistic style, gauges the child's willingness to participate, starts to respond appropriately to the child's developmental, emotional & cultural needs

# THE FORENSIC INTERVIEW: RAPPORT-BUILDING PHASE

## INTERVIEW INSTRUCTIONS

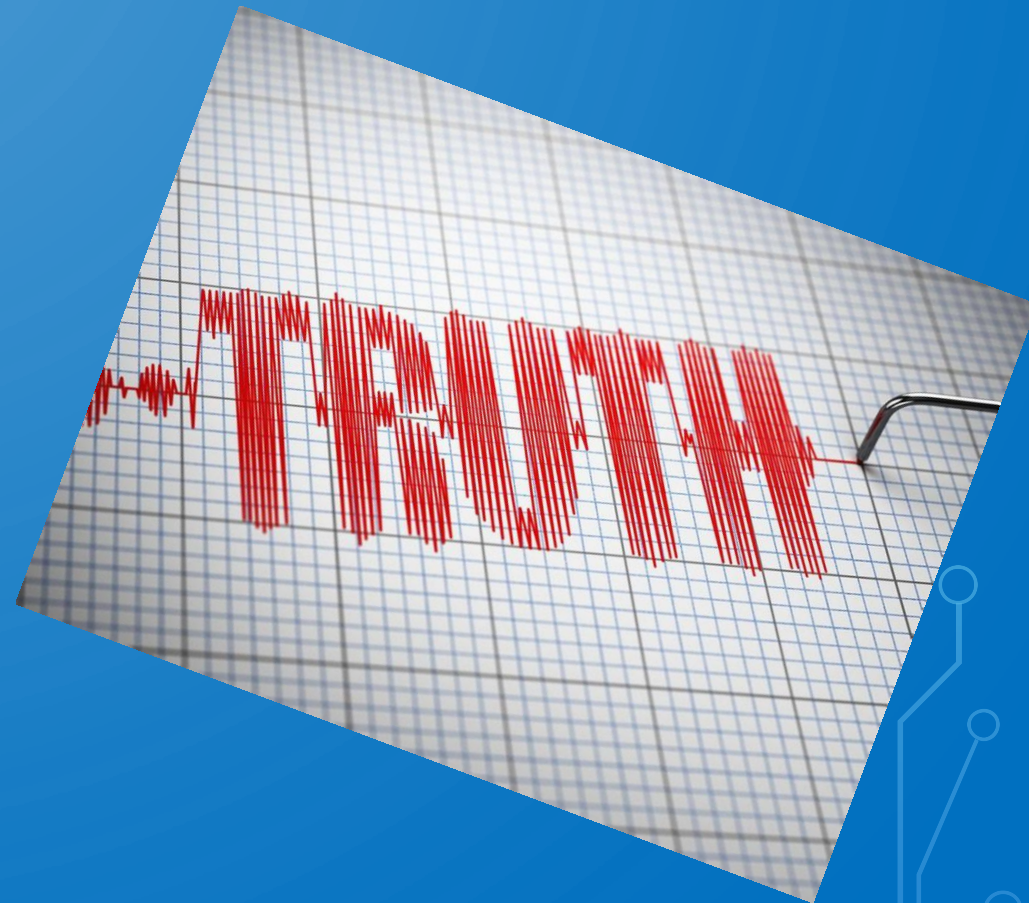
- Also called: Ground rules/rules, Explaining interview expectations, “Orienting child to interview
- Rationale: children seek approval from adults and may guess, or assume the adult knows what happened, or think they must give an answer
- Instructions sets the expectations that the child should provide accurate & complete information
- Number & type of instructions depends on the child’s age
  - Younger children: “practice” the instructions



# THE FORENSIC INTERVIEW: RAPPORT-BUILDING PHASE

## TRUTH-LIE DISCUSSIONS

- Eliciting a **promise to tell the truth**
  - Promotes increased accuracy/honesty (decreases lies)
  - Provides valuable information (e.g., child says “I can’t”, or is unwilling, hesitant, or reluctant)
  - Should be included in every interview





# THE FORENSIC INTERVIEW: RAPPORT-BUILDING PHASE

## TRUTH-LIE DISCUSSIONS

- Engaging in an assessment of child's **truth/lie competency**
  - Child demonstrate “an understanding of the difference between the concepts & an understanding that it is wrong to lie”
  - Includes a commitment to tell the truth
  - Does not impact the reliability of the information elicited during the interview
  - Does not predict honesty
  - Not a fool-proof means of determining what the child actually knows or understand about truth & lies

# THE FORENSIC INTERVIEW: RAPPORT-BUILDING PHASE

## NARRATIVE EVENT PRACTICE/EPISODIC MEMORY TRAINING

- Significant, specific, non-abusive experience
  - Describe everything including details
- Increase informativeness without decreasing accuracy



# THE FORENSIC INTERVIEW: SUBSTANTIVE PHASE

TRANSITION to the substantive phase – introduction of the topic of concern

- Open-ended and non-suggestive

## NARRATIVE AND DETAIL GATHERING PHASE

- Open-ended and cued narrative requests → provide narrative account
- Attentive listening, silence & facilitators (e.g., reflection, paraphrasing)
- “Wh” questions (who, what, where, when, how)
- Focused/specific questions, clarifications (e.g., sensory details, other missing elements)
- Introducing externally derived information

# THE FORENSIC INTERVIEW: SUBSTANTIVE PHASE

## ALTERNATIVE HYPOTHESES

- Essential for overall integrity
- Explore other viable hypotheses that will explain the child's behavior or statements
- Explain contradictory information
- Distinguish abuse from caregiving activities
- Possible coaching or contamination



# THE FORENSIC INTERVIEW: CLOSURE PHASE



- Respectful end to an emotionally challenging conversation for the child
- Neutral tone
- Summary of the child's narrative, clarifications
- Child's concerns and safety
- "Thank you."

# WHY CHILD FORENSIC INTERVIEW IN CHILD SEXUAL ABUSE?

- Child sexual abuse rarely leaves any physical indicators.
  - “full penetration...particularly in an older child, may cause no visible trauma...”  
(Bays & Chadwick, 1993; Huffman, Dewhurst & Capraro, 1981; Mahran & Saleh, 1964; Pokorny, 1987; Teixeira, 1981)
  - “Most signs of an acute injury were gone within 7 -10 days.” (McCann, et al., 2007)

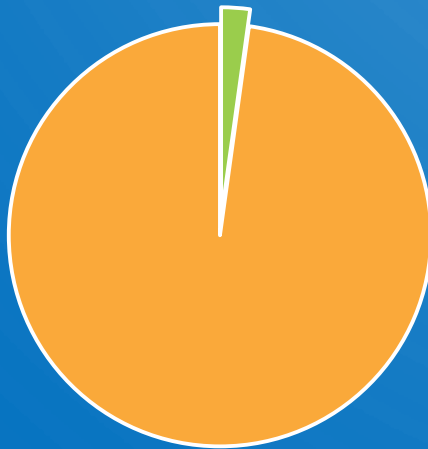




# WHY CHILD FORENSIC INTERVIEW IN CHILD SEXUAL ABUSE?

- 2.2% of sexually abused girls examined non-acutely had diagnostic physical findings

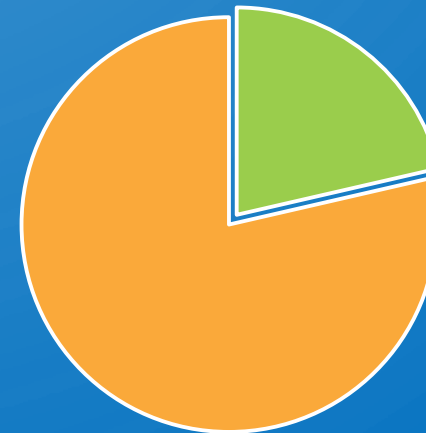
Non-acute Cases  
> 72 hours



■ with injuries ■ no injuries

- 21.4% of those examined acutely had diagnostic physical findings (Adams, 2017)

Acute Cases  
≤ 72 hours



■ with injuries ■ no injuries

# CHILD SEXUAL ABUSE IS DETERMINED BY

- The child's statements
- The child is diagnosed with a sexually transmitted infection
- The child is found to have suggestive medical & laboratory findings
- The child's behavior (sometimes)
- The abuse was witnessed
- The abuse was documented by photographs or videotapes

# CONDUCTING A CHILD FORENSIC INTERVIEW IS

*“..simple, but not easy. Ask more open-ended questions and fewer close-ended questions.”*

Thomas D. Lyon, J.D., Ph.D. (USC)

# REMEMBER A CHILD FORENSIC INTERVIEW IS

- Only one part of the investigation
- Used to understand what sexual abuse, if any, the child experienced

..... the **CENTERPIECE** of the investigation.

Faller, KC (2015)

# THESE ARE MY REFERENCES.

- 2013 APSAC Child Forensic Interview Clinic Handbook
- APSAC Practice Guidelines: Forensic Interviewing in Cases of Suspected Child Abuse (2012), available at [Caldera, D \(washington.edu\)](#)
- Newlin C, Steele LC, Chamberlin A, et.al., Child Forensic Interviewing: Best Practices, OJJDP Juvenile Justice Bulletin (2015), available at [Child Forensic Interviewing: Best Practices \(ojp.gov\)](#)
- Faller KC, Forty Years of Forensic Interviewing of Children Suspected of Sexual Abuse, 1974-2014: Historical Benchmarks, Soc. Sci. (2015), 4(34-65, doi:10.3390/socsci4010034
- Images are from Google Images.



