PROMISE 2
FORENSIC INTERVIEW MINI-SERIES

CO-FUNDED BY THE EUROPEAN UNION
The Barnahus model offers the child victim/witness of violence a child-friendly, safe and professional environment to disclose – which is fundamental to the criminal investigation, the judicial process and the follow up of the child. Interview is recorded and used as evidence in court.

Relevant disciplines and agencies are gathered under one roof, providing a multidisciplinary, including medical examination, mental health examination and treatment, response to each child. The model is integrated into the national social welfare, health, and/or justice systems in most countries.

### PROMISE: SUPPORTING THE BARNAHUS MODEL

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<th>FORENSIC INTERVIEWS – MENTAL HEALTH PROFESSIONALS SPECIALISED IN FORENSIC INTERVIEWS</th>
<th>ASSESSMENT, THERAPY, SUPPORT – SPECIALISED MENTAL HEALTH PROFESSIONAL</th>
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<td>Court testimonies</td>
<td>Assessment and treatment</td>
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<td>Exploratory interviews</td>
<td>Ensuring access to treatment</td>
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<th>MEDICAL EXAMINATION – SPECIALISED MEDICAL STAFF</th>
<th>CHILD PROTECTON – SOCIAL WELFARE</th>
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**NB:** Based on Icelandic model, not necessarily representative of other established MD/IA services
FROM 0 TO BARNAHUS

- PROMISE 1 explored the criteria for Barnahus and similar models in depth and developed standard setting publications
- Select professionals from around Europe were invited
- PROMISE 2
  - National level progress: dialogue, roadmaps, agreements, capacity building, and more.
  - EU dialogue: From 0 to Barnahus is an open invitation to join the discussions within the European Barnahus Movement.
- Key principles, standards, and challenges to consider when opening and operating a multi-disciplinary and interagency collaboration for child victims and witnesses of violence.
Forensic interviews are carried out by specialized staff members, in a child-friendly environment. The interview is adapted to each child, and follows evidence-based practices and protocols. A multidisciplinary interagency team is watching the interview from another room, and the interview is recorded. The defendant's rights to a fair trial and “equality of arms” are protected.

BARNAHUS QUALITY STANDARD 6
FORENSIC INTERVIEW

- Forensic interviews are carried out by specialized staff members, in a child-friendly environment.
- The interview is adapted to each child, and follows evidence-based practices and protocols.
- A multidisciplinary interagency team is watching the interview from another room, and the interview is recorded.
- The defendant's rights to a fair trial and “equality of arms” are protected.

KEY COMMON CRITERIA OF BARNAHUS

- Ensuring the evidentiary validity of the child’s statement
- In line with the principles of due process
- Preventing the child from having to repeat his/her statement during court proceedings

RESEARCH AND EXPERIENCE

- Repeated interviews can be very traumatic for the child and cause retraumatisation.
- Can even have more harmful effects on the child than the abuse itself.
- Special measures ensure children are provided with opportunities to give evidence in an emotionally and physically safe and conducive environment.
- Prevents retraumatisation, secures a successful criminal investigation and judicial process.
Forensic interview

Ólóf Ásta Farestveit
Leader of Barnahus
Webinar PROMISE 14\textsuperscript{th} March 2019
Barnahus – child friendly environment

- Location in a residential area
- Doesn’t look like institution
- Hidden address
- Give the child a juice
- Minimize anxiety
- Age appropriate waiting rooms
POLL 1

• Have you heard about Barnahus before?
The interview room

- Specially designed
- Child friendly setting
- Neutral/Safe
- Camera
- No distractions
- Age and developmentally appropriate
- Information about all present
- Everyone can ask questions through the questioner
Forensic interviewing

- Evidence based protocol (NICHD / NCAC)
- Non-judgemental
- Truth seeking
- Neutral in tone
- Accurate, credible, complete information
- Precise documentation
  - DVD recording
Poll 2

• Are you familiar with interviewing protocols?
Timing

- Is the child tired?
- What time does the child take medication, if any?
- Has the child eaten?
- Is the child missing fun activities?
- Does the child need to use the restroom?
The goals of the interview

• Maximize information from the child
• Minimize the impact of the interview on the child – avoid re-traumatization
• Minimize contaminating effects on the child’s memory
• Maintain integrity
Fundamental principles

• Emphasize on open-ended questions
• Be smart with direct questions
  – „Funnel approach“
  – „Pairing“
• Think about and use what child has just said
• Listen more – talk less
Estimated age-appropriate questions in forensic interviews

<table>
<thead>
<tr>
<th>Age</th>
<th>Who</th>
<th>What</th>
<th>Where</th>
<th>How</th>
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Dark blue: indicates what sort of questions a child **COULD** answer at a specific age.
Light blue: indicates questions that **SOME** children could answer at a specific age.
The interviewer

- Educated in child’s development
- Read child’s behavior
- Child’s form of expression
- Read body language
- Knowledge in children's disabilities
- Knowing when child is feeling bad – lower the pressure and come back later
- Not to harm the child with unsuitable questions
Recall memory

- Triggered by non direct, open-ended questions
- Info that is most salient / understandable / speakable to the child
- Accessed through open ended prompts
- Greater accuracy rate
- „Tell me everything about ...“
- „What happened next?“
Recognition memory

- Triggered by specific focused questions, Yes/No questions and multiple choice questions
- Questions promoting recognition memory are necessary
- Delay as long as possible
- Additional info – some correct, some incorrect
- Contamination risk – youngest children
- Contamination risk – weak info
Suggestibility

• The degree to which one’s memory or recounting of an event is influenced by suggested information or misinformation
  – Can be the result of:
    • Being told what to say
    • Being questioned in a way that alters your recollection of the event
  – Children 10 and over are no more suggestible than adults
Two types of forensic interviews

**Investigative interview**
- Cases referred to the police
- The court judge is in charge of the procedure
- Monitoring are:
  - The prosecution
  - The police
  - The CPS representative
  - The child’s legal advocate
  - The defence lawyer
  - The alleged offender

**Exploratory interview**
- At the request of the CPS
- Disclosure is absent or very weak/ambiguous
- Offender has not been identified
- Offender is below the age of criminal responsibility (15 years)
- Only CPS is monitoring
Interview structure
NCAC/NICHD

• Stage 1
  Rapport
  – Introduction
  – Early engagement
  – Interview instructions
  – Narrative practice
  – Family

• Stage 2
  Substantive Phase
  – Transition to the topic
  – Narrative description
  – Follow-up questions
  – Clarification
  – Closure
Interview instructions

– If I ask you the same question more than once
– Don’t guess - if you don’t know the answer
– Let me know if you don’t understand the question
– Correct me if I’m wrong
– Difference between truth and lies
  • Contract about the truth
Narrative practice

- Increases informative responses in the beginning of the interview
- Opportunity to:
  - Observe linguistic functioning
  - Learn which questioning formats elicit the most narrative responses
  - Observe if the child is reluctant
Transition to the topic

• Question(s) which invite child to discuss substantive issues
• Start broad and become progressively more focused
  • Funnel approach
    • „Tell me why you are here today“
    • „often children tell me if something happened to them, has anything happened to you“
    • „What did your mom/dad tell you about coming here today?“
  • More focused prompts
    • „Is someone worried about you?“
    • „Are you worried about something?“
    • „Have there been any problems?“
Narrative description

- Elicit narrative using recall prompts
  - „Tell me more...“
  - „Tell me all about...“
  - „Than what happened?“
  - „You said _ tell me more about _“
  - „Tell me what happened from the beginning to the end“
  - „help me to understand“
- Ask for explanation or further description
- Avoid rush to specific questions
Yes / No questions

- „Was your Mom at home?“
- „Did _ say something to you?“

• Risks and benefits
• Useful to introduce new topic
• Increases incorrect responding
• Too many yes/no questions can discredit an interview
• May be difficult to know if child understood question
Single versus multiple events

• Many children abused on multiple occasions
  – Difficult to recall one individual occurrence from a set of repeated similar events
  – Wide variance in child’s ability to provide details about each occasion
Follow-up and clarification

• Questions eliciting further details
• Keep questions as open as possible
• Questions seeking clarification of previous terms or statements
  „Earlier you said that your dad french-kissed you. Explain french-kissed“
  „Is there anything else that you think I should know?“
Closure

• Sum up, using child’s words
• Return to everyday conversation or neutral topic discovered in the rapport
• Answer questions or concerns
• Thank child for the participation, time and effort (not content)
• Discuss safety plan
  – Who can you tell if you are worried about something
Reflections

• Research show that young children, 4-5yrs, gave two times more information for every “tell me about” question than “yes or no” question
• 8-9yrs children gave equally much information as younger children if they were asked “yes or no” questions
• BUT they gave four times more information fore every “tell me more” question
Poll 3

• Do you think it is important for children to be interviewed in a child-friendly environment?
Other reflections

• Always aim for the truth - protocol
• Children's “fake testimonies”?
• When and why are children giving fake testimonies
• Who is that to tell it is a false testimony
• False negatives
• False allegations – children with untreated PTSD
• Difficult to disclose about sensations if it is not true
Thank you
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