

# The Child Interview. Practice Guidelines

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## I. Rapport building and developmental assessment

### Setting

- The place of interview should be a neutral place, quiet and secure, there should not be too many toys in the room, this distracts the child. It is useful to keep the paper and crayons ready.
- Sit in such a way as to allow an eye level contact with the child. If a small child is sitting on the floor, sit on the floor as well. Do not talk sitting behind a desk or a table, better sit at the table together with the child. Sit close to the child but not too close. Do not enter "the child's territory", it might be too endangering for him.
- Fewer people are present during your talk with a child, better it is. The best solution would be to have a person, specially trained in this field, conducting the talk with the child. The policeman and the prosecutor could observe the interview and prepare the report while sitting in a different room behind an one way mirror. In our realities this is difficult to realize. Under the regulations of the Polish law, a psychologist has to be present during the interviewing the child along with prosecutor or policeman. Since we do not have special premises for interviewing children, we should strive to limit the number of people to two persons – the policeman or the prosecutor and the psychologist, conducting the interview with the child. If a sexual abuse is suspected, the compliance of sexes between the person, conducting the interview and the child, the victim, can be the issue in certain age of the child, but the most important is the skills of the interviewer
- Allow a child to get used to the new place, to look the room over.

### Greeting, the first contact

- Greet a child by its first name.
- Be open and friendly.
- Tell the child where, during the interview, will be his/hers parents or caretakers.
- Introduce yourself to the child, introduce other people; tell the child who you are and what are you doing here and what is the role of other people in a manner, understandable to the child.
- Tell him/her what are you going to do.
- Be emphatic, pay attention to any symptoms of nervousness in the child.
- Start asking questions, beginning with questions pertaining to the child's life – where are you going to school or nursery, what do you like doing. Use the knowledge you have of the child to formulate the questions. For example: if you know that the child is lonely and does not have any friends, a question – "How is your best friend called?" is a bad question.
- Do not ask questions, that could be coercive such as "do you want to be my friend?, shall we stay friends?".
- Be sensitive to the child's needs, react if the child for example wants a drink or go to the toilette. Sometimes children, not wanting to talk about something, try to postpone this situation. They look for an excuses to escape. If the child says that it wants a drink and we will not permit him/her to do it, the resistance of the child might increase, our chance to established a good contact with the child, the basis for getting the information on what really happened, may diminished.

## **Assess Developmental Level and Check Suggestibility**

- While discussing familiar topic with the child listen to the child's speech and language, adapt your language and vocabulary
- Ask child to identify colors
- Have the child demonstrate counting, check understanding prepositions: behind, in front of etc.

## **2. Information gathering of**

### **Set the basic rules**

- Ask the child why it is here, what did the others told him about things that will happen here.
- Introduce the meaning of a lie and a truth (particularly important with little children).
- use an example to check whether the child differentiates these concepts, i.e. "If I said that I have green hair, would that be a truth or a lie?"
- explain to the child that today you want to talk only about the true things.
- A fear and a secret
  - do not ignore the fact that the child is frighten
  - explain that you are going to talk also about secrets
- In working with a child, we have do dedicate a lot of time to differentiate between a bad secret and a good secret. The offender is anxious to avoid the punishment, he is very keen for the child to keep the secret, not to tell it to anybody. He uses all kinds of pressures on the child, sometimes very obscure and cruel. Be aware that the child can be very frightened.
- Guessing versus not knowing
  - tell the child that if it does not know an answer to a question it should not guess, it should say "Don't know". Assure the child that it may not know answers to some of your questions and that it is ok to say I don't know.
  - You can give an example, to check whether the child understands this (particularly important with little children), for example ask: "Where did I go for holiday last summer?"

### **General Techniques for Interviewing**

- Use a language, understandable to the child.
- Use phrases containing only one question or one thought, simply words, simply tenses and short sentences, don't use double negatives
- Avoid the use if/then statements with young children
- Agree with the child common names, relating to persons, personal parts and sexual acts – ask him/her what names do they use.
- Use first names, i.e. uncle Andrew, do not use personal pronouns, such as he.
- Be specific in your questions – young children are very literal
- Always ask the child to explain the words or expressions which you do not understand.
- Adjust the pace of the interview according to the child's abilities to open up. Be patient.

- If the child covers its face or eyes, lowers its voice or whispers, when answering the questions – let him/her do it.
- Control your emotions, the tone of your voice, your mimics, do not show curiosity or shock, regardless of what the child says.
- If a child has difficulty in talking about abuse ask him to show on dolls or draw a picture
- Begin by encouraging a narrative account by using an open-ended questions such as “tell me what happened”.
- Prompt narrative by stating “tell me more” or “what happened next?”
- Move from general questions to more specific regarding critical people and events
- Be careful with yes-no questions
- Have a list of questions that you must not omit prepared (either in your head or on the paper).

### **3. What you must not do**

- Do not lecture during the interview.
- Never praise or promise an award for giving information.
- Do not coerce the answer, even if you know that the child is lying or is not disclosing a piece of information it must know. If you have an information that the child told somebody else something different, it is alright to ask the child to clarify your confusion. Do not pressure, if the child does not want to answer.
- Never ask the child how it would like to punish the offender, what, according to the child, should be the punishment for the things he did to the child.
- Do not judge any of the answers, given by the child.
- Do not correct the "wrong answer", ask for clarification.
- Do not lead the child by suggesting information regarding the abuse
- Do not show the annoyance, when you did not manage to get the information you wanted to hear, better stop and take a short break.
- Do not hurry the child, which is not ready to talk. Better arrange for another meeting.
- Do not ask the child why the offender hurt him. The child does not know and often blames itself.
- Do not ask whether the child loves the offender and whether the offender loves the child.
- Do not make promises you can't keep i.e. nothing bad is ever going to happen to you again.
- Never promise the child that you are not going tell anybody about things you will hear from him. It might be that this case has to be reported.

### **4. Closing the interview – very important**

- Explain to the child what will happen next
- Praise child for effort not for the content
- Address any questions the child might have

## Development Stages and Methods of Interviewing Children

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*This paper attempts to define the characteristics of a child's cognitive, emotional, motivational, and social development at different life stages, and formulate the resulting guidelines for interviewers, who elicit information about offences from children. Moreover, the article offers several recommendations concerning interviewing children, which stem from research on child witnesses' credibility.*

### Introduction

Children frequently perform the difficult witness's role in criminal proceedings. A child may be just a witness to an offence, but more often he or she is both a witness and the victim. In both cases the experience of being a witness is extremely difficult and distressful for the child. Undoubtedly, however, when the child has been victimized by the offender, the situation becomes traumatic. Unfortunately, more and more frequently the testimony of a child victim of physical or emotional violence or sexual abuse is the only way to stop the child's suffering and punish the offender. The person interviewing a child witness faces two major tasks:

1. to elicit a complete, credible account of the offence;
2. to protect the child's psychological well-being, which has been seriously harmed by the abuse experience.

Successful performance of these tasks requires deep understanding of developmental processes and age-related changes in children's psychological and social functioning.

In order to elicit information about an event, which the child has witnessed or participated in, the interviewer must have fundamental knowledge about the child's development on various dimensions: cognitive, emotional, motivational, and social. Such knowledge is necessary to obtain a credible account of the child's actual experiences. At the same time, the interviewer must keep in mind that returning to the drastic, traumatic, and often incomprehensible events, is in itself a strong distressful experience for the child. The adult interviewer's task is to talk to the child in a way that avoids reinforcing the traumatic experience through evoking it, and minimizes the effects of the interview-related stress.

Being aware of children's vulnerability in this difficult situation, psychologists believe that only professionals experienced in developmental, clinical, and forensic psychology, and prepared to conduct interviews with children victimized by adult offenders, are able to elicit complete information about the offence during such interviews (Dezwirek-Sas, 1992; Saywitz, 1993, in: Ackerman, 1999).

Thus psychologists interviewing child witnesses does not perform a limited role of an interrogator, as they are responsible not only for eliciting a complete account of the offence, but also for protecting the child's psychological well-being. In many countries special programs have been conducted, aimed at protecting children from multiple interviews at various stages of the law enforcement process. However, it is not always possible to avoid the child's appearance in court. Therefore child interviewers must have necessary knowledge about how to talk to children, taking into account the specifics of their developmental stages.

While establishing a rapport with a child victimized by adults, the interviewer has to dispel several fears experienced by abused children regardless of their age. First of all the child might feel guilty of the offence. This sense of guilt has often been instilled in the victim by the offender.

Children may also fear that they will be taken away from home and placed in jail or a house of detention. The younger the child, the poorer their understanding of the reported events and the stronger the fear they experience. While establishing contact with a child witness, it is recommended to release them from the promise to keep secret, which has been often extorted by the offender. Sattler (in: Ackerman, 1999) mentions this rule among 38 guidelines for psychologists interviewing maltreated children.

## **Developmental changes**

Describing changes that occur in the course of human development, Brzezińska (2000) identifies four basic levels:

1. Behavioral changes, manifesting in an increasing number of behaviors, their growing diversity, and their multi-level mutual connections.
2. Changes in personality structure, manifesting in personality organization and the number and quality of personality traits;
3. Changes in cognitive and motivational structures, manifesting in perception, evaluation, and processing of information coming from the environment and from the individual's body. These changes are both structural and functional.
4. Changes in the individual's relationship with the environment, concerning the person's social status, as well as their expectations from themselves and from others.

All four levels of developmental changes are displayed in the person's behavior, though proper interpretation of this behavior, especially in children, is not possible without thorough understanding of developmental processes occurring at various life stages.

## **The characteristics of children's functioning at different ages**

For purposes of clarity and transparency, I will use the concept of "developmental stage", defined by the child's age and changes occurring on the above-mentioned four levels. It is, however, important to remember that development should also be perceived as a sequence of transformations in the psychological structure, dependant on the person's individual behavior (Trempała, 2000). From this perspective, any drastic experience of child victims of maltreatment and sexual abuse has such strong effects on their psychological functioning, that it significantly changes their relationships with other people, especially their caregivers, affecting the ways such children perceive, remember, and describe the reality.

In cases of child witnesses we have to skip the first life stage, i.e., infancy (from birth to 12 months). It seems obvious that even though babies do fall victim to adult offenders, they are unable to perform the role of a witness. We should also keep in mind that children's development is a highly individualized process, thus although it is necessary to know the general changes typical to each stage, such knowledge is insufficient without considering individual characteristics of each child witness.

### **Early childhood (2–3 years)**

At this stage children learn autonomy in the basic aspects of self-service (i.e., eating, dressing, and personal hygiene), with parents being the trigger of their development. The child develops a sense of being separate from others. The development of speech facilitates social communication. Importantly to remember, at this stage children tend to overgeneralize word meanings, i.e. to apply the words they have acquired to all objects which are similar in some way. For example a child, who has a cat at home and therefore knows the name, may call all four-leg animals "kitties". At this stage speech performs two functions: expressive and impressive (i.e. influencing others). Children form relatively few short, two-word sentences.

At this age the source of children's emotions are their relationships with their parents. Children learn to express their feelings and recognize the emotions of others. The fundamental mechanism, essential for the child's proper social and emotional development, is attachment – a strong, durable bond with the mother or another person taking care of the child.

While assessing a child at this age, it is essential to make sure that the child understands all words and questions used by the adult. The assessment should be conducted in a playing situation. It is important to remember that children at this age feel secure only when accompanied by their caregivers; any interaction with a stranger may not only frighten them, but also make them submissive or willing to assent. With children under four it is difficult to conduct a full assessment, especially an interview.

### **Preschool age / middle childhood (4–6 years)**

Psychological and behavioral changes occurring at this stage are dynamic and extensive. Here they will be presented only briefly, in order to clarify the recommended rules of interviewing children, which will be discussed later.

This stage is characterized by intensive motor and cognitive development. Children learn several skills, which allow them to move freely and set specific goals, e.g. while playing. At the same time, the child's ability to concentrate on a single activity is seriously limited; the child gets tired easily and needs frequent shifts in types of activity. Obviously there are large individual differences associated with temperamental features.

This is also a period of fast cognitive development. Children begin to differentiate between the reality and their beliefs about the reality. They start to notice that people may have different opinions about the same event, and that judgments concerning specific problems may be true or false.

Orientation in the world changes, too. Children learn to set events in the order of occurrence, which does not mean, however, that they are able to indicate precisely the time when something occurred. Orientation in space is practical at this stage: children locate people and activities in specific places, familiar to them. They are also able to solve practical tasks that require defining causal relationships between facts.

The development of mental abilities at this stage includes ordering (e.g., bigger – smaller) and classifying (i.e., grouping objects, e.g., by similarity or using several criteria). Children also begin to understand the logic of conservation. They learn to recognize the causes of their emotions, however they attach more importance to external factors than to internal ones. They can also talk about the emotions they experience.

As a result of their social experience children learn to control their expression of emotions, such as anger or fear. They react with care and understanding for other people's feelings, which makes them vulnerable to manipulation through appealing to their kindness and empathy. Finally, their relations with other children change; by the end of this stage they are able to cooperate on certain tasks.

So what are the general guidelines for interviewing preschooler witnesses?

1. The vocabulary should be simple and comprehensible for the child, with short, active-voice sentences devoid of negations. Detailed analysis of how to word questions while interviewing children was presented by MacFarlane and Feldmeth (2002).
2. Open questions are least useful for collecting information about an event. For example, if you ask, "Why have you come to visit me today?", the child is most likely to answer, "I don't know". Schwartz, Kenny, et al. (in: Ackerman, 1999) compared preschool children, who gave free accounts, with their peers, who were interviewed. Among the interviewed children the percentage of accurate answers was significantly higher (52%) than among children who freely reported on the event (34%). Moreover children who gave free accounts were more likely to say, "I don't know", than the interviewed group (26% and 1%, respectively).
3. The interviewer should ask specific questions concerning the circumstances, the person (the alleged offender), and body parts (in cases of sexual abuse).
4. Yes or know questions make the child try to guess what the adult wants to hear and answer according to this assumption. Asking such questions, if this is really necessary, interviewers should make sure that they do not exert any pressure on the child with their tone or facial expressions. One should keep in mind that children tend to perceive adults as authority figures and try to satisfy them.

5. The interviewer should not ask about how many times the event occurred, as children at this age, even if they can count, are unable to apply this skill to defining the frequency of events. They can only distinguish between “much” and “little”.
6. At this stage children are still unable to define time either through dates and hours or relatively, e.g., “before”, “after”, “yesterday”, “today”, or “tomorrow”. Therefore the event in question should be located within activities familiar to the child (such as meals and daily routine: sleeping, watching TV, etc.) or in relation to specific persons and places.
7. When we repeat the same question, children may assume that we are not satisfied with their previous answer, that the answer was incorrect, or that we are checking up on them (Bull, 2003).
8. Children are also afraid to admit that they cannot meet adults’ expectations, so when they do not remember an event, they are reluctant to say: “I don’t know”. This means that the interviewer should openly tell the child that it is OK, if he or she does not know or remember answers to some questions.
9. Another problem is the effect of multiple interviews or information suggested to children by their parents or previous interviewers. Research conducted in 1995 by Ceci (in: Carson et. al, 2003) found that preschoolers were unable to distinguish between real events and imaginary ones. After 10 weeks of talking to an adult about real and fictitious events (once a week), when interviewed by another person 58% of the children claimed that at least one imaginary event had actually occurred, and 27% believed that all invented events had really taken place. When children at this age frequently think about a fictitious event, they are likely to start to report it realistically, coloring it with details.

A separate problem is associated with the use of anatomical dolls in the assessment of sexually abused children. Several studies, especially research by Bruck and his colleagues (2003), show that information elicited from children using such dolls is of little value. Both three- and five-year-olds examined using such dolls did not provide significantly more credible information than when they were regularly interviewed. Sexual and exploration play was equally frequent among sexually abused children and among children without such experiences. In 1991 the American Psychological Association pronounced that further research on the effectiveness of using such dolls was essential. At the moment they can only be used to facilitate communication with the child (Ackerman, 1999).

### **School age / late childhood (7–12 years)**

The child’s cognitive activity becomes selective, systematic, and voluntary. At this stage children have to perfect important social and school skills. They also master various memory strategies, which means they can remember events voluntarily. Children at this age can evaluate behaviors in moral terms, however their basic normative frame of reference consists of external bans and commands, formulated both by their parents and by peers. The child is able to adopt another person’s perspective and acknowledge others’ intentions when evaluating their actions.

At this stage, relationships with peers, especially experiences of being rejected or not having friends, become very important for the child’s development. These relationships, experiences with adults, and school successes or failures determine the child’s self image. The personality structure may significantly influence their manner of testifying. We should also keep in mind that traumatic experiences associated with the offence strongly affect the way children perceive their role in the event.

Preparing for the interview, one should remember that this stage of development is diversified by significant qualitative and quantitative changes. It is obvious that there are significant differences between the functioning of a seven-year-old and a twelve-year-old.

Therefore the discussion of this developmental stage is based on the general changes, which may be useful in identifying the rules of interviewing child witnesses.

1. The interviewer should use most general, open questions, allowing the child to provide a free account of the offence. Dent (in: Ackerman, 1999) has found that children’s free accounts are as accurate as adult’s testimonies. The author has concluded that girls provide more accurate and complete answers than their male peers.

2. Saywitz and Snyder (1996) developed an interviewing method based on a laboratory technique of enhancing memory in children at school age. The method comprises an instruction to report the event accurately and with details, but without inventing or guessing anything, followed by the introduction of categories that order the elicited report. Five categories introduced by the psychologist are then completed with details provided by the witness. If necessary, the process is facilitated by visual aids reminding the child about these categories, e.g., the scenery, the offender's appearance, etc. The authors proposed to apply this technique to invented situations – as a training method – before trying to elicit the account of the real event.
3. Children at school age are able to understand more elaborate statements and questions, though the interviewer should avoid legal terms, which might be incomprehensible or confusing, arousing fear and enhancing the child's sense of guilt.
4. It is important to determine the witness's motivation during the interview. This can be done, because children are able to evaluate their own behaviors and actions of others in moral terms. Identifying the child's motivation enables the interviewer to define his or her attitude toward the event and the offender, which may be crucial in the therapeutic process.

### **Early adolescence (13 – 18 years)**

In psychological terms, this is a particularly difficult developmental stage for young individuals. Biological processes (physical and sexual maturation) result in rapid emotional changes. Cognitive development often precedes emotional and social maturation. The development of identity, pursuing self-reliance and independence from adults, as well as the growing importance of peer groups are among the main social changes in this period.

When assessing an adolescent, one should pay special attention to:

1. Emotional factors that may disturb or hinder the witness's interaction with the interviewer: fear of confrontation with the offender or of his revenge, shame caused by the public disclosure of the adolescent's private, intimate experiences, sense of guilt, and fear of social stigmatization.
2. Motivations to testify; an attempt to estimate the psychological cost of participating in the legal procedures. What could be the potential reasons for making a false allegation: the need of manifestation, gaining approval in the peer group, revenge, etc.?

The methods of psychological assessment of adolescents do not differ from the diagnostic standards applied to adult victims. It should be kept in mind, however, that adolescent witnesses are extremely vulnerable, which may lead to strengthening and reinforcing the trauma being the subject of the interview.

### **Summary**

A forensic expert, who assesses a child victim of emotional, physical or sexual abuse, must have a complete understanding of the developmental processes typical for the witness's age, using it as the frame of reference for the evaluation of the child's individual characteristics and the level of his or her cognitive, emotional, and social development.

Factors, which can influence the accuracy of information provided by the child, include:

- the child's age,
- the level of cognitive, emotional, and social development,
- verbal reconstruction of the event (level of verbal development),
- the number of details (memory of events),
- information about the event received from other people (potential pressure exerted by the family),
- the way of establishing rapport by the psychologist,

- is the psychologist an authority figure for the child and how is he/she perceived (as threatening, helpful, etc. )?
- the interviewing style and the structure of questions,
- personality factors.

Taking all these factors under consideration, a psychologist who prepares for such an assessment, has to acknowledge that his task is not only to evaluate the psychological credibility of the child witness's testimony, but also to protect the child's psychological well-being.

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