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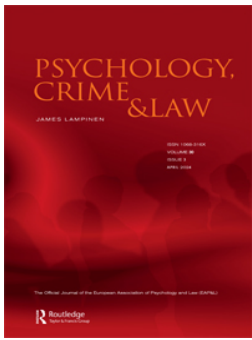
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## White paper on forensic child interviewing: research-based recommendations by the European Association of Psychology and Law

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## White paper on forensic child interviewing: research-based recommendations by the European Association of Psychology and Law

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**ABSTRACT**

This white paper consists of evidence-based recommendations for conducting forensic interviews with children. The recommendations are jointly drafted by researchers in child interviewing active within the European Association of Psychology and Law and are focused on cases in which children are interviewed in forensic settings, in particular within investigations of child sexual and/or physical abuse. One particular purpose of the white paper is to assist the growing Barnahus movement in Europe to develop investigative practise that is science-based. The key recommendations entail the expertise required by interviewers, how interviews should be conducted and how interviewers should be trained. Interviewers are advised to use evidence-based interview protocols, engage in hypothesis-testing and record their interviews. The need to prepare the interview well and making efforts to familiarise the child with the interview situation and create rapport as well as acknowledging cultural factors and the possible need for interpretation is underscored, and a recommendation is made not to rely on dolls, body diagrams and the interpretation of drawings in the interviews. Online child interviewing is noted as showing promising results, but more research is warranted before conclusive recommendations can be made. Interviewers should receive specialised training and continuous feedback on their interviews.

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**Key recommendations****Key recommendation 1: understanding child victims and witnesses**

Forensic child interviews should be conducted by specialised professionals. Interviewing requires an understanding of developmental issues, suggestibility, memory and language, factors influencing disclosure and the importance of creating rapport with and supporting the child throughout the interview.

**Key recommendation 2: evidence-based child interviewing**

Interviews in cases of suspected child abuse should be conducted according to evidence-based interview protocols, such as the NICHD interview protocol or other protocols based on scientific evidence, in which the emphasis is on obtaining as much information as possible about the events investigated in a non-leading manner. While protocols developed for the context of child abuse investigations may need to be modified to be used in other types of cases, the core principles for interviewing children apply for all instances where children are heard in legal processes. These includes cases where children are suspects, in the context of child protective services or other criminal investigations such as, for instance human trafficking.

**Key recommendation 3: phases of the interview and the importance of adequately preparing the child witness**

Interviewers should strive to conduct the interviews following the general principles of phasing the interview (introduction, ground rules, practise interview, substantive part

and closure) in a child-friendly way, including making efforts to build adequate good rapport with the child.

#### **Key recommendation 4: the interviewer mindset and hypothesis testing**

Interviewers are advised to engage in hypothesis-testing when planning, conducting and assessing the interview to reduce the risk of bias.

#### **Key recommendation 5: recording of interviews**

It is essential that the interview is electronically recorded, to see how the child's account has evolved, assess interview quality as well as for evaluation purposes. We recommend that criminal justice systems move towards recording the child's narrative in the early phases of the process and use these as evidence in court. This allows for child-friendly interviewing with sufficient time spent on making the child interviewee at ease, which increases the possibility of obtaining detailed and elaborate accounts from the child.

#### **Key recommendation 6: number of persons present at the interview**

It is recommended that only the child and the interviewer are present in the interviewing room during the interview, while other professionals monitor the interview (via, for example, a video-link).

#### **Key recommendation 7: cultural aspects and interpretation in the interview**

Interviewers are advised to take cultural aspects into account, and in interviews where interpreters are required, interviewers should prepare the interview jointly with the interpreters and where possible, interpreters should have specialised training in child interviewing.

#### **Key recommendation 8: dolls, body diagrams and drawings in the interview**

The use of dolls or props is not recommended in the interviews, and doll play or drawings should not be used to make interpretations of possible abusive experiences by the child.

#### **Key recommendation 9: online child interviewing**

Online interviewing shows promising results also with regards to child witnesses, but more research is warranted before conclusive recommendations can be made.

#### **Key recommendation 10: training of interviewers**

Interviewers should receive specialised training, including continuous assessment and feedback on their interviewing style for quality assurance.

## Foreword

The European Association of Psychology and Law (EAPL) is a scientific association comprised of researchers and professionals in the field of legal and forensic psychology, from various countries. In recent years, it has become evident through international conferences organised by the EAPL, as well as other scientific discourse platforms, that there exists a wide variety of practices for conducting child forensic interviews within and across different countries. An increasing concern is the lack of standard guidelines for these practices in many European countries. The scientific community has much to contribute to the topic of child forensic interviewing and plays an important role in communicating the necessary information and recommendations to decision-makers such as courts, child protective services, or networks for practitioners, such as the [Promise Barnahus network](#).

The purpose of this paper is to summarise central findings about interviewing children in a legal context and highlight evidence-based practices of interviewing children in a manner that is valid, reliable, and child-friendly. Our goal is to provide best practice guidelines for child forensic interviewing that should be followed in all European countries. An essential objective is to assist policy makers throughout Europe in making informed decisions on how to implement research-based child investigative interviewing practices in their countries. Furthermore, this paper aims to aid professionals in reducing unnecessary and unwanted variation in interviewing practices and to provide input from the scientific field to groups such as the Barnahus network when developing interviewing practices for child abuse investigations.

These collective recommendations have been drafted by a large pool of scholars connected to the EAPL, including scholars who are holding recent PhDs in the field of child victims and witnesses, those who are currently doing practical work within the field as well as established researchers within the field of investigative interviewing.

## Background and the need for recommendations

Children's testimonies often play a pivotal role in cases involving alleged child abuse or other crimes against not only children but also adults (e.g. Flin et al., 1993). Therefore, the quality of the child forensic interview is of paramount importance, particularly when other forms of evidence are absent, such as photos or electronic recordings (see Brainerd et al., 2008; Myers, 2002; Walsh et al., 2010). However, there are considerable differences within Europe (similarly in the US, see Rivard & Schreiber Compo, 2017) in the extent to which empirically based practices have been implemented. Some countries are at the beginning of this journey, while others have developed and recommended the systematic use of evidence-based methods and multi-professional collaboration when investigating suspected crimes against children (e.g. 'Achieving Best Evidence' in the UK, Ministry of Justice, 2022; Johansson et al., 2017). In contrast, some countries have yet to incorporate any recommended practices regarding child interviewing.

The same applies for the training of interviewers. The European Barnahus Quality Standards, specifically standard six (Council of the Baltic Sea States, 2017), recommend that specialised interviewers conduct interviews using evidence-based practices and interviewing protocols. Similarly, the Lanzarote Convention (Council of Europe, 2007) calls for child

interviews to be carried out by trained professionals. The American Professional Society on the Abuse of Children (APSAC) launched a set of practice guidelines in 2012. Many countries, both in and outside of Europe, have adopted the use of such practices (La Rooy et al., 2015). While the 2021 'Principles of Effective Interviewing' written at the request of the United Nations do apply to child interviewing, they do not specifically address the particular needs and demands required when interviewing children.

Several instances of false accusations and wrongful convictions have occurred, both in Europe and worldwide, due to incorrect forensic interviewing or strong prejudices leading to false reports. Highly publicised incidents (Webster, 2022) include an alleged incestuous rape case in Outreau, France (Bensussan, 2011), the Rignano case in Italy (Mercurio, 2018), the Bjugn preschool case in Norway, involving as many as 61 potential child sexual abuse victims (Thoresen et al., 2012); the Galileo elementary school case in the Netherlands (Otgaar et al., 2017); the Cleveland Inquiry in the UK (Butler-Sloss, 1989); as well as the McMartin preschool case (Garven et al., 1998) and the Wee Care Nursery case (McWilliams et al., 2012) in the United States. A common thread in these cases is that false reports of abuse occurred because of suggestive interviewing techniques used by different parties (e.g. parents, police, social workers, etc.). On the other hand, real cases of abuse against children may be overlooked when interviews fail to support the child by not using appropriate questions, thereby limiting their chance to provide as full accounts as possible within the interview.

The incidents mentioned above and the understanding of the importance of allowing real victims to provide accounts have fuelled scholarly attention on how children should be interviewed to prevent the occurrence of false reports and facilitate the reporting of accurate information. In response, and partly due to these incidents, the scientific community has substantially increased research on child suggestibility and interviewing (Ceci & Bruck, 1993; Eisen et al., 2001; La Rooy et al., 2015; London et al., 2013; Nicol et al., 2017). Researchers have developed evidence-based best practice interviewing guidelines, such as the National Institute of Child Health and Human Development, NICHD, interview protocol (Lamb et al., 2007), and the 'Achieving Best Evidence' in the UK (Ministry of Justice, 2022). However, these guidelines have yet to be implemented widely across Europe and globally (e.g. Lamb et al., 2018).

Currently, there is considerable variation in child forensic interviewing practices, with several countries not using any specific recommendations and various interview protocols in use. According to a recent review, more than 30 different forensic interview procedures with CSA victims were identified (Fernandes et al., 2023). Many advocate for using evidence-based techniques, such as open-ended questioning, while some propose strategies that are not recommended by current research, including the use of props and anatomically detailed dolls (which will be discussed later in this paper). Furthermore, some of the protocols in use lack empirical validation (Cirlugea & O'Donohue, 2016; Otgaar et al., 2019). A large variation in interviewing practices is not desirable as it creates differences in the opportunities for children to disclose their experiences. It also goes against the rights of all children to have equal opportunities to be heard, as specified in the Convention on the Rights of the Child (CRC).<sup>1</sup> The use of empirically validated protocols is therefore paramount in ensuring the unification of practices across countries.

A key issue in child forensic interviewing practice is related to the role the interview will play in any ensuing court procedures. For example, in the adversarial system, children are sometimes expected to provide 'live' testimony, and this still occurs in some countries

where their investigative interview acts solely as an investigative tool (Crenshaw et al., 2019). Studies from Portugal and Scotland have found that best practices are not always implemented in the hearing of children in court, with children being subjected to suggestive questioning (Andrews & Lamb, 2016, 2021; Peixoto et al., 2017; Skinner et al., 2019).

In some countries, like the Northern European countries (Johansson et al., 2017), the child's video-recorded investigative interview is presented as evidence in court and the child is thus not subjected to cross-examination in court. In these cases, the interview needs to be conducted in such a way that it serves as an investigative tool for obtaining evidential leads and provides an opportunity for the accused person to put their questions to the child, as the recorded child interviewing will be the child's key testimony. A child interview in England and Wales would be conducted by the police who in their interviewing should follow the extensive evidence-based guidance provided in the 'Achieving Best Evidence' guidance and an electronic recording of this would be available as the child's evidence-in-chief. However, in practise, children across the UK may still have to attend and be heard in court (Crown Prosecution Services, 2019). In the Nordic countries, such as Finland and Norway (Korkman et al., 2017; Myklebust, 2017), trained interviewers conduct the electronic recorded interviews during the pretrial investigation with the possibility for defence lawyers to put forward their questions. The recorded child interview is admissible in court, implying that children are not interviewed in person in court. In Iceland, the pioneer of the Nordic Barnahus model, the child is interviewed in the actual judicial proceeding but through a video-link from a Barnahus or other special facilities (Friðriksdóttir & Haugen, 2017). Differences in the legal systems can therefore have a substantial impact on the content and style of questions asked to a child interviewee.

The aim of these collective recommendations is to provide an overview of evidence-based child investigative interviewing techniques and make recommendations that apply to child forensic interviewing across European countries, regardless of the specific legal system. Topics covered include: Children as witnesses from a developmental viewpoint, factors associated with children's disclosure, variations in forensic child interviewing practices, recommended interviewing methods, planning and conducting forensic child interviews, practical considerations for conducting interviews, the role of support during interviews, and assessing the questions used by interviewers. These recommendations are also drafted to complement the Barnahus quality standards and other generally phrased recommendations encouraging evidence-based interviewing approaches which do not provide more specific guidance on which techniques are currently considered to be well supported by scientific evidence and applicable in the European context or the kind of training interviewers should receive.

## **Key recommendation 1: understanding child victims and witnesses**

### ***Children's disclosures of abuse***

The detection and investigation of child sexual abuse (CSA) often depend on the child's disclosure of what allegedly happened (Hershkowitz et al., 2007; London et al., 2005). However, child victims may be reluctant to disclose formally to authorities and informally to non-authorities (Hershkowitz et al., 2014; Lev-Wiesel & First, 2018; Priebe & Svedin, 2008). There are many reasons why victims are reluctant to disclose, such as to protect a known perpetrator,



failure to recognise the events as abusive, embarrassment, shame, fear of punishment, fear of family disruption, or other perceived negative consequences (Malloy et al., 2007; McElvane, 2015). It is known that victims of child sexual as well as physical abuse may disclose early after the abusive events, with a delay over the course of months or even many years – or fail to make formal disclosures (Alaggia et al., 2019; Manay & Collin-Vézina, 2021; McGuire & London, 2020; Miller & London, 2020; Lahtinen et al., 2018). Many children do disclose when interviewed in a forensic setting, particularly if they have disclosed earlier to for instance family members or peers (Azzopardi et al., 2019; Grandgenett et al., 2021). While delayed disclosure is common among victims of CSA, the exact rates of denial and recantation are subject to debate (Malloy et al., 2007; McGuire & London, 2020; but see also Eisen et al., 2021; Lyon et al., 2020). A recent review on false denials concludes that statements should not be dismissed only on the basis of previous denials (Bücken et al., 2022). Children may be compelled to recant their previous disclosures when faced with pressure to do so, such as when non-abusive caregivers express disbelief or disapproval (e.g. Elliott & Briere, 1994; Malloy & Mugno, 2016; Malloy et al., 2016). In addition, a closer relationship between victim and perpetrator is associated with a lower likelihood of disclosure, as well as a greater likelihood of delayed disclosure (Goodman-Brown et al., 2003; Kogan, 2004; Malloy et al., 2011; Smith et al., 2000).

Most of the literature on children's disclosure involves child sexual abuse, but researchers have also begun to explore disclosure among child victims of other crimes (e.g. physical abuse in Bottoms et al., 2014; Eisen et al., 2021; Lahtinen et al., 2020; McGuire & London, 2020; domestic violence in Callaghan et al., 2017; commercial sexual exploitation in Lavoie et al., 2019). Physical abuse experiences may be accompanied by more delayed disclosures (Hershkowitz et al., 2006) compared to sexual abuse. Self-reported reasons for nondisclosure of child physical abuse involve failure to recognise the events as abusive or failure to perceive the events as serious enough to be reported (Lahtinen et al., 2020; McGuire & London, 2020).

Interviewers should be aware of the different possible factors influencing disclosure so as not to, for instance, assume delayed disclosures would be indicative of unfounded allegations.

### *Children as witnesses*

When interviewed correctly, children can provide accurate information (Hershkowitz et al., 2012; Lamb et al., 2018). As children develop over the preschool years (i.e. 3-5 years), they learn how to structure their narratives and share memories more effectively, which can help with the formation and retention of memories (Kulkofsky & Klemfuss, 2008; Nelson & Fivush, 2004). In optimal conditions and when interviewed by well-trained professionals, even very young children can provide reliable witness accounts of personally experienced events (Gagnon & Cyr, 2017; Goodman et al., 1991). However, young children typically omit details and are more prone to suggestion compared to older children (Goodman & Melinder, 2007; Howe & Knott, 2015; Malloy & Quas, 2009; but see also Otgaar et al., 2018). Therefore, the interviewer's sensibility to the child's development is critical for gathering reliable information in a child-friendly manner (Saywitz & Camparo, 1998). The way in which questions are formulated in the interview is of paramount importance for enabling children to communicate their experiences. An overview of the different types of questions typically found in forensic child interviews can be found in Table 1.

**Table 1.** Examples of question types in interviews.

Interviewer Utterances	Description	Example
Invitation	Open questions that allow the child to provide free recall and control what information they disclose.	- Tell me everything that happened. - Tell me more about that.
Cued invitation	Invitations that respond to a certain topic mentioned by the child. Cued invitations begin with a repetition of the child's recall of that topic. Both invitations and cued invitations are recommended to be used as much as possible.	- What happened after that? - You mentioned a man. Tell me more about him. - You said it happened at a family event. Tell me more about that event.
Facilitator	Short utterances or non-suggestive supporting statements to continue talking. Facilitators are recommended as they indicate active listening and can elicit more speech from the child.	- Okay. - Mhm. - I see.
Directive	Questions refocusing the child's attention on something they have stated earlier (who, what, when, where, etc.) Recommended to be used only when the question cannot be formulated in a more open-ended way.	- When did that happen? - Who were you with? - What did he look like? - How old was he?
Forced choice (Yes / No or option-posing questions)	Includes a number of choices from which the interviewee should select their answer as well as questions that can be answered by merely yes or no are generally not recommended.	- Was it during the day or the night? - Did he hit you once or many times? - Was he in the room with you?
Suggestive	Questions that suggest one answer is correct (regardless of whether it is or not) or include information that has not previously been mentioned by the child. Should be avoided.	- He hit you, didn't he? - That must have hurt. - Did he do other bad things?

### *Child suggestibility*

The risk of suggestive questions is particularly high in cases where interviewers hold a presumption of the child having experienced maltreatment. This can result in false accounts of abuse even when no abuse has occurred. Suggestibility is defined as 'the degree to which children's encoding, storage, retrieval, and reporting of events can be influenced by a range of social and psychological factors' (Ceci & Bruck, 1993, p. 404). Highly suggestive questioning techniques can lead to detailed false reports that may be indistinguishable from true reports (e.g. Bruck et al., 2002; Kulkofsky et al., 2008; Otgaar et al., 2010; Principe & Ceci, 2002).

It is well established in the literature that children are susceptible to suggestion, with younger children being at higher risk (Bruck & Ceci, 1999; Eisen et al., 2007; Hritz et al., 2015; Otgaar et al., 2018). Researchers have identified cognitive ability, language skills, and creativity as factors associated with children's suggestibility (Bruck & Melnyk, 2004; Perez et al., 2022). Reverse developmental trends, however, can take place when older children and adults demonstrate higher levels of suggestibility and false memories than young children on memory tasks that draw on their life experiences and developed cognitive mechanisms such as associative knowledge structures, schemas, and scripts (Brainerd et al., 2008; Brainerd & Reyna, 2012; Hritz et al., 2015; Otgaar et al., 2013).

Furthermore, within the same age group there can be substantial variation in children's resistance to suggestion. The literature indicates that children with limited language

abilities are most at risk of accepting interviewers' suggestions, as is often the case also for children with intellectual impairments (Bruck & Melnyk, 2004; Klemfuss & Olaguez, 2020; Perez et al., 2022). However, even in these cases, children can provide accurate information if interviewed appropriately. Researchers have not found any other consistent patterns in children's characteristics that make them more vulnerable to suggestion (Klemfuss & Olaguez, 2020). These findings highlight the importance of conducting high-quality forensic interviews with all child witnesses, irrespective of their age or cognitive and social traits.

Suggestive questioning can take various forms and is often associated with interviewer bias, where only questions that confirm the interviewer's perception are posed. Broadly speaking, suggestive questions can be leading questions that '[assume] information not disclosed by the child or [imply] that a particular response is expected' (Lamb et al., 2007, p. 1206). Interrogative suggestibility involves the use of social pressure to coerce children into providing what the interviewer perceives as a 'correct' response. For example, interviewers may ask children to choose between two incorrect options or probe for false details. Children often resort to selecting an answer, even when asked nonsensical questions (Hughes & Grieve, 1980; Waterman et al., 2002) or may engage in describing and even drawing aspects of events they have not attended (Magnusson et al., 2021). In addition, preschool-aged children are particularly vulnerable to distortions in their statements when interviewed using forced-choice (i.e. option-posing or yes/no) questions (Brubacher et al., 2020; Howe & Knott, 2015; Magnusson et al., 2020; Malloy & Quas, 2009) and even when given an additional option of 'something else' (London et al., 2017). It is worth noting that also other persons talking with the child, for instance prior to formal interviews, may use leading questions. For instance, parents who are worried about possible abuse may unwittingly lead children to disclose abuse even when such events never happened (Hershkowitz, 2001; Korkman et al., 2014; Lawson et al., 2018; Principe & London, 2022; Volbert & Steller, 2014). In some cases, suspecting parents document their interaction for the police to provide additional information about their suspicion, and in these cases these documented interactions (such as mobile phone video clips) may provide significant information for the investigation, such as indications of parental suggestion (or the lack of such; see Korkman et al., 2014).

Suggestive questioning can also result in more covert effects such as misinformation effects (Pickrell et al., 2016). Misinformation effects refer to situations where children are exposed to false information and subsequently report these inaccuracies in their later testimonies. Children's reports can become contaminated even after a single exposure to false information (Ceci et al., 2007; London et al., 2009), which is especially concerning as child witnesses in some countries often undergo multiple interviews by different professionals during forensic investigations (La Rooy et al., 2010). However, it should be noted that an interview conducted over multiple sessions is not problematic if conducted in an appropriate manner (see separate section).

The use of suggestive questioning techniques during forensic interviews can result in contaminated reports from children (Ahern & Lamb, 2017; Ceci & Bruck, 1995; Gagnon & Cyr, 2017; Poole, 2016). Interviews that subject children to suggestive pressure may lead to misleading testimony, interviewer bias, and the reinforcement of interviewers' expectations (Benia et al., 2015; Bruck et al., 2006). It is therefore crucial for interviewers to follow best practice guidelines in conducting interviews to prevent these effects (Herman, 2009; Price & Roberts, 2011).

## Key recommendation 2: evidence-based child interviewing

In response to the problems related to child suggestibility, disclosure patterns, and publicised cases of investigations gone wrong, recommendations and interview protocols have been developed. With different protocols comes great variation in interviewing practices, as they place emphasis on different elements of interviewing or disclosure and draw from different approaches to forensic interviewing. Some of the protocols currently in use lack empirical validation (Cirlugea & O'Donohue, 2016). The use of empirically validated and researched protocols is recommended to maximise the opportunities of investigative interviewers to gather reliable information in a child-friendly manner.

### *Empirically validated protocols*

The NICHD protocol (Orbach et al., 2000) is the most widely used and validated protocol for forensic interviews with children and its use and structure have been extensively researched (Cyr et al., 2012; La Rooy et al., 2015; Olafson, 2012). Numerous studies and meta-analyses have demonstrated that interviewers who follow the NICHD protocol use more open-ended questions, ask fewer suggestive or forced-choice questions, and obtain more detailed information during the interview (Benia et al., 2015; Cyr & Lamb, 2009; Cyr et al., 2012; Erens et al., 2022; Hershkowitz et al., 2014; La Rooy et al., 2015; Lamb et al., 2007). Additionally, some research suggests that using the NICHD protocol may make children less susceptible to subsequent false information (e.g. Otgaar et al., 2020 – as does use of child appropriate 'Cognitive Interview' techniques; Milne & Bull, 2003; for a review on this matter, see Otgaar et al., 2023).

Several studies have also shown that rapport building and providing socio-emotional support throughout the interview helps children become more comfortable during forensic interviews, which leads to more accurate and complete answers about abuse (Brown et al., 2013; Teoh & Lamb, 2010). Therefore, the NICHD protocol has been revised with adjustments that emphasise rapport building, identification of reluctance and providing supportive comments (Hershkowitz et al., 2014). The use of this revised version of the protocol has been associated with (reluctant) children being more likely to disclose abuse, with the association being mediated by an increased willingness to collaborate (Blasbalg et al., 2018, 2021; McGroarty & Baxter, 2009). A detailed description of the protocol can be found in multiple publications (in particular Lamb et al., 2018).

The Achieving Best Evidence (ABE) interviewing guidance (UK Ministry of Justice, 2022) is a protocol developed and used in England and Wales. Similar to the NICHD protocol it emphasises the use of open-ended questions and free narrative before any closed-ended questions and discourages suggestive questions. The ABE guidance follows a phased interview approach and has a structure similar to the NICHD protocol, starting with building rapport and setting ground rules, moving on to eliciting free recall, questioning, and ending the interview with a neutral-themed closure. Additionally, the ABE guidelines account for factors such as the child's age and cognitive abilities of the child and aim to facilitate information retrieval related to the event or events in question (Ministry of Justice, 2022). The ABE guidance has been formulated to allow for flexibility to accommodate individual child needs, and relevant professionals are required to undergo comprehensive training before using it.

Apart from the NICHHD Protocol and the ABE, there are several other protocols developed for or used in forensic child interviewing. Examples include the ECI (Enhanced Cognitive Interview; Fisher et al., 1987), NCAC (National Children's Advocacy Center, 2019), SIM (the Standard Interview Method; Powell & Brubacher, 2020), RADAR (Recognizing Abuse Disclosure types and Responding; Everson et al., 2014), the Ten Step Investigative Interview (Lyon, 2005), and the CornerHouse Forensic Interview Protocol<sup>TM</sup> (Anderson et al., 2010; Stauffer, 2020, which stands for Rapport, Anatomy Identification, Touch Inquiry, Abuse Scenario, Closure).

Of the noted examples, the ECI has been widely used in interviewing different types of witnesses, both child and adult (Paulo et al., 2013). While many of the available protocols have not been empirically validated to a satisfactory degree, several use recommended and evidence-based techniques, such as open-ended questioning and a hypothesis-testing approach (Newlin et al., 2015). Some of these protocols, like the CI and NCAC, have been found to have positive effects in child forensic interview settings in terms of information gathering and increasing resistance to suggestive questions (e.g. Carnes et al., 2000; Milne & Bull, 2003). However, some include strategies that are not recommended by current research, such as the use of drawings and anatomically detailed dolls (Poole & Dickinson, 2011; see below).

In addition to the aforementioned methods, various other protocols developed by local experts, expert centres, and medical units around the world exist, although many lack empirical validation (Otgaar et al., 2019). Of the existing protocols, the NICHHD protocol has been most extensively examined in the context of forensic interviewing of children, in particular within the context of suspected child sexual and/or physical abuse (Benia et al., 2015), while many other protocols share the same fundamental principles (Fernandes et al., 2023). Thus, the recommendation is to use this or similar protocols for forensic interviews of children for instance in the context of emerging Barnahus services throughout Europe. The general principles of these interviewing approaches (understanding the importance of rapport, developmentally sensitive questioning, an open mindset and exploring emerging topics through a funnel approach) hold true also for other contexts where children are interviewed, although there is also a need to flexibly adapt these principles to the type of investigation.

### ***Pre-interview planning and preparation***

Commonly used and evidence-based interviewing protocols, such as ABE and the NICHHD, are semi-structured and require modification based on case details (Korkman et al., 2017; UK Ministry of Justice, 2022). Different countries have different legal requirements for instructing the witnesses and these need to be considered and communicated in a way that corresponds to the child's level of understanding. Therefore, it is crucial to develop an interviewing plan prior to the interview. Such a plan should be based on all the available relevant information about the child and the suspected offence. This plan should address the topic of the investigation as well as the investigative objectives and should be reviewed in the light of new emerging information (Smith & Milne, 2011). As part of the interviewing plan and based on this information, the interviewer should formulate different alternative hypotheses to be investigated during the interview. In the following section, we will focus on several key areas of further relevance when preparing for a child interview.

*Assessing the child's capacity to be interviewed.* Prior to interviewing a child, interviewers are recommended to assess whether there are any limitations to the child's capacity to be interviewed, particularly in the case of very young children or children who may be suspected to have communicative challenges (Brubacher et al., 2020; Korkman et al., 2017; Peixoto et al., 2014).

In ideal situations, children as young as four years old can provide accurate and informative verbally described information provided the interview is adapted to their communicative abilities and they are continuously invited to freely recall events in their own words (Hershkowitz et al., 2012; Lamb et al., 2018). Where interviews with preschool aged children are deemed necessary, they should always be conducted by a well-trained professional, preferably after careful assessment. Attempting to interview children about past events that occurred before language development is strongly recommended against, as children are unable to communicate complex events that happened before they learned to speak (Simcock & Hayne, 2002; see also Brubacher et al., 2019).

Determining a child's cognitive and communicative abilities can be vital for planning and carrying out a successful interview. Adapting the interview to a child's level, particularly for very young children or those with learning disabilities, is a challenging task that requires a skilled interviewer. Therefore, interviews with very young children or those with disabilities should be conducted by skilled, experienced interviewers (e.g. Korkman et al., 2017; Magnusson et al., 2020; Wyman et al., 2019). In some countries, such as in England and Wales, intermediaries are used for this purpose. Intermediaries are experts whose role is to aid the communication between the interviewer and interviewee. Although there are variations in how intermediaries engage with criminal justice systems worldwide (Cooper & Mattison, 2017), in general, their role is to make specific, concrete plans or recommendations for how the interview should be conducted both in terms of questioning styles and practicalities (such as breaks) based on the child's assessed cognitive and linguistic skills. There has been limited evaluation of intermediaries (Cooper & Mattison, 2017), but some studies have assessed that including an intermediary in the investigative interviewing process may have benefits on the perceptions of the interview and the quality of children's testimony (Collins et al., 2016; Henry et al., 2017; Ridley et al., 2015). It is advised that, when possible, a singular, well-trained professional would conduct the interview rather than having a setting with more than one professional present (see for instance, Taskforce, 2012; Ferra et al., 2022; Lamb et al., 2018; Smith & Milne, 2011).

If there is evidence that a child has been exposed to significant suggestive influence, such as coaching or previous highly suggestive interviews, it is worth considering whether the child should in fact be interviewed at all. This is because the information provided by the child may be hard to assess for reliability (La Rooy et al., 2010; Lipian et al., 2004). In these cases, the best interests of the child must be carefully considered to assess the possible gains of interviewing the child weighed against the potential harm stemming from an interview resulting in information that is not reliable.

### ***The importance of creating rapport and supporting the child throughout the interview***

The importance of rapport and support in child interviews has been widely recognised by researchers (Hershkowitz, 2009; Saywitz et al., 2015, 2019). Regardless of the context of



the interview, i.e. evaluative, clinical, or investigative, meaningful rapport between children and interviewers are likely to enhance communication and motivate children to reveal their traumatic experiences (Powell & Lancaster, 2003; Ruddock, 2006; Wood et al., 1996) as well as to help them cope with anxiety and negative emotions (e.g. Siegman & Reynolds, 1984; Quas & Lench, 2007).

A rapport building session at the beginning of an interview has been found to increase the amount of information obtained (Anderson et al., 2014; Brown et al., 2013; Hershkowitz, 2009; Roberts et al., 2004; Sternberg et al., 1997), as well as leading to an increase in accuracy (Roberts et al., 2004). However, some researchers have raised concerns that too lengthy rapport building sessions may be counter-productive and stressed the advantage of a relatively short rapport building session (Davies et al., 2000; Hershkowitz, 2009; Teoh & Lamb, 2010; also see Magnusson et al., 2021), and not all studies have found clear positive findings. The rapport building must thus be tailored to the individual child interviewee. For children who are confident and responsive from the onset of the interview, a shorter rapport building may suffice, whereas children who are very shy or scared may need more time to be spent on this phase. What is important is for the interviewer to make every effort to make the child feel as much at ease as possible with the interviewing situation.

Supportive behaviours by interviewers throughout the interview have been found to improve accuracy (Bottoms et al., 2007; Greenstock & Pipe, 1997; Moston, 1992), and increase resistance to misleading questions (Carter et al., 1996; Davis & Bottoms, 2002; Goodman et al., 1991) as well as reduce suggestibility (Cornah & Memon, 1996; Greenstock & Pipe, 1997; Quas et al., 2005; Saywitz et al., 2019). Conversely, unsupportiveness has been found to increase suggestibility and incorrect information in response to misleading questions, particularly in high anxiety states (Almerigogna et al., 2007). Researchers have emphasised the importance of being supportive in ways that do not prompt false information in the interviews (Lyon & Dorado, 2008; Lyon et al., 2008; Saywitz et al., 2015).

### ***The NICHD-R***

The revised version of the NICHD protocol was developed focusing on the need for supporting reluctant children in a nonsuggestive way (Hershkowitz et al., 2006). The NICHD-R has been tested, refined, and implemented nationwide in Israel in the last decade, creating the grounds for an extensive and thorough evaluation. Studies have shown that the use of the revised protocol (RP) is associated with an increase in disclosure rates of substantiated allegations by reluctant children (from disclosure in sexual abuse cases increasing from 33% to 50% and in physical abuse cases from 51% to 60%; Hershkowitz et al., 2014). Interviewers using the RP have also been found to better establish rapport and provide interviewees with more support than interviewers using the standard version (Hershkowitz et al., 2017). Importantly, better support provided in the pre-substantive phase, i.e. before addressing the allegation at hand, has been found to indirectly improve children's performance in the substantive phase (Ahern et al., 2014). Observing nationwide rates of allegations during the years before and after the implementation of the RP in Israel, Hershkowitz and Lamb (2020) have reported significant increases in child disclosures about the events investigated.

Analyses of interviews conducted during and after the RP implementation have shown that interviewers remain more supportive throughout their interviews, including during the substantive phase. Support during the substantive phase of RP interviews has been found to be associated with a decreased reluctance in this phase, and with more spontaneous, informative, emotionally expressive, coherent, and credible statements made by the children (Ahern et al., 2019; Blasbalg et al., 2018; Blasbalg et al., 2019; Hershkowitz et al., 2021; Karni-Visel et al., 2019, 2021). It should be noted that while support and rapport are likely to be important across cultures, the ways in which social support is best provided may differ between cultures (see Tamm et al., 2021) and thus, the NICHD-R needs to be translated in a culture-sensitive way when used in different cultural settings.

### **Key recommendation 3: phases of the interview and the importance of adequately preparing the child witness**

Evidence-based recommendations on child interviews generally agree on the importance of building rapport, explaining the context of the interview to the child, assessing the child's ability to participate in an interview if necessary, and exploring the allegations in an as open-ended way as possible, pairing open-ended prompts where necessary with more focused questions. This approach involves supporting the child to provide as much information as possible without using closed questions (Bull & Milne, 2020; CBSS, 2017; Lamb et al., 2018; Nicol et al., 2017; Saywitz & Camparo, 2013). Evidence-based, best-practice interview protocols typically include the following phases:

During the *introduction phase*, the interviewer should help the child become familiar with the requirements and dynamics of the interview, which may differ from regular daily interactions (Lamb & Brown, 2006). The interviewer should build rapport with the child by discussing a neutral topic and using open questions to elicit free recall. This process also helps children overcome possible reluctances to talk (e.g. Blasbalg et al., 2018).

The interviewer needs to establish that the child understands the *ground rules* of the interview, which may need to be adapted depending on national requirements (for instance, governing the rights and obligations of witnesses). Ground rules typically include discussing the importance of being as truthful as possible (some recommend asking the child to promise to tell the truth, in particular with older children, see for example Quas et al., 2018), not guessing, openly communicating memory or knowledge gaps, saying if they do not understand and to correct the interviewer in case they say something erroneous. The interviewer should inform the child of their right to remain silent on any topic they do not wish to talk about. Depending on the child's developmental level and national legal requirements, the interviewer may need to explain that the child does not have to talk about events that could incriminate a family member. There is limited literature on children's understandings of these instructions and their impact on children's accounts (for a synthesis of the research, see Brubacher et al., 2015 and on promising to tell the truth, see for example Lyon et al., 2008; Quas et al., 2018; Talwar et al., 2004).

The NICHD and other protocols recommend a *practice interview* or *episodic memory training*, where children are asked to tell about a salient autobiographical memory



using open-ended questions (e.g. 'Tell me about your birthday party last week'). The rationale of this training is to acquaint children with retrieving an autobiographical memory of interest and to familiarise both them and the interviewer with the type of communication that is the goal in the investigative setting; with the child providing as much information as possible and the interviewer supporting the account through active listening and open-ended questions. It is also a way for the child to concretely understand the expectation of reporting as much detail as possible (Brubacher et al., 2011; Roberts et al., 2011).

*Introducing the topic of concern.* As this is a critical part of child forensic interviewing, interviewers should begin by introducing the topic in a non-leading manner and be cautious to introduce information for which there is no clear evidence. In such cases, one approach is to ask the child about their understanding of the reason for the interview (Garcia et al., 2022; Earhart et al., 2018; Lamb et al., 2018). However, some children may not respond appropriately, particularly if they are unsure for the reason for the interview. In such cases, interviewers must be prepared to consistently ask appropriate (open-ended) questions, starting the exploration of each topic with general, open-ended questions and attempting to collect as much information as possible with these. Open-ended questions may be paired with more specific ones where no more information can be exhausted by open-ended questions. Interviewers should always avoid leading the child as this may damage the child's subsequent evidence (see Garcia et al., 2022).

Information introduced by the interviewer can be a source of post-event information, where if the child is later re-interviewed or questioned in court, they could confuse this information as coming from their own memory for the event (rather than from the interviewer) causing inconsistencies or inaccuracies in their statements (London et al., 2009). Instead of providing key case details, interviewers can in a non-leading way refer to children's earlier discussions, any documented physical injuries, or the location of the suspected offending in planned back-up questions. For example, the NICHD protocol suggests asking questions such as: 'I heard that you have [documented injuries] on your [body part]. Tell me everything about [that]' (Lamb et al., 2018). On the contrary, an interviewer saying things such as 'Can you tell me what you told your teacher?' is not recommended because that conversation may not have been reported correctly, as memories for conversations can be flawed, see for example (Bruck et al., 1999; Korkman et al., 2015). In cases of online sexual abuse where there is evidence of the child having been abused, it is important to address this information as sensitively as possible, keeping in mind that the realisation that the police is in possession of videos and images depicting the child may come as a shock to them, as children may not always even be aware that they have been recorded or that the perpetrator was not a peer but an adult (there is not yet very much research specifically on interviewing child victims on online abuse, but see Joleby et al., 2021).

In *the substantive phase* of the interview, the interviewer tries to elicit free recall of the events in question (e.g. alleged abuse) and proceeds to more focused questions (such as directive questions, e.g. 'Where did it happen?') only when no more information can be gained about each topic through open prompts (sometimes referred to as 'the funnel approach'). It is important to note that many details that are significant from the point of view of an investigation (person and event descriptions such as who, how, where, how did persons look, what was said, etc.) can be obtained through posing cued invitations pointing

back to what the child has previously said and asking for more information. In a well-executed substantive phase, the interviewer separates the investigation of each incident by inquiring about one event at a time and avoids switching between topics, as this can be confusing for the child. This phase is where the most of the allegation-relevant information is likely to be obtained. During the interview, it is advisable to note down keywords mentioned by the child to formulate cued invitations using the same words the child is using. Note-taking has been pointed out as a valuable tool in forensic interviewing, facilitating a more accurate formulation of follow-up questions (Baker et al., 2021; Bearman et al., 2020; Cyr, 2022).

In the *closure phase*, the interviewer may ask if there is anything the child would like to add to their statement and how they feel after the interview as well as give them the opportunity to voice any questions they may have. The interviewer may want to thank the child for participating in the interview and, if possible, the interviewer may inform the child of what will happen next, how to be in contact with the interviewer, and possible support providers. Before leaving the interview room, the interviewer may talk about neutral topics with the child so that the interview does not end too abruptly.

### ***Interviewing about repeated events***

Child abuse is often experienced repeatedly. Consequently, the police often need to investigate the occurrence of repeated events and determine details of individual events within these repeated experiences (Brubacher et al., 2014). Children who have experienced repeated abuse typically develop script-like memories containing generic knowledge about what usually happens during the abusive episodes and they may sometimes confuse details between related episodes (Brubacher et al., 2014), and may struggle with specifying when and how many times repeated events have occurred (e.g. Wandrey et al., 2012). If questioned with appropriate interviewing techniques, children can typically give informative statements about repeated experiences (Brubacher et al., 2014). Proper questioning approaches for eliciting accurate details about repeated experiences should therefore be included in the planned questioning. Broadly, these techniques can help determine if an event was repeatedly experienced, elicit a broad understanding of when these events occurred, and obtain testimony about both generic details and specific episodes that could be of evidential value (for more information, see Brubacher et al., 2014). Interviewing about repeated events can for example include:

1. Asking about multiple events during the practice interview phase to familiarise children with describing repeated experiences
2. Using generic (e.g. 'What usually happens when ...') and episodic (e.g. 'What happened yesterday?') question prompts to target different information
3. Asking if the event happened one time or more than one time
4. Using labels for specific individual episodes based on the child's words (e.g. 'Let's talk about that time when your toy broke')
5. Asking about specific episodes that may be particularly distinct, such as the time that is remembered best.

### **Multiple session interviews**

In some circumstances, more than one interview may be appropriate or required when investigating suspected crimes against children (for a discussion on the distinction of repeated versus multiple session interviewing, see Duron & Remko, 2020). This may be the case when investigating repeated abusive events or events that occur over longer periods of time or when investigating different types of information, such as factual information (semantic memory content) and past experiences (episodic memory content). Multiple session forensic interviews may also be appropriate when additional rapport-building is necessary, such as when a child is particularly traumatised or reluctant to disclose, or in cases involving very young children or children who have difficulty concentrating long enough to describe what they have experienced (Hershkowitz et al., 2021). It is important to note, however, that multiple session interviews in this context do not involve repeatedly asking the child about the abuse when there is non-disclosure. Instead, interviewers should stop the initial interview before reaching substantive content and focus on building rapport until sufficient rapport is established to move on to the substantive topics.

While suggestive multiple interviews are particularly likely to lead to unreliable information, well-planned and conducted multiple session interviews are as likely to obtain accurate information as single interviews (La Rooy et al., 2010). Furthermore, when such interviews are properly conducted, they will likely result in new forensically relevant details (Waterhouse et al., 2016).

### **Key recommendation 4: the interviewer mindset and hypothesis testing**

One of the core risks to well-conducted child interviews is the presence of an interviewer bias (Ceci & Bruck, 1995; Huang & Bull, 2021; O'Donohue & Cirlugea, 2021). The term refers to a tendency to seek information consistent with prior beliefs and to disregard contradictory information (Rohrbaugh et al., 2016). Interviewer bias can affect how interviewers formulate questions, how they interpret new information that arises during a child interview and may lead to a tendency to not fully explore alternative explanations behind an abuse allegation. Both field and laboratory research have shown that interviewers' beliefs can influence communication with children, which in turn can impact the content of children's reports (e.g. Goodman et al., 1995; Powell et al., 2012; Sumampouw et al., 2021). It is important to note that interviewer bias is affected by professionals' subjectivity and they can demonstrate a tendency towards belief or scepticism (Conte & Simon, 2020; Everson & Sandoval, 2011; Finnilä-Tuohimaa et al., 2005). Bias can occur at any stage of the investigative process or interview (Lacey & Nunkoosing, 2022).

One suggested approach for reducing the risks of interviewer bias is to limit the amount of pre-hand information available to interviewers (see Fessinger & McAuliff, 2020; Rivard & Schreiber Compo, 2017). However, there are several drawbacks to this approach, particularly with regard to the lack of information concerning the circumstances under which the suspicion has emerged. In practice, a lack of information can make it difficult for interviewers to plan how to approach the topic under investigation and to detect possible discrepancies between the child's statements and the information at hand that may need clarification (Poole, 2016). Many child abuse investigations start

without direct evidence of a crime taken place (in comparison to for instance arson or homicide). In these cases, the suspicion often springs from an adult's concern that the child may have been abused, based on the child's narrative, behaviour or possible injuries, which may have many other alternative explanations. A key factor in managing interviewer bias is an approach to the work that incorporates regular review, collaborative approaches, high standards, and reflective practice (Lacey & Nunkoosing, 2022). Empirical studies suggest that, if possible, only one interviewer should talk to the child (Ferra et al., 2022; Santtila et al., 2004), regardless of the number of people involved in the preparation and planning of the interview.

Having an investigative mind-set or cognitive style and remaining open to the information emerging (see Milne et al., 2019) is imperative to achieving good interviewing skills and reducing the risks of interviewer bias (also see Powell et al., 2012). Rather than limiting the available information, it is recommended to use it in order to fully consider alternative explanations to the suspicion at hand (as advocated by Poole & Lamb, 1998). This 'hypothesis-testing' (also known as 'scenario-building') approach has been advised in a variety of interview- and assessment- guidelines across Europe (e.g. Sweden [Gumpert & Lindblad, 2000]; Finland [Korkman et al., 2017; Laajasalo et al., 2018]; the Netherlands [Vredeveltdt et al., 2017; Otgaar et al., 2022; Arbiyah et al., 2023]; Germany [Volbert & Steller, 2014]) and the United States (Bruck & Ceci, 2013; O'Donohue & Cirlugea, 2021) – it is also closely related to and dependent on cognitive flexibility (e.g. Milne et al., 2019) for interviews at all stages of an investigative process. Formulating hypotheses is one of the recommended ways to reduce cognitive bias also in clinical (Bowes et al., 2020) and investigative (Ask & Fahsing, 2019; Fahsing et al., 2023) decision making. Broadly, instead of only following up on the initial suspicion (i.e. that a child has been abused), interviewers are urged to explicitly pose and investigate alternative hypotheses about the origin of the allegation (e.g. the statement is mistaken or fabricated) and other aspects of the surrounding situation (Zhang et al., 2023). In this way, interviewers are seeking to practise in a way that is 'consciously objective' (Lacey & Nunkoosing, 2022).

Instead of actual experiences, allegations can (among other possibilities) be caused by repetitive suggestive conversations with, for example, a parent, evolve unintentionally as a result of false memories and/or misunderstandings, or originate from intentional fabrication (deception). Together with the initial hypothesis, these alternative hypotheses should cover all plausible scenarios that can be formulated using the information at hand to ensure that the interview can be used as reliable evidence in court (Herman, 2009; Korkman et al., 2017; Rohrabough et al., 2016). Known details of the allegations, as well as the characteristics of the child (e.g. age, development, possible special needs or vulnerabilities) need to be considered and reflected in the hypotheses.

Hypotheses should be developed at the onset of the investigation and in advance of an interview. They should guide the interview planning so that questions are formulated in a way that gives the child possibility to provide information relevant to any of the hypotheses whenever possible. The implication of the various hypotheses is that interviewers need to explore source monitoring (how the child knows information about persons and actions, for example) and disclosure recipients as well as conversations about the allegation prior to the investigative interview both within the interview and when gathering and analysing other evidence. The original hypotheses may be refined, supplemented, or

revised if new information arises. The number of hypotheses is not limited, but each should be plausible in light of the case information and reflect the nature of the allegation at hand, taking into account the dynamics of the type of violence or abuse in question. For instance, online offences or suspicions of human trafficking require the interviewer to consider different circumstances than in allegations of intrafamilial physical abuse. For examples of alternate hypotheses in a physical abuse allegation involving a custody dispute, see [Box 1](#).

**Box 1:**

**Examples of alternate hypotheses in a physical abuse allegation involving a custody dispute** (see, for instance Herman, 2009; Korkman et al., 2017 or Turoy-Smith et al., 2018 for other examples):

- (1) the child has been physically abused and is telling the truth about it,
- (2) the child has been abused but not in a way that is consistent with the allegation to date,
- (3) the child has not been physically abused, and the allegation arose due to the child fabricating a story about abuse,
- (4) the child has not been physically abused, and the allegation arose due to a misunderstanding of the child's talk, behaviour or injuries,
- (5) the child has not been physically abused, and the allegation arose due to a parent coaching the child to lie about abuse taking place in the context of a custody dispute,
- (6) the child has not been physically abused, and the allegation arose due a suggestive questioning by one parent (or another person) who was genuinely concerned that a physical abuse actually happened,
- (7) an unanticipated explanation.

### Key recommendation 5: recording of interviews

With an increasing awareness of the stress to which child witnesses are subjected by testifying in court (Nathanson & Saywitz, 2003; Randell et al., 2018), researchers have advocated for allowing pre-recorded video evidence to be used in trials (for example Bertel, 2012; Rohrabough et al., 2016). It is strongly advised that interviews are electronically recorded. The recording of the interview is the only way to assess how the information of the child has been provided, and recording can also be used to avoid interviewing the child again unnecessarily (emphasised also by the Council of Europe, CoE Guidelines on child friendly justice, Ch. IV.D.6). For example, the further supervision and feedback needed to adequately train interviewers and make sure their skills are maintained rely on the recording of interviews. Finally, electronic recordings provide an invaluable resource for researchers in developing child-friendly and non-leading interviews that enable children to share their experiences. In some countries, recorded child interviews are used in court, implying children are not obliged to testify directly and be subject to cross-examination (see, for example, Hannonen, 2023; Johansson et al., 2017; Korkman et al., 2017; Myklebust, 2017).

### Key recommendation 6: number of persons present at the interview

There is not a vast amount of research on how the presence of more than one interviewer, other professional or support person affects the interview, but the current research suggests that, where possible, only the interviewer and the child should be present in the interview setting (see for instance, Taskforce, 2012; Lamb et al., 2018; Smith &

Milne, 2011). This is, however, not always the case – for instance in Greece, a second interviewing officer or social worker may be present, and in the UK a registered intermediary. The results of two recent studies (Ferra et al., 2022) found that children who were interviewed by a single interviewer provided lengthier and more accurate accounts compared to children who were interviewed by an interviewer in the presence of either one or two additional adults. An earlier study by Santtila et al. (2004) found that the presence of a support person reduced the amount of information provided by the child.

### **Key recommendation 7: cultural aspects and interpretation in the interview**

*Cross-cultural perspectives:* Most research on human behaviour is based on studies of populations from Western, Educated, Industrialised, Rich and Democratic countries (WEIRD; Henrich et al., 2010). This is also true for research on investigative interviewing, including child interviewing (see Hope et al., 2022; Vredeveltdt et al., 2023). There is a growing body of research on cultural influences with relevance for child abuse investigations and interviews, and interviewers are advised to acknowledge that factors such as the interviewer gender or cultural background (Danby et al., 2021; Springman et al., 2006) or nonverbal behaviour may affect the communication (Ambady & Rosenthal, 1998). Also, cultural factors affect how children structure their memories and how they are used to communicate with adults as well as how situations involving human interaction are remembered (Cacuci et al., 2021; Fontes & Plummer, 2010; Hope et al., 2022; Nelson & Fivush, 2004; Qi & Roberts, 2018; Wang, 2004, 2011, 2021; Wang & Ross, 2005, as well as others). For instance, Wang (2004) found that Chinese children provided skeletal accounts of daily routines and social interactions in context compared to American children who provided accounts with more detail on themselves and their actions.

Culture-specific barriers may also hinder children from coming forward about their experiences of maltreatment, including taboos surrounding sex and for instance, an emphasis on virginity or of sexuality being a forbidden or frowned upon topic, and this may increase the reluctance of children to disclose their experiences (Chenier et al., 2021; Fontes & Plummer, 2010, 2012; Gilligan & Akhtar, 2006; Paine & Hansen, 2002; Sumampouw et al., 2020; see also Collin-Vézina et al., 2009; Xie et al., 2017). Culture may also have an impact on the child's experiences of shame or other negative emotions, possibly implying a need for extended rapport building (Benuto & Garrick, 2016; Danby et al., 2021; see also Sumampouw et al., 2020; Tavkar & Hansen, 2011). Interviewers are recommended to take cultural aspects into account to the extent possible by familiarising themselves with the child's background culture, organise a pre-meeting with an interpreter (if the interview is to be interpreted, see below) and considering consulting an expert, particularly where the allegation is related to cultural themes (for instance, see Van der Watt & Kruger, 2017).

*Interpreter-assisted interviews:* An important consideration in forensic child interviews concerns the need for interpreting. To date, only a few studies have focused on interpreter-mediated child interviews within investigative or legal contexts. Research on investigative interviews with adults indicates that interpreter-assisted interviews can be difficult to conduct (Filipović, 2007, 2013, 2019; Hijazo-Gascón, 2019), with interviewees often giving less detailed statements when interviewed via an interpreter (e.g.

Ewens et al., 2016). Pitfalls related to interpreted interviews include the danger of meaning changes in translation due to the lack of exact equivalents between different languages, difficulties locating professional interpreters, inaccurate translations, limited training in best-practice interview guidelines, and the discomfort interpreters may experience when translating sensitive information about children's experiences (Fontes & Tishelman, 2016; Powell et al., 2017). Finally, establishing rapport and expressing empathy is more challenging with the presence of an interpreter due to the lack of direct communication channels between the interviewer and interviewee, as well as culturally different communication norms and expectations. Interpreters may experience difficulty managing the memory load of continuous narratives by interviewees, which can lead to disruptions and increased speaking turn times (Ernberg et al., 2022).

As the accuracy of interpreting is paramount during child interviews, interviewers should strive to use qualified and certified interpreters when accessible. If no professional interviewers are available who are well-versed in the language in question (Juusola & Korkman, 2023; Powell et al., 2017), interviewers can provide explicit instructions to the interpreter beforehand to facilitate the communication. Preparing to conduct the interview jointly with the interpreter is an important part of the pre-interview planning, and time should be allocated for co-planning. For example, interviewers can inform interpreters about the importance of not changing the wording or question formats (which the interviewers are trained to adjust to the age of the child), avoiding any self-initiated clarification or summary of children's responses, and being mindful about their non-verbal communication, including suggestive gestures (Ernberg et al., 2022). Before the interview, interviewers and interpreters can discuss under which conditions it is appropriate for interpreters to interrupt the interview, such as when a word has two very different meanings, or the source language term used is highly culture-specific and an equivalent is not available in the target language. The interpreter should also be informed about the nature of the possible topics before the interview to ensure they are willing to interpret matters including sensitive topics such as child sexual abuse (Powell et al., 2017).

### **Key recommendation 8: dolls, body diagrams and drawings in the interview**

In addition to verbal interviewing techniques, nonverbal techniques and aids have also been used in forensic interviewing. One such nonverbal interviewing aid involves the use of anatomically detailed (AD) dolls, which have typically been used to help the child identify body parts or clarify vague statements for example regarding where the child was touched. In short, the child is encouraged to show rather than tell or elaborate on information already given verbally. Using AD dolls as an interviewing tool has been criticised as being fundamentally suggestive, as well as requiring an unrealistic level of cognitive ability to be used correctly by the child (Pipe & Salmon, 2009). Young children in particular may have difficulty distinguishing between the role of the doll as an anatomical representation of a human and an object used for playing. Various studies have reported that AD dolls either do not increase the correct information provided by children under 5 years of age, or that their use increases errors and unclear utterances and decreases accuracy and detailedness (DeLoache & Marzolf, 1995; Goodman & Aman,



1990; Gordon et al., 1993; Samra & Yuille, 1996), as well as leading children to provide more unclear utterances and fewer descriptions (Santtila et al., 2004).

Realistic drawings of children or adults, known as body diagrams, have also been used to try to obtain more information or to clarify children's verbal statements. While the usage of body diagrams increases the amount of information children disclose, it may also increase false reports of touching (Aldridge et al., 2004; Poole & Dickinson, 2011) and currently, using diagrams in the interviews seem to lack scientific back-up (Lytle et al., 2019). These findings and the lack of support for the utility of AD dolls and body diagrams have led many forensic psychologists to assess that the use of AD dolls and body diagrams are likely to be problematic and thus, based on the current research, they should not be used (Brown, 2011; Lamb et al., 1996; Otgaar et al., 2012; Poole et al., 2011; Santtila et al., 2004).

Drawing as an aid for memory and reporting has been reported to lead to more accurate and complete information (Bruck et al., 2000; Pipe & Salmon, 2009; Mattison et al., 2015, 2018; Poole & Dickinson, 2014; Salmon et al., 2012; Woolford et al., 2015). Negative effects, such as reporting more false information (Bruck et al., 2000), reporting less accurate information (Otgaar et al., 2016), and inefficient or incorrect recall of events (Davison & Thomas, 2001; Strange et al., 2003) have also been observed. However, a recent review showed that drawings do not undermine the accuracy of children's reports, as long as no suggestive interviewing prompts are used (Derksen & Connolly, 2023). One study did however find that when children were clearly instructed to draw a part of the event they were interviewed about, they made few errors, but when they were asked to draw without accompanying instructions, they were more likely to confabulate (Macleod et al., 2016). While drawing as a tool to have a child provide more details (Woolford et al., 2015) such as for instance, describing a place, can be beneficial, any interpretation of drawings should be avoided. Unstructured drawing is currently not backed up by science and should thus not be used to make any interpretations of possible experiences by the child.

### **Key recommendation 9: online child interviewing**

Online child interviewing or tele-forensic interviewing (tele-FI) has been suggested as a feasible alternative to in-person child interviewing when distances are long or conducting in-place interviews is otherwise challenging (Brown et al., 2021; Dickinson et al., 2021; Su & Ceci, 2021), and studies have reported positive results for online interviewing. Yet, more research and practical experience are needed to enable clear recommendations for the settings and ways in which tele-FI interviewing should be used. Currently the recommendation is to conduct in-situ interviews whenever possible. However, online interviewing, due to its flexibility and wide reach, may be useful in specific situations, such as during a pandemic, in countries where distances are considerable, in remote areas where professional interviewers are scarce, or in emergency situations requiring a quick response (Brown et al., 2021). Furthermore, online interviewing may facilitate the access to expertise, appropriate interpreters or matching for cultural needs, for which reason a balancing of the different factors must be done. Future studies will hopefully pave the way for clear recommendations of if, how and when online interviews should be conducted.



## Key recommendation 10: training of interviewers

The process of eliciting reliable and detailed information from a child about alleged abuse is complex and requires specialised skills (Wright & Powell, 2007). A key area in improving child forensic interviewing practices is providing effective training to interviewers to advance and maintain their skills. Interviewer behaviour can be improved under systematic and intensive training conditions (e.g. Cederborg et al., 2013; Cyr & Lamb, 2009; Cyr et al., 2012; Davies et al., 2000; Lamb et al., 2011). For example, both Cyr et al. (2012) and Lamb et al. (2002) have concluded that organised feedback and follow-up sessions lead to a significant reduction in non-recommended interviewing techniques. Feedback has been found particularly efficient when interviewers have plenty of opportunities to practice, when feedback is provided immediately after the practice, and when it is individualised to the interviewer's performance (Pompedda et al., 2015). Meaningful long-term improvements were observed only when training was distributed over time, rather than provided in the form of a single initial session however intensive (Lamb et al., 2002). Other authors have also emphasised the importance of multiple learning opportunities spaced over time in addition to well-constructed learning modules (Benson & Powell, 2015; Rischke et al., 2011). Training programmes have been found successful when divided into intensive short, practical sessions with extended individualised feedback to the interviewers (Fisher & Geiselman, 1992; Lamb et al., 2002). It has been urged that training should move beyond the classroom and include extensive and repeated opportunities to consolidate learning and practise skills in contexts that ensure prompt feedback and guidance (Akca et al., 2021; Lamb et al., 2018).

It has also been found that training can change the attitudes and beliefs of investigative interviewers regarding child sexual abuse, decreasing the number of incorrect beliefs they hold even one year post-training (Lahtinen et al., 2017). This is particularly important as biased attitudes have been found to be associated with decreased interview quality, including more suggestive and less open-ended questions (Powell et al., 2012).

Developing training programmes with long-lasting effects is challenging, as newly acquired knowledge often does not translate into significant changes in interviewer practices (Aldridge & Cameron, 1999; Cyr et al., 2012; Lamb et al., 2002, 2008; Price & Roberts, 2011; Stewart et al., 2011; Warren et al., 1999). For example, interviewers still deviate from recommended practices on both the structure of the interview and the use of open-ended questions when training is discontinued (Cyr et al., 2021; Lamb et al., 2018). Deviations may persist even in specialised police or child forensic interviewing units (Johnson et al., 2015).

Training programmes based on knowledge transmission models (mostly classroom style presentations of theory and research about development, memory, and interviewing) are unlikely to be effective unless complemented by extensive practice opportunities and regular feedback (Akca et al., 2021; Brubacher et al., 2022; Johnson et al., 2015; Lamb, 2016; Pompedda, 2018). Avatar simulation training with interviewer feedback including both information on how well the interviewer managed to ask the recommended questions as well as how the questioning strategy affected the child's responses, has resulted in striking improvements in interviewer skills (Pompedda et al., 2017, 2022). While more

research is needed on the transfer of these training effects to actual forensic interviews, preliminary results are promising (Kask et al., 2022).

To be effective, child forensic interview training must cover children's memory development in addition to evidence-based information about interview procedures (La Rooy et al., 2015). Ongoing supervision and feedback are crucial as old strategies may compete with new behaviours and less desirable habits periodically re-appear (Poole, 2016). Training with practice, continuous quality control, supervision, and feedback are necessary and a pre-requisite for efficient learning (Lamb et al., 2002; La Rooy et al., 2015; Kahneman & Klein, 2009).

Effective feedback needs to be continuous, immediate, and detailed (Lamb et al., 2002; Smith, 2008), with opportunities to practice and receive individualised feedback on both the formulation and effectiveness of the questions asked (e.g. question-types used). Such effective feedback can have prominent impact on improving interviewers' skills, particularly when it includes information on both how well questions were formulated and how well the interviewer elicited information to reach the correct conclusion (Hattie & Timperley, 2007). It is important to note that the quality of the interview should not be determined by its judicial outcome.

There is some evidence that training with computerised methods and educational gaming can be effective (Benson & Powell, 2015; Pompedda, 2018), although further research is necessary on the transfer of training effects to actual forensic interviews. Computerised methods can allow refresher sessions and timely feedback in a more feasible way compared to traditional face-to-face methods. In a comparison of three types of post-training feedback strategies, Cyr et al. (2021) showed that computerised feedback was effective, as were peer groups and expert feedback, to increase the number of invitations and decrease suggestive questions. In addition, it has been found that web-based training can be as effective as classroom-based training (Salas et al., 2012). Moreover, the use of web-based training and the utilisation of e-learning may offer benefits such as flexibility, scalability, and a variety of available training materials (Benson & Powell, 2015).

### ***Assessing the interview pattern of questioning***

To improve the interviewer's interviewing skills, assessing the communication pattern and phrasing of questions in interviews is vital to provide feedback. Determining what information was obtained, and crucially, *how* it was obtained, will allow an adequate evaluation of the likely accuracy and usefulness of the child's testimony. Identifying good and poor practice will aid the interviewer to adapt and enhance their interviewing skills. This requires an accurate record of the interview, that is, an electronically recorded interview that is transcribed.

The assessment of an interview's quality should be approached by evaluating the way in which questions are phrased (see Table 1), as the types of questions used in the interview play a critical role in the accuracy of the information elicited from the child witness, and an interview relying heavily on leading and forced-choice questions and allowing little independent accounts from the child interviewee, is more likely to lead to less accurate and less informative responses (e.g. Bull, 2010; Orbach & Pipe, 2011; Vrij et al., 2017). When the child is responsive, the interviewer should focus on active listening, notably through using facilitators, i.e. words or statements signalling that the interviewer is

interested in the child's account. Whereas 'wh'-questions may be central to the investigative information, they come with a risk of the child respondent guessing, wherefore more open-ended ways of phrasing questions should always be prioritised (Bull, 2010). For instance, 'Tell me everything you remember about him' is preferable to 'How did he look' or 'Was he old or young?' Where focused questions are used, they should -when possible- be followed up with invitations (e.g. 'Where did it happen?' ... 'Tell me more about that place'.), a strategy called 'pairing' (Orbach & Pipe, 2011).

Importantly, suggestive questions should be avoided altogether. Phrasing all questions as openly as possible, using invitations and cued invitations primarily and using more focused questions later (for each topic under investigation) reduces the risk of the interviewer contaminating the child's account. A detailed understanding of the sequence of questions used in an interview and where the child's disclosures occur within this sequence can be obtained by using the Griffiths Question Map and Interview Answer Grid (Griffiths, 2008; Dodier & Denault, 2018; Waterhouse et al., 2019). Another important component concerns the structure of the interview. No matter which investigative interview model is used (from highly structured, semi-structured, to flexible), all models should include introducing the situation well, exploring the subject at hand in as an open-ended way as possible as well as closing the interview in a child-friendly way.

## Conclusions

The European Association of Psychology and Law joins the United Nations (UNODC, 2009) and the Promise Barnahus Network (CBSS, 2017) in stressing the need for specially trained professionals to conduct investigations of crimes against children. Interviews must be conducted in a child-sensitive way, and unnecessary repeated interviewing should be avoided. Interviewing requires understanding of developmental issues, suggestibility, memory, and language, as well as the capacity to create rapport with and support the child throughout the interview.

As suggested by the UNODC and as is the practice in many – but not all – European countries, we strongly recommend that child interviews be electronically recorded, and that children not be subjected to cross-examinations in the courtroom. Furthermore, we emphasise the need for interviewing practice to be based on solid evidence and recommend using well-researched interviewing protocols in child interviews, such as the NICHD protocol or other following similar principles and structure. Child interviews must rely on non-leading questions and interviewers should keep an investigative mindset, testing all the relevant hypotheses for the allegation while at the same time being supportive towards the child. We also caution against interviewing methods that differ from the principles outlined in this paper, relying for instance on anatomically detailed dolls or specific drawings as interview tools. A child should never be forced or manipulated into telling; they should be provided with as good an opportunity as possible. And: If they choose not to tell about their experiences, this must also be respected.

While the focus of this paper is on interviews with child victims and witnesses, the same general principles for interviewing children correctly apply for other instances in which children are heard in legal processes, including where children are suspects and in cases of custody disputes. Child suspects have received comparatively much less attention than child victims and witnesses (but see Laver, 2019; Winerdal et al.,

2019), and according to a recent report by the European Fundamental Rights Agency (FRA, 2022), they are met in ways that are highly problematic. The European Association of Psychology and Law strongly encourages more focus on child suspects and the way they are met in the criminal justice system, in line with the EU Directive on procedural safeguards for children who are suspects or accused persons in criminal proceedings. For interviewing children in custody disputes, there seems to be a large variety in methods applied to conduct assessments and while there is less research focusing particularly on child interviewing in this context, it is generally advised to use similar non-leading means of interviewing children as in the forensic context (Zumbach et al., 2022).

While judicial systems differ between European countries, the central aspects of relevance to conduct child interviews and to create efficient training programmes for professionals in an evidence-based way remain the same. Interviewers need proper training as well as ongoing feedback. It is our hope as an association consisting of researchers and practitioners throughout Europe to be able to promote good practice, to help policy makers make informed decisions and eventually contribute to improve the situation for children involved in criminal justice processes, while ensuring the rights of all those involved.

## Note

1. The UN Committee on the Rights of the Child (CRC) emphasises that “Investigation of instances of violence, whether reported by the child, a representative or an external party, must be undertaken by qualified professionals who have received role-specific and comprehensive training, and require a child rights-based and child-sensitive approach. Rigorous but child-sensitive investigation procedures will help to ensure that violence is correctly identified and help provide evidence for administrative, civil, child-protection and criminal proceedings. Extreme care must be taken to avoid subjecting the child to further harm through the process of the investigation” (UNCRC General Comment no 13).

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