

GOOD PRACTICE IN ACHIEVING BEST EVIDENCE INTERVIEW WITH CHILD WITNESSES IN NORTHERN IRELAND – CRIMINAL JUSTICE PERSPECTIVES



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EXECUTIVE SUMMARY

BACKGROUND

This report outlines the findings from a research project examining what works well in investigative interviews (ABE interviews) with child witnesses in Northern Ireland. The project was developed in collaboration with key stakeholders and was joint funded by the Department of Justice NI, NSPCC, SBNI and PSNI.

RATIONALE

While there is substantial a research literature examining the practice of forensic interview both internationally and within the UK there has been little in the way of exploration of this issue in Northern Ireland. Equally, the existing literature has tended to focus on a 'deficit' approach, identifying areas of poor practice with limited recognition of the practical difficulties interview practitioners face or what works well for them in practice. This study aimed to address these gaps by adopting an 'appreciative inquiry' approach to explore stakeholder perspectives on what is working well within ABE current practice and identify what can be built on to deliver optimal practice.

AIMS

The research aimed to

- Identify stakeholder narratives of good ABE practice with child witnesses
- Investigate the circumstances that lead to good ABE practice
- Identify how current, policy, guidance, training and organisational systems to facilitate good practice
- Identify different stakeholders 'vision' of how current ABE can be developed and maximised
- Identify relevant research from the national and international literature than can support the development of ABE in NI

METHODS

Appreciative inquiry is a relatively new social research method which aims to changing social systems through generating a collective image of a new and better future by exploring the 'best of what is and has been' (Trajkovski et al., 2013, Cooperrider, 1986; Cooperrider et al., 2008; carter, 2006; Carter et al, 2007a & 2007b). A central component of AI is a move away from deficit or problem orientated research methods to more positively focused and collaborative modes of design which seek to identify and build on individual and organisation strengths. This study utilised both qualitative and quantitative methods to facilitate positive inquiry into current ABE practice from a range of perspectives including police interviewers, police trainers, registered intermediaries, witness supporters and prosecutors (future research with social work interviewers and young witnesses is planned).

Stage 1 of the research involved an electronic survey of police interviewers trained in specialist interview procedures (joint protocol) as well as focus groups with key stakeholders. The survey included questions related to the range and types of interviews

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police had been involved in, what they considered to be their best interview to date, their views and practice in the different interviews phases, their use of cognitive interview techniques and various communication aids and their experience of training monitoring and review. Of the 220 relevant participants, 80 completed the survey, giving a response rate of 37. Additionally, 20 professional stakeholders, including police interviewers, police trainers, registered intermediaries, witness supporters and prosecutors took part in focus groups exploring their experience of ABE interviews.

Stage 2 of the project quantitative analysis of the survey and thematic analysis of the focus group data supported by a series of selected literature reviews of the national and international evidence base in relevant practice areas. A summary of core themes and associated framework identifying good practice, barriers and suggestions for enhancing good practice was developed and finalised in conjunction with the research steering group and small discussions groups with police trainers. It is intended that this framework will form the basis of future discussion with key stakeholders to assess how well this reflects their

Ethical approval for the research was provided by the School of Sociology, Social Policy and Social Work Ethics Committee - Queen’s University Belfast.

SUMMARY OF FINDINGS

The survey of police interviewers provides a broadly positive picture of ABE practice in Northern Ireland suggesting high levels of awareness, understanding and implementation of the ABE process, high levels of engagement with specialist training and refresher courses and regular use of a number of cognitive interviewing techniques. Likewise key stakeholders commented on the effectiveness and proficiency of highly skilled interviewers who could not only establish rapport and generate free narrative, but could focus the interview on specific evidential details.

- Prosecutors highlighted how good interviewers were able to ground discussion around key events, times or places to help structure the interview and felt that this helped to focus children, particularly very young children. They also commented on how skilled and experienced officers use visualisation techniques, asking the witness to imagine the scenario in their head and then describe what they see, and how this seems to be particularly effective.
- Young Witness staff felt that good practice was evident in interviews where the interviewer enabled the child to give as much detail as possible, using open questions, but also recognised when they needed specific detail and asked direct questions in order to elicit that detail from the child/young person.
- Registered intermediaries also talked about working collaboratively with skilled and motivated officers to develop communication strategies to engage children who previously would not have been interviewed. Overall stakeholders concluded that interviewers did a good job in very difficult circumstances.

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From the analysis of the findings four good practice themes were identified as central to ABE interviews as well as potential barriers that might prevent good practice from happening:

THEME 1: PLANNING, PREPARATION AND FLEXIBILITY

Good Practice:

- The majority of those surveyed reported always or usually discussing interview objectives with a 2nd interviewer, consulting with the child witness and social services in planning their interviews.
- All participants across the focus groups indicated that planning was extremely important to delivering a good ABE interview.
- Interviewers emphasised flexibility and adaptability as a key interviewer skill and stressed the importance of following the ABE process in a flexible rather than rigid way
- Registered intermediaries play an increasingly important role in assessing the child's communication needs and developing alternative communication strategies to help them give their best evidence.

Potential Barriers:

- Specialist skills and time involved in good ABEs not understood/recognised
- Only a few of those qualified actively in ABE only conducting interviews at any one time
- Rigid interpretation of the process
- Fear of opening the door to ABE being thrown out in court
- Not knowing enough about certain disabilities/disorders

THEME 2: PRACTICE AND RAPPORT

Good Practice:

- A majority of interviewers surveyed (more than 80%) considered rapport, free narrative and questioning to be very important or essential to the process.
- When considering the factors contributing to their 'best' ABE interview the ability to establish rapport was the most commonly cited factor. Equally qualitative responses repeatedly emphasised rapport as an essential element of the process.
- 3 in 5 indicated that they rarely or never conduct a practice interview although some officers interviewed talked about asking children to describe neutral objects or events beforehand.
- The input of registered intermediaries at the assessment stage can act as a means of developing rapport as well as assessing the child's verbal and cognitive ability to generate free narrative. RIs use neutral topics to assess the child's free narrative capabilities and to help them practice sequencing their narrative.

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- The research evidence points to the positive impact of using practice interviews or a form of pre-interview training in enhancing the amount of relevant detail children provide in forensic interviews, particularly younger children.

Potential Barriers:

- Worrying that a practice interview may be perceived as coaching
- Not having time to do a 'practice' interview
- System makes continuity difficult
- Not having time to build rapport

THEME 3 - INTERVIEW SKILLS AND TECHNIQUES

Good Practice

- A majority of interviewers reported using open ended questions during questioning as well as rapport with closed questions and specific closed questions being more common in the questioning phase.
- In focus groups some interviewers talked about encouraging several free narrative attempts to ensure obtaining as much witness generated information as possible.
- Trainers emphasised the importance of getting a good free narrative and stakeholders generally recognised that the ability to generate free narrative is influenced both by the skills of the interviewer as well the characteristics of the child.
- The majority of police interviewers had used most of the enhanced cognitive interview techniques, either always, usually or sometimes. Some indicated they tended to use mental reinstatement as a matter of routine and found this extremely effective in obtaining greater detail from witnesses.
- Drawing was the most commonly used communication aid, followed by pictures/symbols, body charts, registered intermediaries and photographs.
- Registered intermediaries use a range of communication aids with drawing featuring heavily as a means to facilitate communication with young children or those with disabilities.
- Review of the research evidence identified numerous studies which support mental reinstatement of context as a key component of improved interviews.
- There is considerable research evidence to suggest that the use of more structured interview protocols can improve the quantity and quality of information obtained.
- The literature on anatomical dolls and body charts is mixed and while a number of authors advise against their use others suggest that, if used carefully, they can be useful.
- The research literature points to drawing being effective in helping children recall richer, more evidentially relevant details.

Potential Barriers:

- Concern about evidential requirements may push interviewers from free narrative to specific questions

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- Not feeling comfortable using techniques like MRC
- Not understanding why MRC can be effective and how memory can be triggered by its use
- No agreed use of a specific protocol such as the NICHD in NI
- Lack of knowledge about how and when to use drawing
- Concerns that what is 'allowed' in the formal interview

THEME FOUR: FEEDBACK AND REVIEW

Good Practice

- 57% of the sample completed ABE (police only) training, 70% Joint Protocol Specialist interviewer training with half having completed Protocol Refresher Training.
- The majority of respondents rated the training they had received as always, very or quite effective across domains.
- 70% of interviewers reported always or usually reviewing the interview themselves afterward although they also indicated that interviews were rarely reviewed by a supervisor.
- Research consistently shows that that training alone is not enough and continuous review and feedback is needed to develop and sustain good practice

Potential Barriers

- A lack of an on-going monitoring and review process
- Those supervising may not have skills to evaluate
- Not everyone who completes ABE only training puts their learning into practice
- Lack of a process to share good practice amongst interviewers
- Lack of a process to share good practice amongst stakeholders

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INTRODUCTION

This report presents the findings from a research project examining what works well in investigative interviews (ABE interviews) with child witnesses in Northern Ireland. The project was developed in collaboration with key stakeholders and was joint funded by the Department of Justice NI, NSPCC, SBNI and PSNI. While much of the research relating to interview practice has been critical of the lack of open questions and limited free narrative exhibited in forensic interviews across the UK, as well as internationally, there has been little in the way of exploration of this issue in Northern Ireland. Equally, the existing literature has tended to focus on a ‘deficit’ approach, identifying areas of poor practice with limited recognition of the practical difficulties interview practitioners face or what works well for them in practice. This study aimed to address these gaps by adopting an ‘appreciative inquiry’ approach focused on what is working well with the current process and what can be built on to deliver optimal practice. It also recognises that there are multiple stakeholders in the criminal justice process who ‘use’ or are involved in ABE interviews and has sought to include as many perspectives as possible.

Section one of the report outlines the background to the project and methodology employed to meet the study aims. Sections two and three present the findings from a survey of police interviewers and focus groups with police officers, prosecutors, the Young Witness Service, police trainers and registered intermediaries, respectively. Section four presents an overview of a series of research reviews in key practice areas to inform data analysis and potential areas of development. Review topics include: the use and effectiveness of practice interviews, enhanced cognitive techniques, drawing and other communication aids as well as the impact of training, monitoring and review on practice. Section five provides a thematic analysis of the research and review findings, identifying four good practice themes which are core to ABE interviews as well as potential barriers. It is intended that the summary of this analysis will provide the framework for future discussion with key stakeholders with the aim of developing concrete actions which organisations can take to maximise good practice.

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SECTION 1 BACKGROUND AND METHODOLOGY

1.1 BACKGROUND

Proposal development and funding

The proposal to explore good practice in Achieving Best Evidence interviews with child witnesses was developed in conjunction with key stakeholders in the Department of Justice, the Police Service for NI, the Health and Social Care Board, the Safeguarding Board NI and the voluntary sector. In March 2013 NSPCC organised a roundtable discussion with key stakeholders to discuss the possibility of conducting research in NI examining video recorded investigative interviews (ABE interviews). At the time NSPCC was interested in taking forward a research study exploring current practice in the conduct of investigative interviews with child witnesses through examining a sample of interview recordings. It was agreed at the initial meeting that research relating to ABE would be timely and relevant but that a more useful focus would be on exploring differing agency perceptions and identifying good practice relating to ABE within the criminal justice system. Following subsequent meetings the proposal was revised and the finalised proposal (outlined below) was agreed and joint funded by DoJ, PSNI, NSPCC and SBNI (£20,000 in total).

UK Context

It is more than 20 years since the UK adopted a structured approach aimed at improving the investigative interviewing of child and vulnerable adult witnesses. This followed the Cleveland Inquiry Report (HMSO, 1988) which examined serious problems in the diagnosis of, and investigation of, child sexual abuse and the use of statutory protection powers by social services and the police in that investigation. The recommendations included specific requirements on how the police and social workers should interview children in alleged and suspected cases of abuse, and how they should be medically examined. The Cleveland Inquiry (1988) findings influenced how police services and social services managed investigations in England and Wales and Northern Ireland. First introduced in England and Wales in 1992, the Memorandum of Good Practice (MOGP) [Home Office & Department of Health, 1992] was intended for use with child victims of violent and sexual assaults. This protocol was revised and replaced by Achieving Best Evidence (ABE) in 2001 and its use extended to both interviews with child witnesses as well as vulnerable and intimidated adults (Home Office, 1992, 2001, 2007, MoJ, 2011). Both the MOGP and ABE specifically focus on video interviewing of vulnerable and intimidated witnesses, a 'special measure' first introduced through the Criminal Justice Act 1991 which allowed video-recorded interviews with children conducted pre-trial to be used as evidence in chief in criminal

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proceedings. This was subsequently extended to vulnerable and intimidated adults through the Youth Justice and Criminal Evidence Act 1999.

Over the past twenty years there has been emerging consensus that best interview practice should involve the ‘four phased approach’ to investigative interviewing. This may involve establishing rapport with the child before questioning them about alleged or suspected abuse or neglect. In criminal investigations it is generally considered that the most reliable information is obtained from children by the use of free narrative accounts facilitated by prompts, use of silence and open questions as opposed to specific or closed questions [see Bull (2010) for an overview]. Both the MOGP and ABE were developed with this evidence base in mind and although the guidance has been revised and updated a number of times, the four stage approach, based in cognitive psychology, first advocated in the MOGP remains largely unchanged (Milne and Bull, 2003). This consists of the:

- (1) rapport phase
- (2) free narrative phase
- (3) questioning phase
- (4) closure phase

In order to ensure that the best interests of the child are protected, UK legislation and guidance allows for both police and social services to jointly investigate cases of alleged and suspected child abuse. While police inevitably have lead responsibility for criminal investigations, an interview will be planned and conducted jointly by a trained police officer and social worker (known in Northern Ireland as ‘specialist interviewers’). Only one specialist interviewer speaks to the child (first interviewer) and the second person acts as the ‘second interviewer’ in the control room, communicating via an ear piece. ABE guidance in England states that ‘where a police officer leads the interview, the local authority should retain their duty to make enquiries under Section 47 of the Children Act 1989 by ensuring that the interview is properly planned and that the social worker has an effective role in monitoring the interview’ (MoJ: 2011:15). Research also suggests that interviewer style has an important relationship to the information obtained during interview with a more ‘supportive’ style, often adopted by social workers, resulting in significantly more correct recall compared to more ‘formal’ or authoritarian interview styles (Patterson, Bull, & Vrij, 2002; Bull and Corran, 2003).

Evaluating MOGP and ABE (England and Wales)

An early evaluation of the MOGP (Davies et al., 1995) noted many positive results from its introduction, namely that within 18 months of the implementation of the 1991 Act, 75% of relevant cases included an application to show a videotaped interview at trial. It also pointed to widespread acceptance among police officers and social workers of the evidential value of videotaped interviews as well as the utility of the Memorandum itself. The judiciary generally echoed positive views, although barristers showed less enthusiasm. Of the sample of tapes reviewed, interviewers secured a clear account of events in 75% of cases and children who gave their evidence on tape were more relaxed than those testifying live at court.

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Davies et al. (1995) identified the video interview as having a threefold purpose, to act as:

- an initial step in a criminal investigation intended to ascertain whether an offence has been committed by an identified perpetrator;
- an inquiry into whether the child is in need of protection; and
- the examination-in-chief of the child at trial, in which guise it must comply with the rules of evidence.

They concluded that these multiple functions "are extremely difficult to reconcile and place unrealistic demands upon interviewers", sometimes leading to incomplete accounts from witnesses. Police and even CPS expectations that these evidential gaps would be followed up by prosecutors in court were rarely borne out, suggesting that knowledge of the CJS process and confused expectations around professional roles are contributory factors. Additionally, Davies and colleagues (1995) found that interviewers did not always follow the Memorandum's emphasis on free narrative and open-ended questions and that the MOGP placed the emphasis on evidence gathering rather than support for the child and gave inadequate guidance on interviews.

Since Davies et al.'s (1995) evaluation a number of national and international studies have reiterated their findings, in particular pointing to limited use of the free narrative phase and open questioning. For example, analysis of the transcripts of 119 videotaped interviews of child victims between the ages of 4 and 13 years obtained from 13 police forces in England and forensic interviewers relied heavily on option-posing prompts, seldom using open-ended utterances to elicit information from the children. Overall, almost 40% of the information obtained during the course of the interviews was elicited using option-posing and suggestive prompts, which have been shown by research to elicit less reliable information than open-ended prompts. Similarly, analysis of transcripts from 70 videotaped Memorandum interviews (Westcott and Kynan, 2006), again conducted in England and Wales, noted that rapport, closure and free narrative phases varied in the degree to which they were present, discussion of truth and lies in the rapport phase was at a basic level and, worryingly, over half the sample included interviewer distortions.

Robinson's (2008a and 2008b) assessment of 140 transcripts of interviews conducted in sexual assault and abuse cases across 4 English police regions found no indication that any had been preceded by informed preparation or consultation with a social worker and social workers were present in very few of the interviews. The sequence of the interviews did not appear to resemble the four-phased approach set out in ABE guidelines with little attempt made to establish rapport with the child and engage in a free narrative account of their experiences. Rather, any mention of an alleged sexual offence resulted in a series of peripheral questions, usually about what people were wearing, where it took place etc., suggesting the child was frequently diverted away from speaking about the assault itself. There appeared to be limited recognition of multiple abuse incidents and Robinson contends that the questioning style adopted by many officers actually introduced

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inconsistency into the interviews through continually assuming the child was referring to one abuse incident rather than many.

Questions were often complex and employed adult phraseology and language; some were leading, whilst others were double and treble in nature – especially once the child had made reference to an alleged sexual offence. The same formulaic routine appeared to be followed irrespective of the child's age, developmental level, or the circumstances of the particular case. (Robinson, 2008b)

Her findings raise questions about current police practice in England and suggest that poor interview practice may very well be a contributory factor to attrition rates.

More recently Hill and Davies's (2013) comparison of interviews conducted under the Memorandum of Good Practice and ABE guidance in England shows slightly more positive results, suggesting the positive effects of ABE guidance on the rapport building phase of the interview, establishing ground rules and using appropriate examples of lying. However, on all other measures, the two samples showed no differences and demonstrated the same shortcomings as earlier published studies: failure to include all four phases of the interview; overuse of specific and closed compared to open questions, and incomplete or missing closure phases.

Importantly, Davies and Westcott's (1999) research review highlights the complex range of issues that interviewers need to contend with. They observe that while the MOGP only refers to 'children' generally, research on child development suggests that children at different stages of development may require rather different styles of interview, with young children requiring much more support and encouragement to produce free narrative prior to any specific questions. They also temper the emphasis on open questioning styles with recognition of the need to examine aspects of the incident(s) with closed questions, suggesting that the phased progression envisaged in the MOGP is something of an 'ideal'. They conclude that there is a strong case for emphasising the principles underlying sound evidential interviewing, rather than being over-prescriptive about one particular model.

Given that an ideal progression cannot and will not be achieved in most interviews, any revision of the Memorandum should stress:

- the evidential value of responses to open-ended questions;
- the importance of following closed questions with further open-questions;
and,
- the importance of giving the initiative for responding to the child.

Appropriate pre-interview planning and awareness of how children disclose is considered also essential and the need for legally acceptable pre-interview protocols to facilitate this is highlighted.

ABE in Northern Ireland

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Northern Ireland introduced its first ‘Protocol for Joint Working’ between the RUC (CARE units) and Social Services in 1991, and subsequently adopted most of the MOGP recommendations in 1997. The Protocol has been reviewed and amended four times since then, in 1996, 1999, 2004 and most recently in 2013 (HSCB & PSNI, 2013). The ‘Joint protocol’ guidance stipulates that police, together with social services, have joint responsibility for investigating allegations of child abuse and neglect and, depending on the nature of the allegation, they will either work together with social services to jointly investigate or will, in some limited circumstances, investigate a suspected abuse related criminal offence, as a single agency. Police officers and social workers who are trained in conducting interviews with child witnesses are known as ‘specialist interviewers’. Following an allegation or suspicion of abuse or neglect trained social workers and PSNI officers undertake a ‘pre-interview assessment’ with the potential child witness. These staff explain to the child the special measures, the court process and, if appropriate, gain consent for a form video recorded interview to take place.

A key element of the Joint Protocol (HSCB & PSNI, 2013) is the requirement to conduct interviews under the Northern Ireland version of Achieving Best Evidence Guidance (DOJ, 2012), to meet both the court’s evidential requirements and child witnesses’ needs. As with its English counterpart, the Northern Ireland version of ABE contains detailed guidance on the planning and conduct of interviews with children and vulnerable and intimidated adult witnesses. It incorporates extensive discussion on approved interview techniques and outlines the same four staged process for conducting effective interviews. As in England and Wales, the NI version has been updated and revised several times (DoJ, 2003 and 2011), and replacing the MOGP which was introduced following the Children’s Evidence (NI) Order 1995.

A recent Criminal Justice Inspectorate Northern Ireland report (CJINI, 2012) presented data which indicates that more than one thousand interviews involving child and adult witnesses are conducted in NI each year (see Table 1). While it was not possible to disaggregate the available data by age of witness or offence type, the inspectors concluded that, as has frequently been found in England and Wales, the majority of special measures cases tend to involve children and sexual offences. The CJINI (2012) report also highlighted ‘patchy’ awareness and application of the ABE Guidance in NI, in particular among generalist officers, although it is not clear if this related to interviews with children or vulnerable adults. It also noted concerns by legal professionals in relation to the quality of some ABE interviews as well as concerns that, increasingly, and as a resulting of resourcing pressures, single agency interviews (largely police) were being conducted contrary to best practice and joint protocol guidance.

Table 1: Recorded Interviews 2006-2011

| Calendar Year | Number of recorded interviews |
|----------------------|--------------------------------------|
| 2006 | 1,160 |
| 2007 | 1,117 |
| 2008 | 946 |
| 2009 | 1,407 |

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| | |
|--------------------------------|-------|
| 2010 | 1,428 |
| 2011 (until 21 September 2011) | 1,114 |

However, there is no up-to-date research examining the current practice in the conduct of ABE interviews in Northern Ireland or the operation of the Joint Protocol processes in the planning and investigation of child abuse and neglect. Equally, the existing literature has tended to focus on a 'deficit' approach, identifying areas of poor practice with limited recognition of the practical difficulties interview practitioners face or what works well from them in practice.

1.2 METHODOLOGY

Aims

The study aimed to explore current good practice in conducting ABE video recorded interviews with child witnesses from the perspective of key stakeholders involved in the criminal justice process. The study adopted an appreciative inquiry approach by focusing on 'what works' in conducting ABE interviews, identifying the circumstances under which good practice happens with the aim of facilitating participants to develop actions which seek to maximise best practice for child witnesses.

Specifically, the study aimed to

- Identify stakeholder narratives of good ABE practice with child witnesses
- Investigate the circumstances that lead to good ABE practice
- Identify how current, policy, guidance, training and organisational systems facilitate good practice
- Identify different stakeholders 'vision' of how current ABE can be developed and maximised
- Identify relevant research from the national and international literature that can support the development of ABE in NI;

Specific Research Questions

1. Do ABE video recorded interviews tend to be used with specific offence types or groups of young witnesses?
2. How many interviews tend to be completed per witness? What were the reasons for conducting more than one ABE interview? Are there particular problems with multiple interviews from an evidential perspective?
3. How do different professional and stakeholder groups perceive the purpose and function of ABE interviews?
4. What works well in terms of planning for an interview?
5. What is good practice in ABE interviews from the interviewers and witnesses perspectives? How is this defined and assessed by different agencies?
6. What is good practice in each of the four ABE interview stages?

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7. How does the interview process facilitate evidence gathering with specific groups of children such as those with limited cognitive or verbal abilities, children who are uncommunicative or reluctant to engage, children who have been victims of multiple offences over a prolonged time period?
8. How do registered intermediaries support the ABE process?
9. To what extent do ABE interviews help to provide a coherent narrative of the alleged offences and identify alleged offenders?
10. What are the benefits of using ABE interviews as evidence in chief in court, as opposed to other special measures?
11. What is the overall assessment of the quality of ABE interviews conducted in NI?

Definitions

ABE interviews – investigative interviews conducted by police only or both police and social services under Joint Protocol (2013) and ABE (2011) arrangements, where the interview is video recorded for use as evidence in chief.

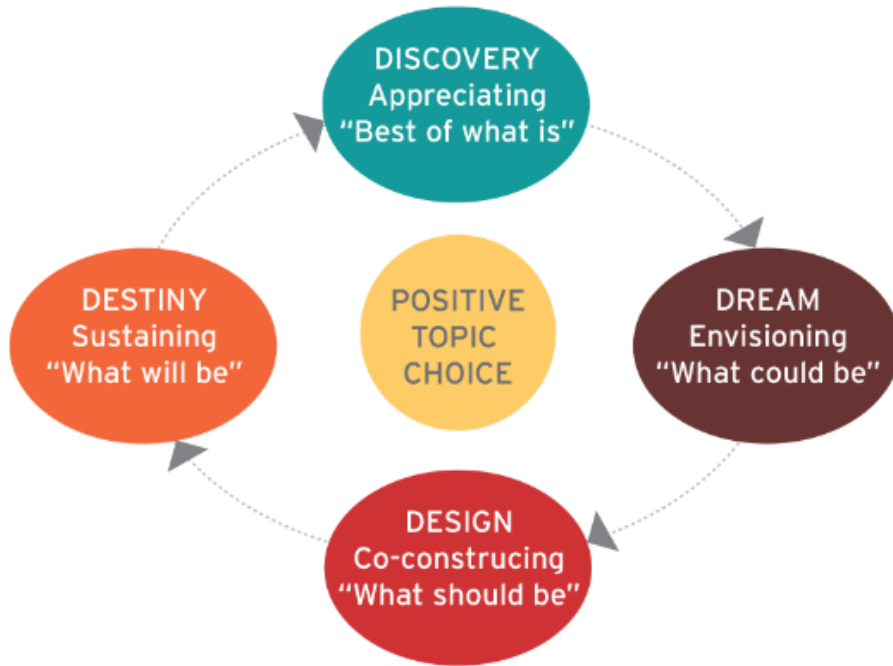
Child Witness – where the witness/victim of an alleged offence is aged under 18 years at the time of the offence

Methodology

Appreciative inquiry is a relatively new social research method which has evolved primarily in the field of organizational development. A theoretical research perspective, research method and world view, appreciative inquiry, as a method of changing social systems, is an attempt to generate a collective image of a new and better future by exploring the 'best of what is and has been' (Trajkovski et al., 2013, Cooperrider, 1986; Cooperrider et al., 2008; Carter, 2006; Carter et al, 2007a & 2007b). A central component of AI is a move away from deficit or problem orientated research methods to more positively focused and collaborative modes of design which seek to identify and build on individual and organisation strengths. AI is generally envisaged as a 4 stage model or '4D' model involving discovery, dreaming, design and delivery, as illustrated in Figure 1 below:

Figure 1: 4D Model

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Source: Trajkovski et al. (2013: 1226)

The study utilised both qualitative and quantitative methods to facilitate positive inquiry into current ABE practice from a range of perspectives. Given there are multiple ‘users’ of ABE interviews in NI representing varied interests, it was essential that the research encompassed as full a range as possible of key stakeholders. The ABE stakeholder model in Figure 2 delineates three key groups and their relationship with the ABE process: those who ‘practice’ ABE interviews (i.e. police and social workers trained in either pre-interview assessment of specialist interview procedures), those who “receive” or utilise the interviews as part of the legal process and those who are interviewed or who support those interviewed outside of the legal process. The Young Witness Service was included as a relevant stakeholder group because, while they play no part in the conduct of interviews or subsequent prosecution of cases, as supporters of young witnesses in court they have observed numerous ABE interviews and have a unique perspective on how they are conducted. During the course of the project it was also decided to include the Registered Intermediary Service – a new service using communication specialist to assess witness communication needs as well as facilitate communication both during ABE interviews and questioning at court.

A range of methods were used to capture the views and experiences of different groups. Given that appreciative inquiry is envisaged as a cyclical, non-linear process the methodology was also adapted in different ways to account for emerging ideas as well as address practical issues in terms of research access and participation. Where relevant, these changes are highlighted throughout the methodology.

Stage 1

WHAT ‘WORKS WELL’ WITH ABE – CRIMINAL JUSTICE PERSPECTIVES

The first stage of the research process involved obtaining views of key stakeholders about what is working in current practice and in what circumstances. This was achieved through:

A survey of police interviewers

The survey included police officers trained in specialist interview procedures (joint protocol) or ABE in Northern Ireland since 2007 and who had conducted an ABE interview in the past 5 years. From their records PSNI trainers identified a list of 227 officers who met this criteria. An electronic link to the survey was distributed via email in September 2014 and remained open for two months. The survey was designed using the Jotform website. It included questions related to the range and types of interviews police had been involved in, what they considered to be their best interview to date, their views and practice in the different interviews phases, their use of cognitive interview techniques and various communication aids and their experience of training monitoring and review. Eligible participants were sent three reminders across this time period and 7 responded to advise that they had not conducted an ABE interview within the relevant timeframe. Of the 220 relevant participants, 80 completed the survey, giving a response rate of 37%. Participants were all provided with information leaflets about the research and were advised that the names of those who completed the survey would be placed in a draw for £250 Amazon vouchers. The draw was conducted randomly one week after the survey closing date and the voucher issued.

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Figure 2: ABE Process Stakeholder Model



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Focus group interviews with a range of key professionals and stakeholders

Focus groups provide an efficient means to gather information about a range of ideas and feelings that professional groups have about certain issues, as well as illuminating the differences in perspective between groups of professionals. Focus groups were conducted with police officers, Young Witness staff, registered intermediaries, prosecutors and police trainers. The numbers who participated are outlined in Table 2 below. While the initial aim was to have 6 people in each group, in practice this was not always possible either due to the fact that there were only a very small group of eligible participants to begin with (e.g. trainers) or because participants were not able to make it on the day because of other commitments. In an effort to maximise the participation of particularly important stakeholder groups, such as a police, a number of focus groups dates were organised across the study time period.

Table 2: Stage 1 Focus Group Participants

| Stakeholder Group | No of focus groups | Total number of participants |
|---------------------------|---------------------------|-------------------------------------|
| Police Officers | 2 | 6 |
| Young Witness Service | 1 | 5 |
| Prosecutors | 1 | 5 |
| Registered Intermediaries | 1 | 2 |
| PSNI trainers | 1 | 2 |
| Total | 5 | 20 |

Changes to Methodology

Initially it was envisaged that the project would also include social workers as they have an active role in participating in joint protocol interviews with police in cases where abuse or maltreatment is suspected. However, as there are specific research governance processes which must be followed when accessing social work staff this was not possible within the study timeframe. However, in recognition that these are important stakeholders it was decided that the project would be split into two studies with the 1st focusing on criminal justice perspectives (as presented in this report) and the 2nd on social work professionals when appropriate permissions are in place.

It was also intended that the project would include a small number of semi-structured interviews with children who have been subject to ABE interviews in past five years with access being provided by the Young Witness Service. Previous research with young witnesses conducted by the authors (Hayes et al., 2012) has highlighted some of the practical difficulties in recruiting young people and parents to participate in research in such sensitive circumstances. This also proved to be the case in this project and accessing six young people as originally proposed was not possible within the original study time frame. Given the importance of this group, the research team decided to continue to recruit young people and to present their views and experiences together with those of social work practitioners in a second report to be published later in the year.

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Stage 2

The second stage of the project involved thematic and quantitative analysis of the survey and focus group data supported by a series of selected literature reviews of the national and international evidence base in relevant practice areas. The survey, focus groups and reviews not only highlighted a clearer understanding of the ABE process and what works well but also generated a number of themes and suggestions for maximising good practice in future. On this basis, the original methodology was adapted from a series of focus groups with key stakeholders to a multidisciplinary workshop in which core good practice themes and potential barriers could be discussed and tentative action plans developed. The summary of the core themes and barriers was developed and finalised in conjunction with the steering group and small discussions groups with police and police trainers. Additionally all stakeholders originally contacted about participating in the research were sent a summary of the research findings and emergent themes and asked for comment as whether this accurately reflected their experiences and if they had suggestions for future actions that should be considered.

Research Ethics

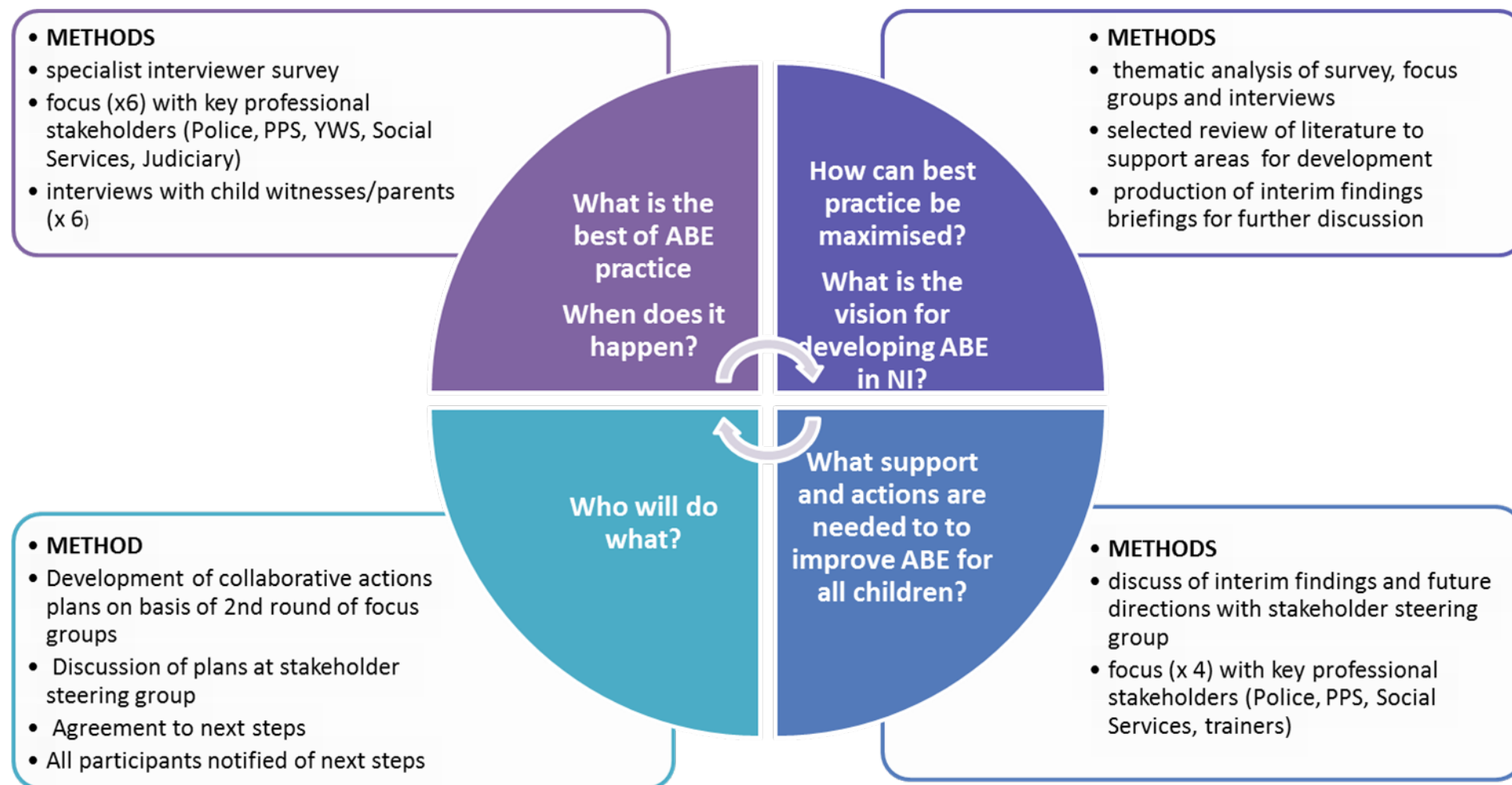
Ethical approval was provided by the School of Sociology, Social Policy and Social Work Ethics Committee - Queen's University Belfast. All participants were provided with information sheets and given the opportunity to discuss the research with a member of the team. Written consent was obtained for all face-to-face research elements and all participants were assured that the information they gave was confidential and that no individuals would be identified in the final report. Focus group participants were asked to respect the confidentiality of the group and the information shared. Personal contact information was stored in a locked filing cabinet while recordings were stored on a secure password protected server for analysis.

Data Analysis

Survey questionnaires were analysed using SPSS version 20 and primarily involved descriptive statistics. Focus groups were audio recorded and key themes and selected quotes were summarised for analysis.

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FIGURE 3: APPRECIATIVE INQUIRY COLLABORATIVE CYCLE – ORIGINAL METHDOLOGY PLAN



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SECTION 2: POLICE SURVEY FINDINGS

2.1 DEMOGRAPHICS & EXPERIENCE

Gender

- 61% were female, 39% male

Length of time in police

- 49% had been in the police 10 or less years. 17% had been in police 21+ years

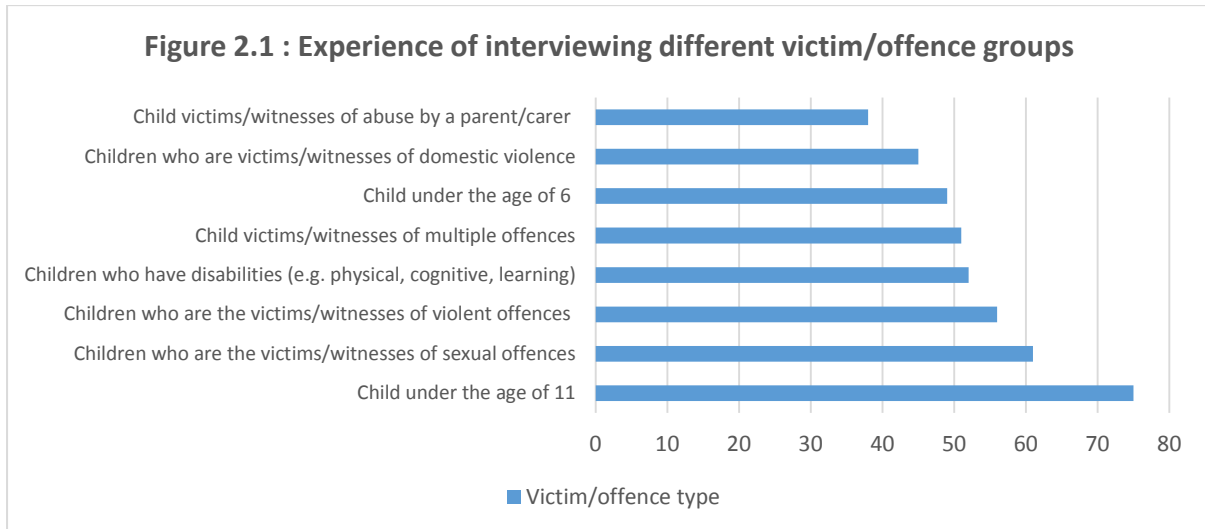
Experience of conducting interviews

- A third had conducted 10 or less interviews, a third 11-30 and a third had conducted 31 or more interviews
- In total, the respondents estimated conducting 3640 ABE interviews with children over the past five years
- Overall, 74% of interviews were estimated to be joint interviews although the proportion conducted by individual interviews varied widely, ranging from 0% to 100% with 28% stating they had conducted no joint interviews – the median average for joint interviews was 60%
- Overall, 70% of interviews were conducted with the police officer as the lead interviewer
- Overall, 19% of interviews were estimated to have involved more than one interview. 21% of participants reported conducting no multiple interviews, 26% reported conducting multiple interviews in less than 10% of cases, 54% between 11-33% of cases and 9% reported conducting multiple interviews in more than one third of cases.

Experience of interviewing different groups

- Police had experience of interviewing a wide range of victim groups with children under 11 being the most common, followed by victims/witnesses of sexual and violent offences (see Figure 2.1)

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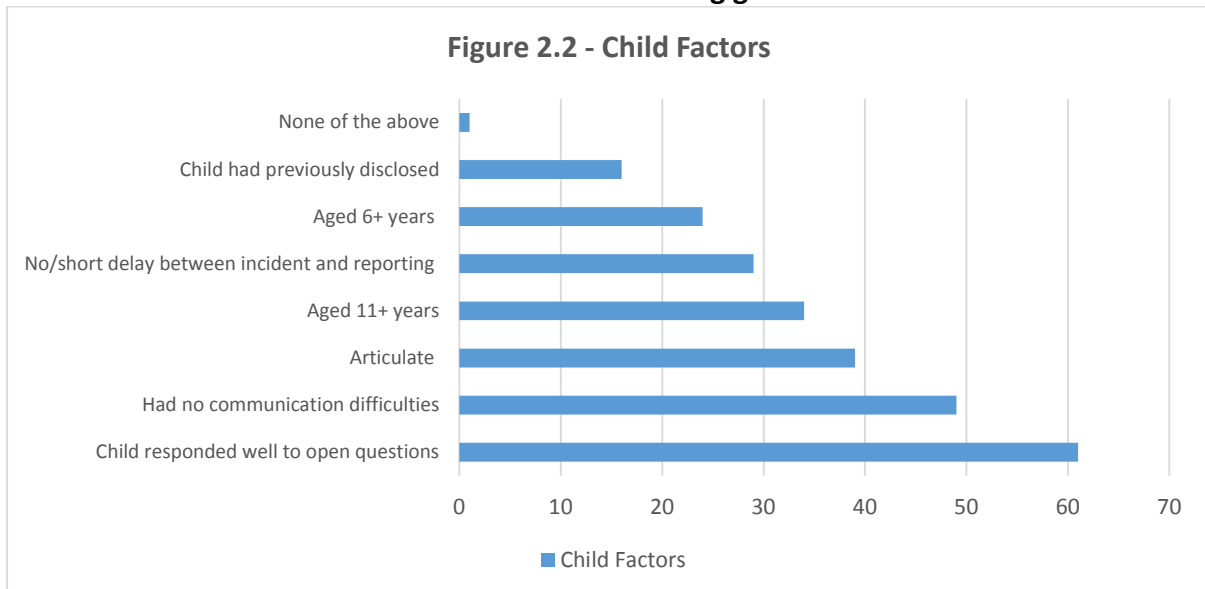


2.2 THEIR BEST ABE INTERVIEW

Victim/offender demographics

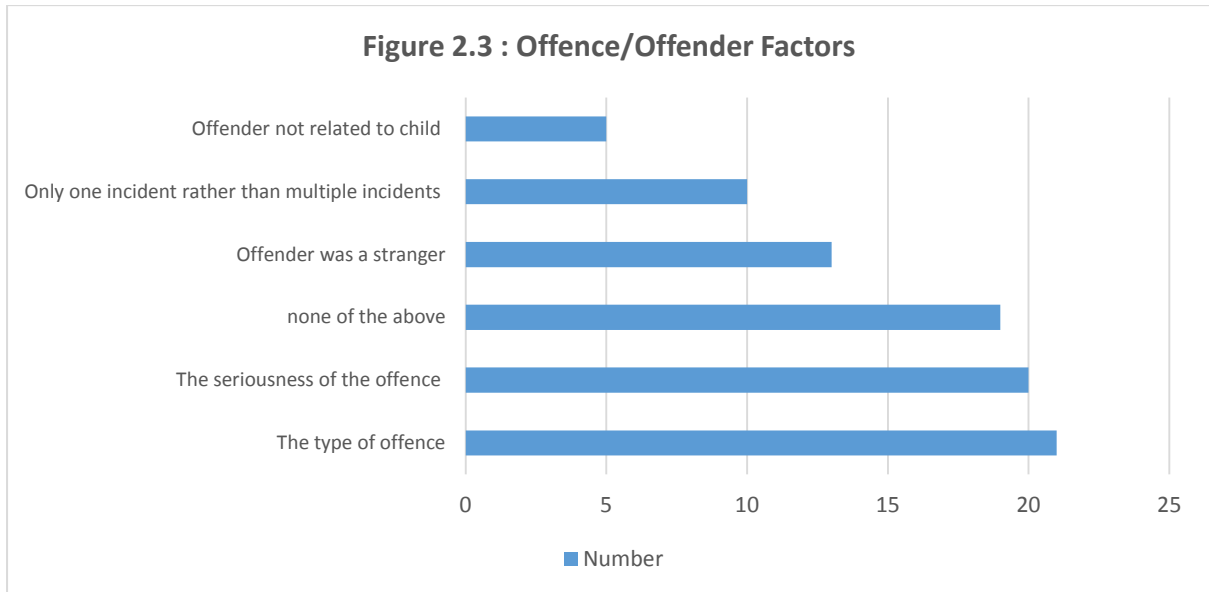
- Gender – female 68%, male 32%
- Age – 0-6 yrs (14%), 7-12 years (47%), teenagers (39%)
- Offender – family member (43%), known non relative (33%), stranger (22%) and other (1%)
- Officer acted as 1st interviewer (91%), 2nd interviewer (9%)

Child factors which contributed to the interview being good

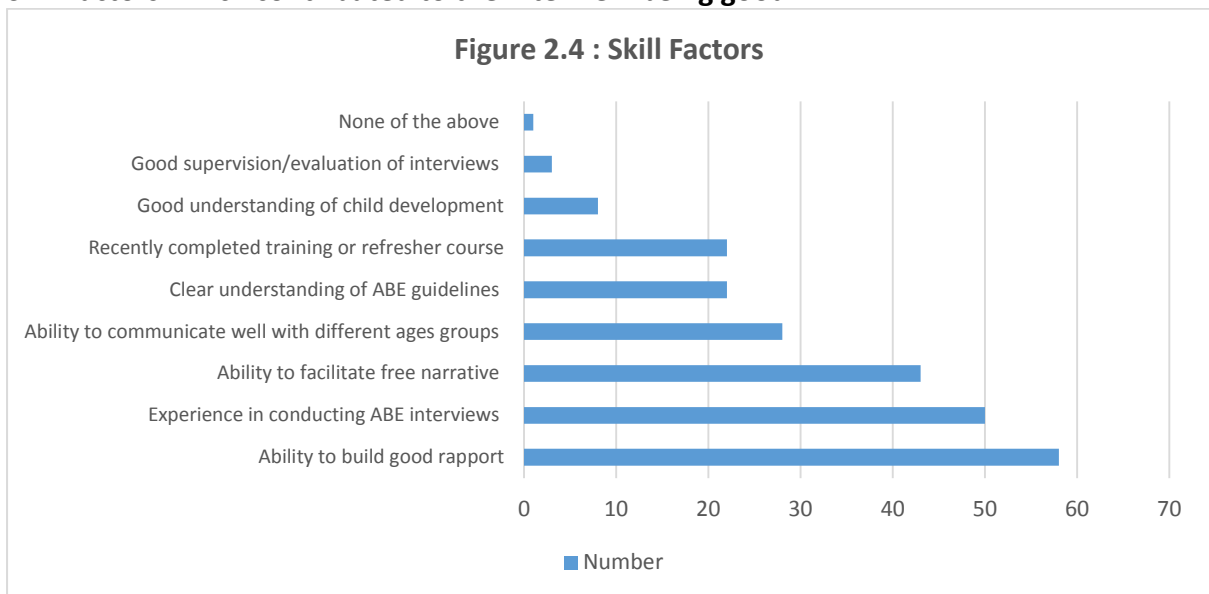


Offence/Offender factors which contributed to the interview being good

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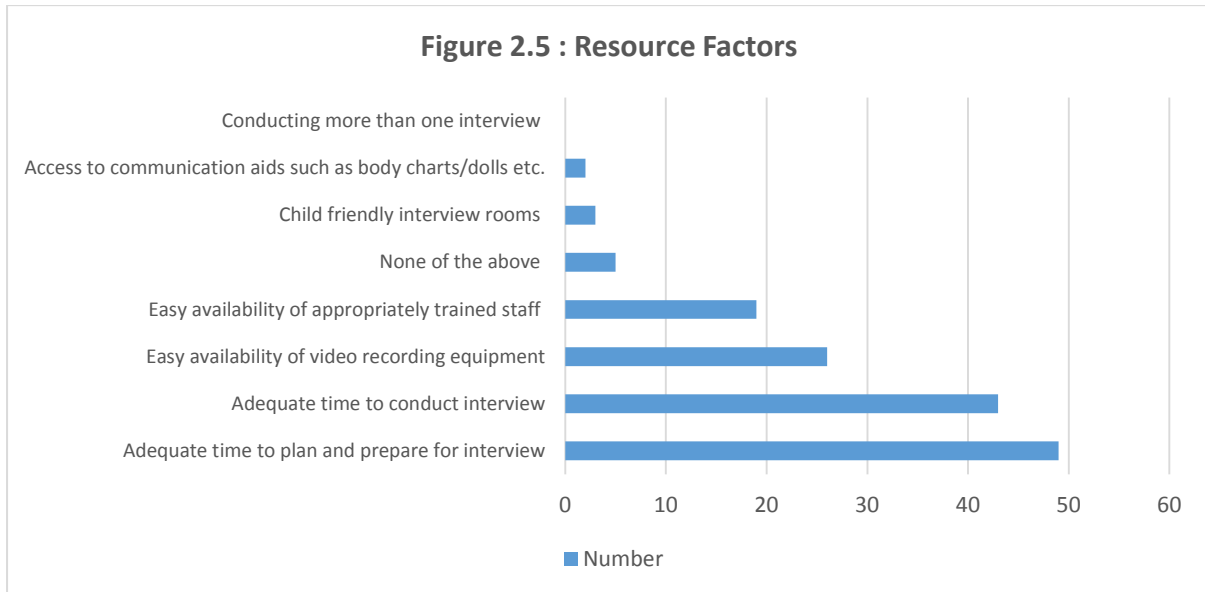


Skill factors which contributed to the interview being good



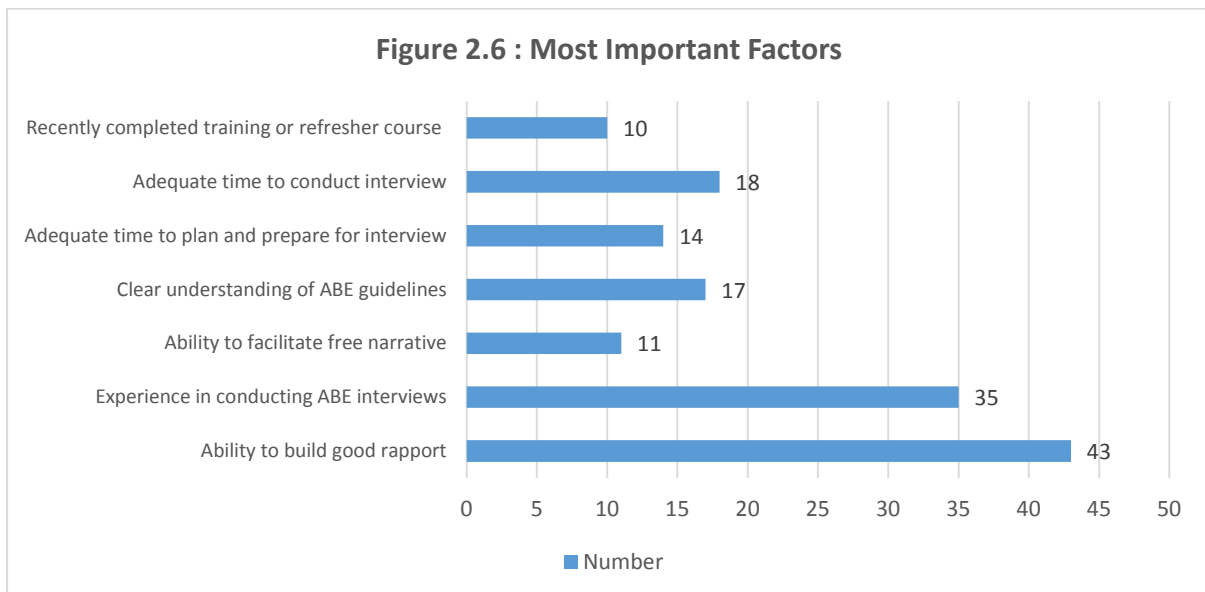
Resource Factors which contributed to the interview being good

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Three key factors

When asked to pick the three key factors that they thought contributed to making this particular interview good, answers tended towards skills/resource factors such as rapport and experience in conducting ABE interviews rather than child/offence factors, although multiple incidents, age and offence type were mentioned a number of times.



Qualitative descriptions of their best ABE interview

In their qualitative responses, police interviewers identified a range of factors which they felt helped to make a particular interview their ‘best’ ABE. A number discussed the characteristics of the child as being very clear and articulate, being ready to tell and disclosing a high level of information during free narrative. This was apparent across age groups, even within interviews involving very young children. Specialist interviewers also

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identified a number of interviewer/operational factors which they felt contributed to this being a good interview. These included: taking time to establish rapport with children and parents, adopting a relaxed child friendly atmosphere and taking a flexible approach to interview location, gender of interviewer, taking breaks and using multiple interviews. Continuity of involvement of the interviewing officer was also highlighted as important to developing rapport with the child and their family and reducing anxiety during the interview and a number talked about meeting the child on a number of occasions to develop rapport. A small number discussed having a good working relationship with the second interviewer and using the input of registered intermediaries to pace the interview.

Good rapport with the child and parent

“Oral rape and masturbation - child disclosed to mum and grandmother who were very distressed. Our easy going approach made it helpful to build a rapport and get child to talk. While talking she voluntarily re-acted the masturbation scenario by standing up and doing the gestures. She also guided us towards another sibling based on his disclosures to her.” *Victim aged 0-6 years*

“Being able to establish, spending time with them before the interview in the medical exam (continuity), taking an easy going child friendly approach, keeping child focused” *Victim aged 0-6 years*

“child had been sexually assaulted by a stranger who broke into house. Good rapport built up with child and mum prior to interview” *Victim aged 0-6 years*

“The case involved the Rape of a 14 year old child by a known acquaintance in a rural community. The child had a supportive family dynamic which heightened her awareness and acceptance of processes and the obligations of both Police and Social Services (e.g. medical, PAI, ABE, Court process explanations, scene visitations, follow up social work referrals and counselling etc.). Initial rapport building with the family prior to the interview led to the female victim choosing a male officer ahead of a female colleague. This was in contrast to conventional same sex choosing as more prevalent, given the normal sensitivities (i.e. body parts explanations in recalling the incident). This emphasised to me that initial communication and rapport building greatly neutralises the experience of victims.” *Teenage victim*

Flexible child centred approach

“Stranger approached a child and asked her to touch his penis. Portable equipment used as child didn’t want to speak outside her house. I was able to keep the child focused and get the relevant information required” *Victim aged 0-6 years*

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"This ABE was one of five relating to offences by the same person on this victim. Positives were the building of rapport, the ability to stop and start interviews as suited the victim's state of mind. Victim became comfortable in the same surroundings and would pace, curl up, throw up etc. all documented for the court which provides fantastic visual evidence of the impact of the offending"

Continuity of involvement

"Child disclosed in good detail what had happened, she was intelligent and articulate and had very good recall as the incident had only happened 3 days prior. She was 16 and her communication/ language was very good. Her free narrative was very good. At this stage I was an experienced interviewer, and had met the child and her family previously and established a good rapport" *Teenage Victim*

"6 year old girl sexually assaulted by a 14 year old neighbour. Time spent with the victim on the day of the incident prior to the medical examination meant having time to build good rapport, which led to the child feeling less anxious the following day when I (the same officer) was able to conduct the ABE interview with her" *Victim aged 0-6 years*

"The child was very shy and before the ABE interview which I carried out for a colleague, I made time to build a rapport with the child on several meetings. She had a speech impediment and so I took my time with her and progressed the interview at her pace, taking breaks when needed." *Victim aged 7-12 years*

"Female child age 9 sexually abused by her father on multiple occasions. Having met the child at her home and then at a medical I had built rapport up by the 3rd meeting for ABE. I was not a stranger to her and she knew and used my name." *Victim aged 7-12 years*

Use of second interviewer

"The child was one of a number of young girls who had been frequenting the home of a male in the neighbourhood. The male had been grooming the children through his dog and treats which led onto indecent touching including digital and vaginal penetration and acts of gross indecency. The working relationship between myself and the social worker was strong and we were accustomed to each other's style. The video was commended by the Crown Court Judge upon prosecution of the defendant." *Victim aged 7-11 years*

"This was a historical case of sexual abuse of a 14 year old boy by his uncle. This interview went well as the child was 17 and had thought well about

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what he wanted to say. He was articulate and as the abuse happened on 4 specific dates he was able to give a very clear account of what exactly happened. I had a very good second interviewer and we were able to get a good account with open questions. He also was able to provide a very good free narrative.” *Teenage victim*

Use of registered intermediaries

“Child beaten by his dad. Registered Intermediary gave good brief on allowing the child to process his responses where normally one might have waited for so long and then asked another questions.” *Victim aged 7-12 years*

2.3 PLANNING/PREPARATION & IMPORTANCE OF ABE STAGES

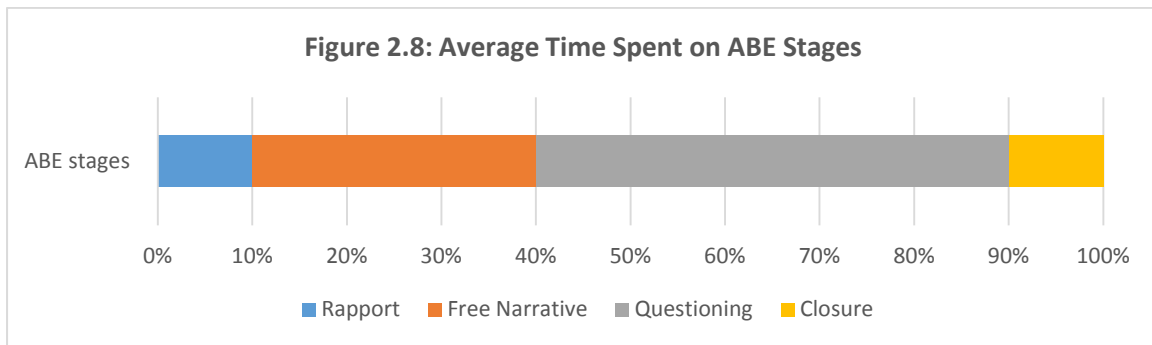
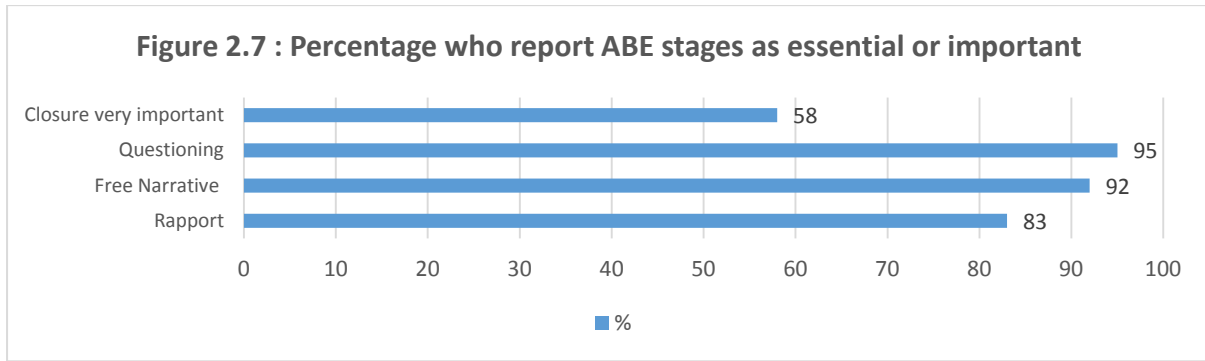
- While the majority reported always or usually discussing interview objectives with a 2nd interviewer and consulting with a child witness or social services less than half reported developing a written plan.

Table 2.1: Percentage reporting always or usually planning

| Planning/Preparation Type | % |
|---|----|
| always or usually developing a written plan | 45 |
| always or usually discussing interview objectives with a prosecutor | 4 |
| always or usually discussing interview objectives with a second interviewer | 83 |
| always or usually discussing interview objectives with a supervisor | 44 |
| always or usually consulting with the child witness | 75 |
| always or usually consulting with social services | 72 |
| reported always or usually consulting with medical or mental health professionals | 50 |
| reported always or usually consulting with registered intermediaries | 15 |

- While the vast majority viewed the first 3 stages as essential or important, questioning was rated by more officers as essential or important than either free narrative or rapport. Closure was considered essential or important in 58% of cases. This pattern was reflected in the average times officers reported spending on each with 10% of time spent on rapport, 30% on free narrative, 50% on questioning and 10% on closure.

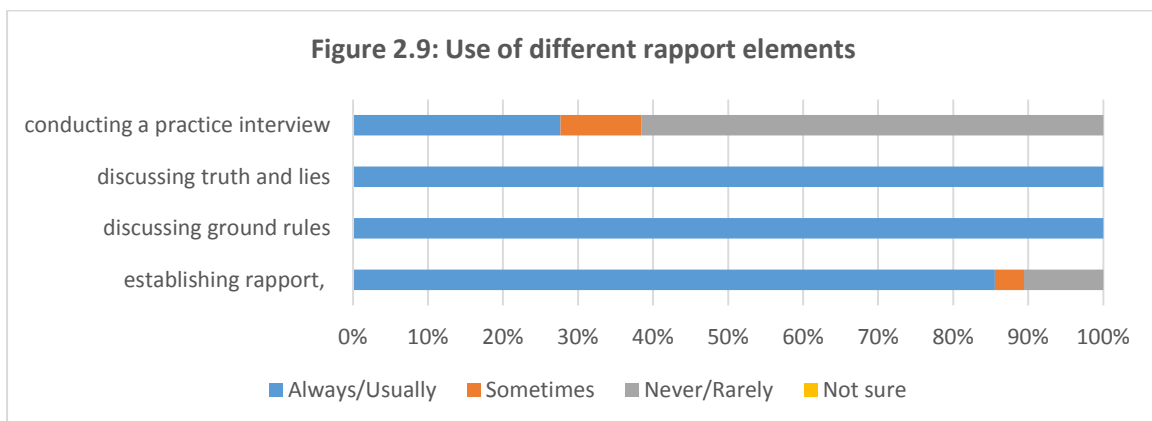
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2.4 USE AND EFFECTIVENESS OF DIFFERENT ABE ELEMENTS, QUESTIONS AND TECHNIQUES

Rapport Phase

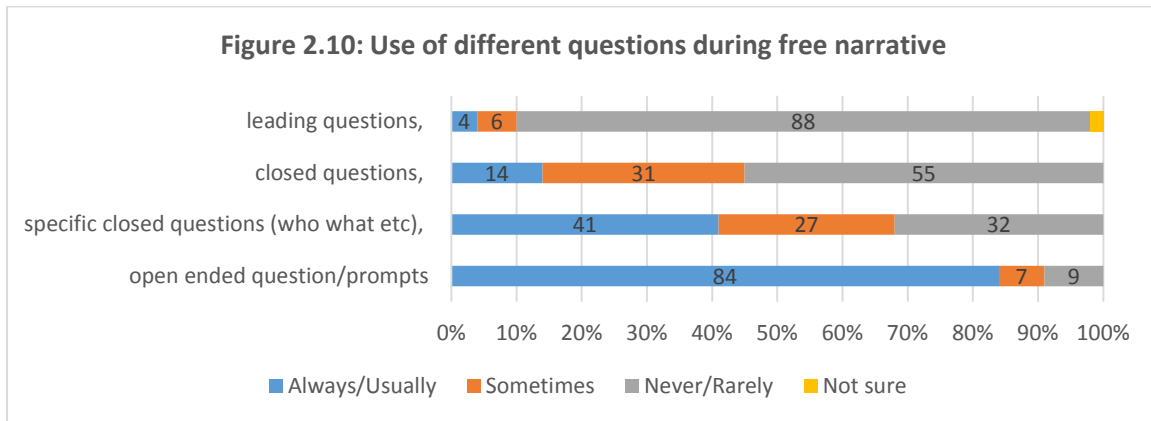
- All respondents reported always/usually discussing ground rules and truth and lies. Most reported establishing rapport although 1 in 10 reported never or rarely doing this and 3 in 5 reported never or rarely conducting practice interviews.



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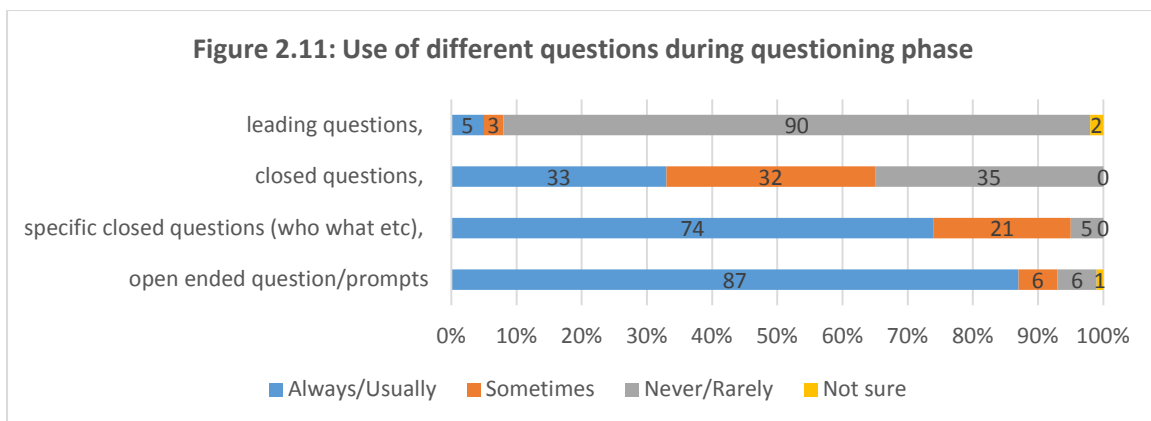
Free Narrative Phase

- The majority reported using open ended questions during rapport although 1 in 10 reported rarely or never doing this. 45% reported always, usually or sometimes using closed questions in free narrative and 10% reported the same for leading questions.



Questioning Phase

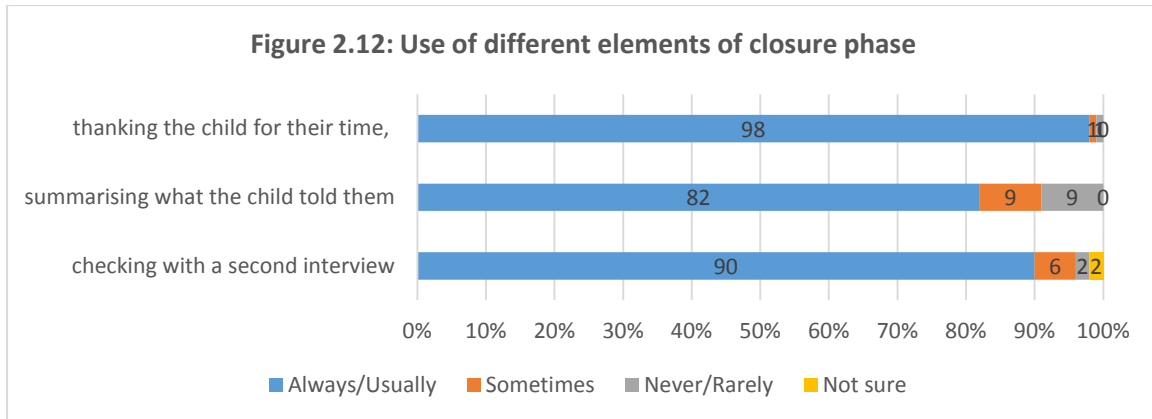
- The majority reported using open ended questions during questioning as well as rapport. Closed questions and specific closed questions were more common than in the free narrative phase while the proportion of leading questions remained roughly the same.



Closure Phase

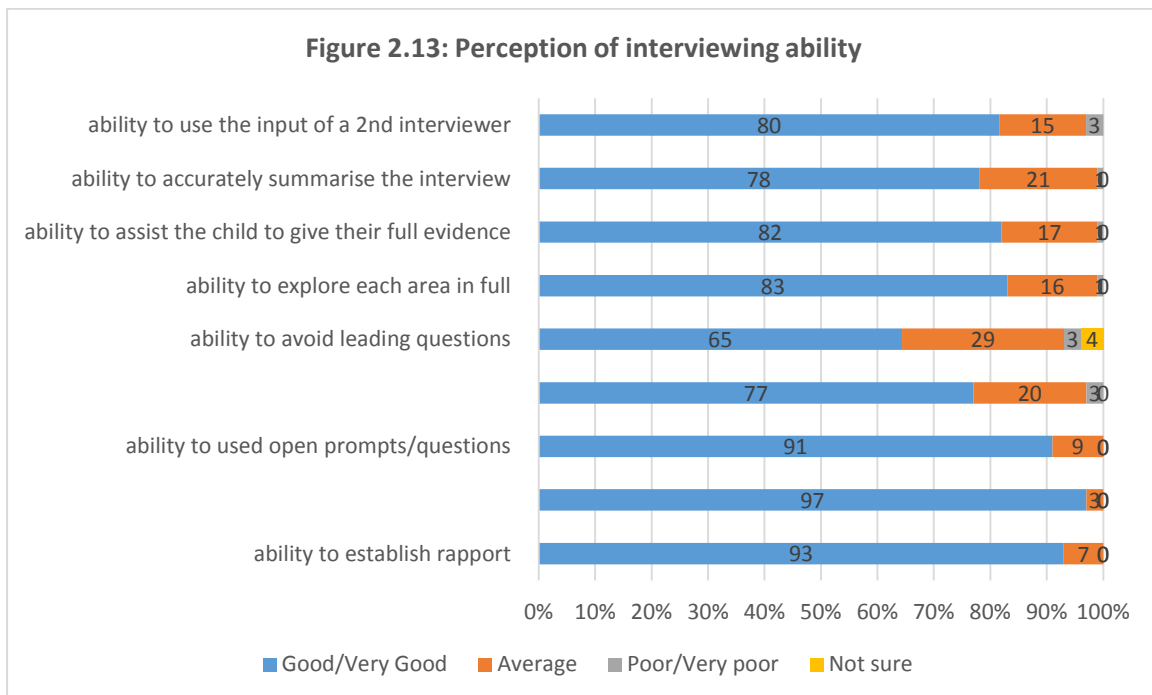
- The majority report thanking the child for their time, summarising what the child had told them and checking with a second interviewer always or usually. However 1 in 10 reported never or rarely summarising what the child had told them.

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Perception of interviewing ability

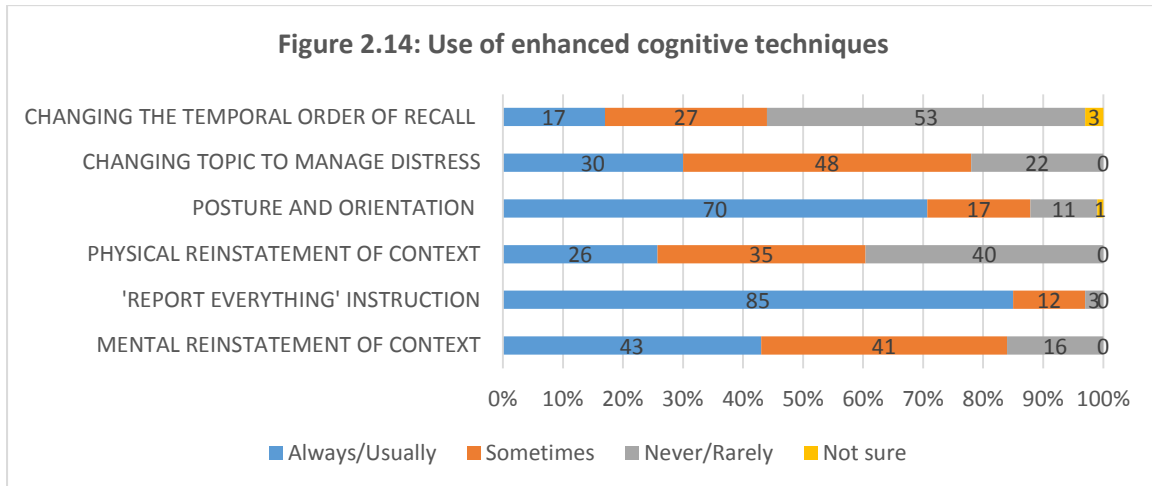
- The majority rated their interviewing ability across a range of areas as good or very good, although between 20-30% rated their ability as average in terms of avoiding leading questions, summarising skills and using closed questions to get specific evidence.



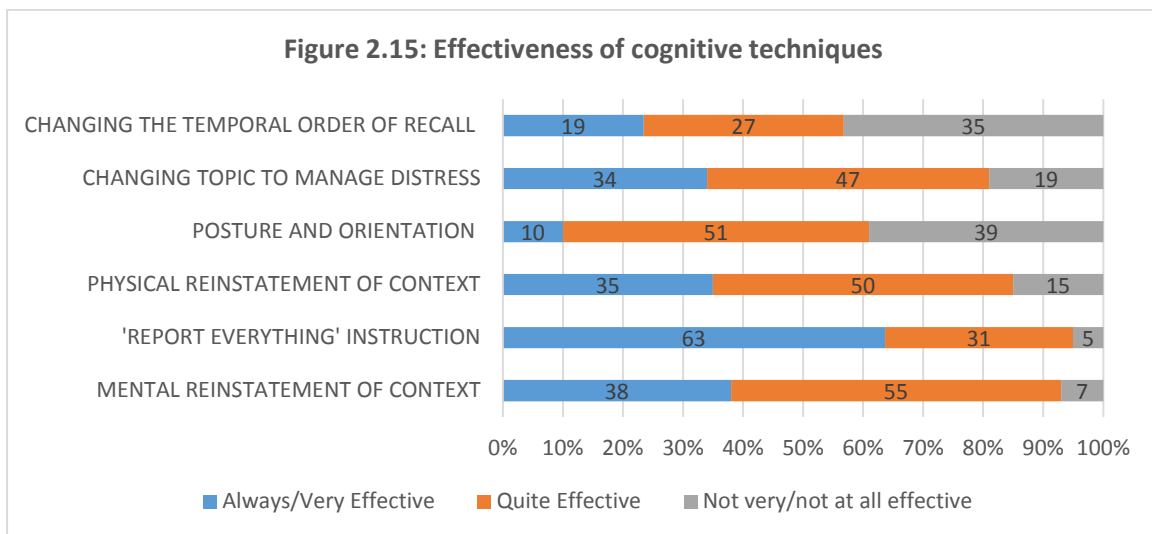
Use and effectiveness of enhanced cognitive techniques

- The ‘report everything’ instruction was the cognitive technique used always or usually by most respondents, followed by posture and orientation. 41% reported using mental reinstatement of context always or usually, 30% changing the topic to manage distress and 26% physical reinstatement of context. Changing the temporal order of recall was the technique least commonly used.

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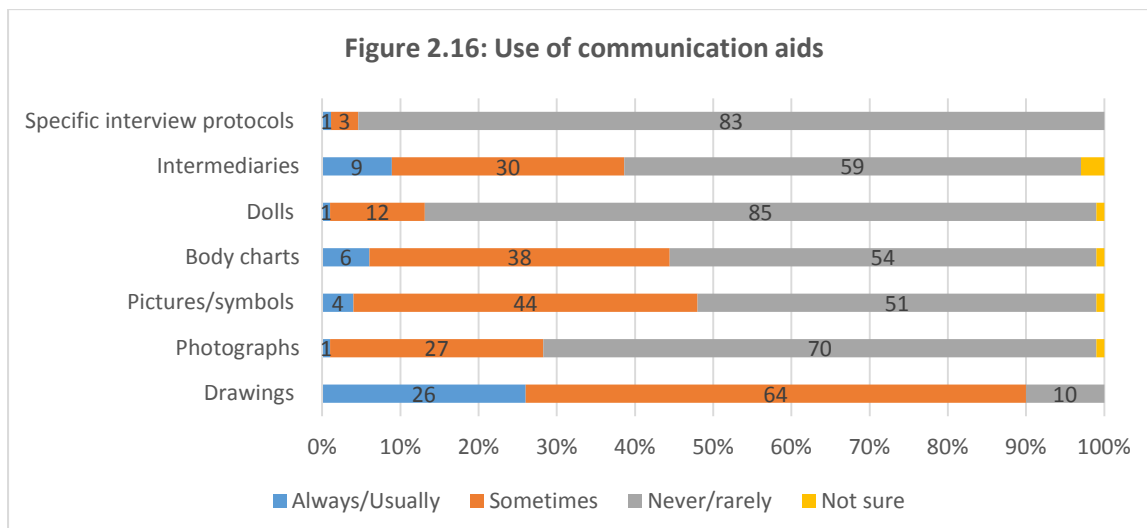
- For those who had used the different techniques the ‘report everything’ instruction was rated as the most effective followed by mental reinstatement of context and physical reinstatement of context. Posture/orientation and changing the temporal order of recall were rated as the least effective.



Use and effectiveness of communication aids

- Drawing was the most commonly used communication aid with 90% reporting using this always, usually or sometimes. 15% reported always, usually or sometimes using dolls, 17% specific interview protocols, 30% photographs, 41% intermediaries, 46% body charts, 4% pictures/symbols.

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- Of the respondents who reported using communication aids almost all reported them as always, very or quite effective. Few participants reported them as ineffective.
- Qualitative comments indicated that respondents found using props/communication aids effective with young children to help engage and focus them during the interview. Some recognised that depending on the age of the child props could also act as a distraction, others noted that they would only use them in the exception or highlighted a lack of availability of props. Registered intermediaries were also highlighted by some as a welcome addition to help communication.

“I use a gingerbread shaped body as a body chart if required. This was suggested by Triangle for younger children”

“Several colours of pencils are very useful”

“Depending on the age/ability of the child a prop can be a distraction”

“Sometimes a prop i.e.; a toy/doll can be a distraction”

“Would only use in the exception, however they are of the most assistance in describing layout of surroundings, i.e. room or house”

“We have no props or dolls. I use a page of paper or a body-chart just”

“The use of RIs is an excellent tool to assist in communication and I would thoroughly recommend them”

- In response to more specific follow up questions related to how interviewers facilitate rapport and free narrative one officer indicated how she would approach this if the child was struggling or the offender was a family member, using drawings and asking them about sights and smells where appropriate.

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During the PIA I explain in detail the format of the ABE interview and the fact that after I have gone through the ground rules this will then be their opportunity to give their account. I explain the ground rules during the PIA and then go through them in more detail during the ABE. If they are struggling I recap what they have said and ask them if they can tell me anything more about what happened. I might ask them if they can remember any smells or sounds as well as visuals. If the interview is in relation to a family member I will initiate conversation about the family and on occasions use diagrams or get them to draw the family members. When the children are very young it is usually necessary to use direct Qs and to be specific about what we are talking about - “I want to talk about daddy”. This will follow “conversations” with the child about their other primary family members.”

She also provided detailed information on the ways and circumstances in which she would use the report everything instruction and mental reinstatement of context:

“After the ground rules I start the free narrative with “I want you to tell me everything about in as much detail as possible” I will use this throughout the interview when I have broken the child’s account down into specific topic areas and explore each topic area with this opening.”

“I only use this technique (mental reinstatement of context) if the IP is having difficulty remembering details. I am mindful that by taking someone back to the incident it can be very traumatic and may actually hinder the flow of information from the IP. I will ask them if they can remember any smells, sounds or visuals and get them to describe the room or location. By taking them on a “tour” of the room / location this too has the effect of placing them back there and helps evoke memories. I try to use pauses but find that these usually work better with adults and teenagers as opposed to young children.”

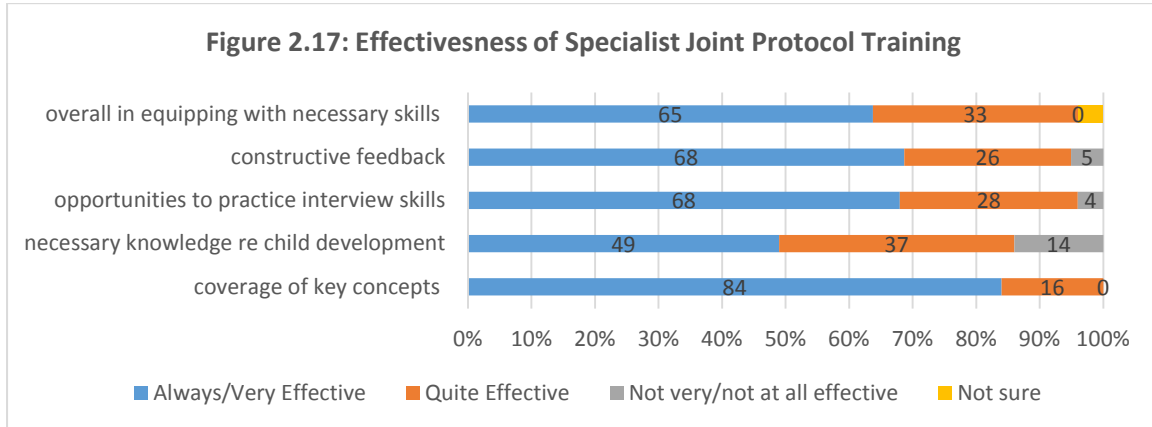
When working with very young children, as with other participants, she highlighted the benefits of having intermediaries, using pictures and sketches and having occasional “chats” during the interview about neutral topics previously discussed in the rapport building stage.

2.5 TRAINING, MONITORING AND REVIEW

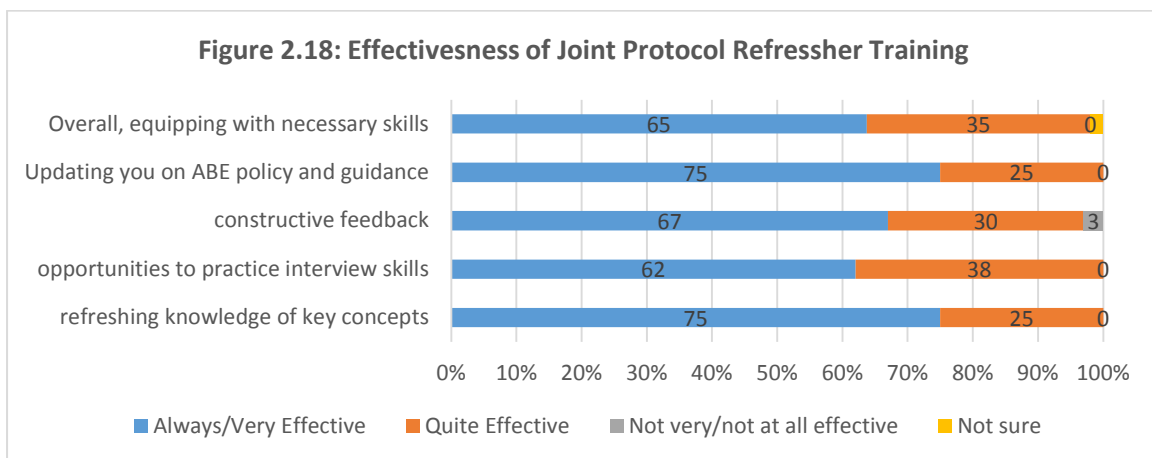
- **Joint Protocol Specialist Interviewer training** had been completed by 70% of the sample with over 90% in the past ten years. The majority who had received the

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training rated it as effective across all the domains measured with 65% reporting it as always or very effective in equipping them with the necessary skills and one third as quite effective. Providing the necessary knowledge with regard to child development was considered the least effective area of training.

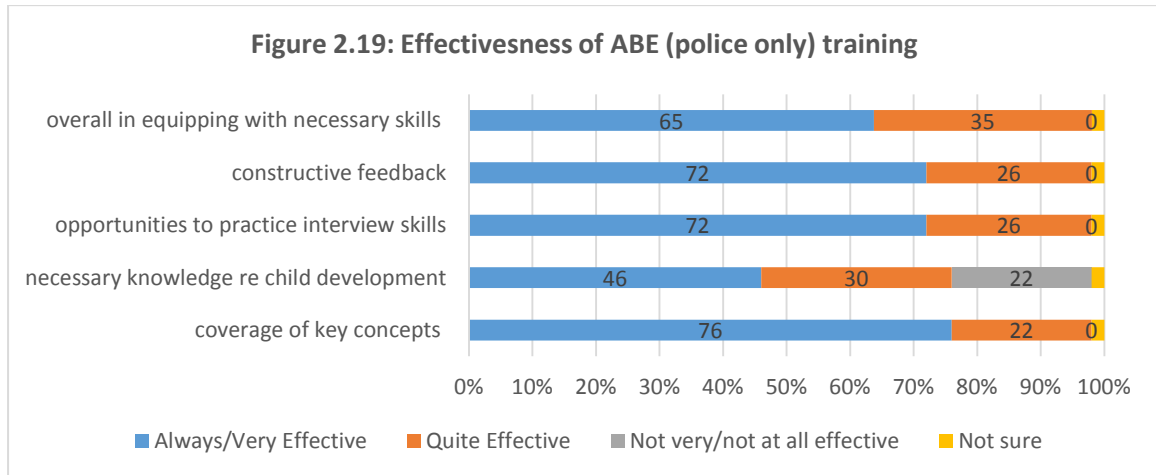


- Joint Protocol Refresher Training had been** completed by 50% of those who had completed the original specialist training with 75% having completed it once or twice. Almost all respondents rated this as always, very or quite effective across domains.



- ABE (police only) training** – this had been completed by 57% of the sample, 93% in the past 10 years. Almost all participants reported it as either always, very or quite effective across domains with the exception of providing knowledge with regard to child development with 22% rating this element of training as not very or not at all effective.

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- Qualitative comments made further suggestions for improving training, although a number acknowledged there was no substitute for practical experience. Suggestions included: doing an interview before the course and then at the end of the course and examining the differences; doing more practice interviews; coverage of technical aspects of equipment use and sourcing; and a point of contact to seek assistance.

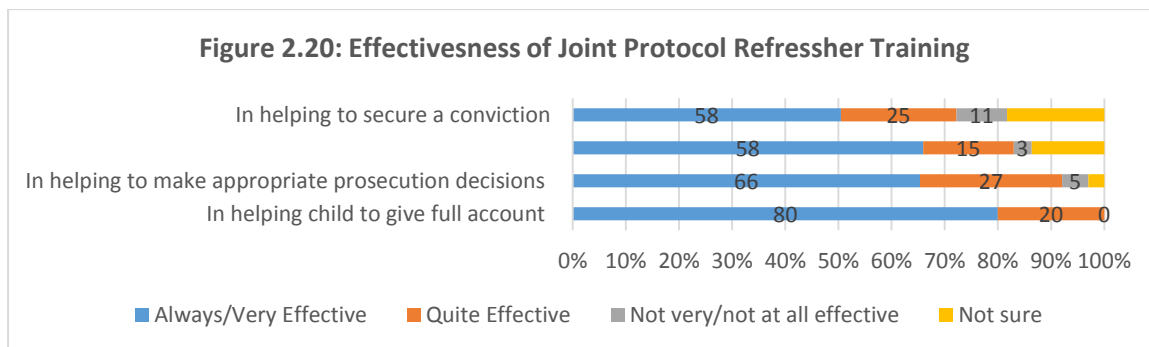
Monitoring/Review

- 10% reported always/usually having their interviews reviewed by a supervisor/manager while 90% reported this happened never or rarely. Where this had happened two thirds found it useful.
- 70% reported always or usually reviewing the interview themselves afterward and 30% reported doing this never or rarely. Where this had happened almost all found this useful.

2.6 OVERALL IMPACT OF ABE

- 80% viewed ABE interviews as always or very effective in helping the child to give their full account, 66% in helping make prosecution decisions and 58% for both helping reduce the amount of time the child spends giving evidence and helping to secure a conviction.

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- Qualitative comments were positive about the ABE process but pointed to the nature of how child witnesses are questioned as an on-going problem:

“ABE's do 'level the playing field' but they are not the be all and end all. It is good to capture their witnesses account early on especially with delays in our criminal justice system.

“I believe it is an appropriate method of obtaining evidence from children and young people, the treatment of them as witnesses is a different matter”

“It is difficult to judge whether the use of ABE interviews as evidence in chief assists in leading to convictions particularly as currently the special measure of pre-recorded cross examination is not used in NI”

“My personal experience is that children are subjected to lengthy cross examinations about their video interview which may have taken place 2years plus before. This is often traumatic”

SECTION 3: FINDINGS FROM STAKEHOLDER FOCUS GROUPS

3.1 The key purpose of ABE interviews

All participants took the view that the main purpose of ABE interviews was “evidence in chief”. However, other purposes were also described. PSNI trainers indicated the interview could also be a means to develop ‘*strategies for the investigation*’ whilst police participants highlighted how one role of the ABE interview was to make the evidence presentable in court so that the child does not have to relay it directly in the courtroom. Police also indicated that, in cases where the threshold of criminal offences is not reached, the ABE interview may still have a purpose in terms of gathering intelligence about persons of

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concern as well as facilitating the gathering of information beneficial for other services in terms of ensuring the child's welfare. The YWS also highlighted one purpose of ABE interviews was to get the child/young person's account as soon as possible without a significant time delay between incident/event and interview in order to ensure detail and accuracy of evidence. Like the police they also highlighted a number of ABE aims related to the child's well-being such as avoiding the child/young person having to re-tell their story and being further traumatised as a result – providing a record of the child/young person's evidence/disclosure; making the process of giving evidence less traumatic; and allowing the child's needs to be identified, based on what they have experienced, and for therapeutic work to be carried out based on these needs.

In terms of the perspectives of different stakeholders, prosecutors felt that both they and the police shared an understanding that the central aim was as 'evidence in chief' with the police investigation being secondary. The PSNI trainers suggested that social workers can see the interviews as more '*therapeutic interviews*' than the PSNI do and that they tend to see the process as police led without necessarily grasping '*their key role in the process*' or how ABE's are used within the criminal justice system. Likewise police participants thought social workers who are joint protocol trained understand that the main purpose is to gather evidence for court but that they also see the process as a way to gather information to assist their planning in terms of the child's welfare, needs and protection. While this was recognised as important, some participants stated that sometimes they were asked to facilitate ABE interviews inappropriately, e.g. in cases where there were contact disputes, etc. and that they had to resist these requests. The YWS commented on police and prosecutors being more interested in criminal justice outcomes suggesting that there needed to be a greater focus on the child's experiences and the needs of the child and providing support. While they noted that many police officers and prosecutors were very child-friendly the YWS felt that social workers were probably more focused both on gathering evidence and on making an assessment of the child's needs. However they recognised the long gap between social work involvement in the initial interview and that a case going to court may make it difficult for social workers to envisage the end goal.

Police also highlighted a general feeling that prosecutors were not enthusiastic about ABE interviews and that they would prefer the traditional model of a written statement followed by evidence in chief being given in court. The reason given was that prosecutors liked order in the way evidence was presented and, although this could be achieved in a written statement, ABE interviews tended to be 'all over the place' as interviewers take their lead from the child and try to go at the child's pace. To a degree this perception was supported by the views of prosecutors who commented that ABE interviews could be 'rambling' and could 'jump' around a lot, particularly in the free narrative phase. When asked, prosecutors indicated that they had no involvement in police training or were not necessarily aware of how free narrative was emphasised or why. A compounding factor noted by participants was that interviews were often edited/redacted and some participants stated that this could lead to them being difficult for a jury to follow or make sense of. Registered intermediaries also demonstrated an awareness of the purpose of ABE as a means of evidence gathering

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with their role to facilitate the child to give their best evidence. They discussed a developing awareness of the ABE process and highlighted recent training from the PSNI trainers as being particularly useful in understanding the structure and guidance.

3.2 What makes a good ABE interview?

PSNI trainers strongly suggested that good preparation was key to a good ABE but recognised that time/resource constraints might make this variable in practice. This was supported by police interviewers who felt that good ABE interviews were built upon thorough planning and having time to build rapport with the child beforehand but that these were often a 'luxury' or a 'rare occurrence' in actual practice. Police participants stated that they often had to carry out interviews with limited planning and only a short period of contact with the child before the interview took place. Police, prosecutors and YWS staff also discussed the importance of interviewer skills in good ABE interviews with prosecutors also highlighting that interview skills, not just in generating free narrative but in focusing the interview on specific evidential details, were extremely important. Prosecutors noted how grounding the discussion around key events, times or places helped to structure the interview and focus the children, particularly if they were very young.

Prosecutors highlighted how good officers communicate well with the child, take account of the child's body language and position and ensure they are making eye contact. They commented on how skilled and experienced officers used visualisation techniques, asking the witness to imagine the scenario in their head and then describe what they see, and that this seemed to be particularly effective. They also noted how less experienced officers could sometimes use leading questions or misinterpret the evidence, taking the interview down the wrong track. Nonetheless, they recognised, as did other participant groups, that conducting ABE interviews was an immensely difficult task for officers and were of the view that this was generally done well. The recent change of not using ear pieces to communicate with a second interviewer was also highlighted. The current practice of leaving the room and consulting with the second interviewers was considered to be an improvement as the use of ear pieces had been previously found to be distracting to both the interviewer and witness. This was supported by registered intermediaries who commented on one case where they felt the ear pieces had detracted from the child's focus and quality of evidence.

When discussing examples of good ABE interviews, one police interviewer described how the use of a registered intermediary to assist in communication had been invaluable. The interview was with a 4 year old girl who had been raped and, following assessment by the RI, it was decided that the best mode of communication with her would be via diagrams and drawing. This produced very clear evidence of a number of offences. Participants generally felt that the introduction of RIs had been very beneficial as, previously, there was a tendency to shy away from conducting interviews with very young children due to communication issues. Another participant recounted an interview with a 13 year old girl who was very clear about the purpose of the interview and gave a very clear account of the offences that had been committed against her in her free narrative. There was very little

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questioning by the interviewers and, therefore, little scope for the defence to challenge the interview process.

Registered intermediaries commented on the 'superb' interviewing skills of some interviewers who were able to adopt child friendly language and keep the child focused. They also discussed largely positive experiences with police interviewers being willing to take on board their recommendations and suggestions and felt, over time, good working relationships had been established. A member of the YWS team also described a very good ABE interview she had seen undertaken by a police officer with a very young child a number of years ago. She stated that the interview was very good because the child had been allowed to use drawing as a medium to allow her to describe what had happened to her. The interview was child-friendly, she was allowed to move about the room freely and the interview went at her pace. The participant stated that when the defendant saw the interview played in court he pled guilty. There was some discussion of the fact that this interview occurred quite some time ago and that the use of materials, drawing, etc. was not seen very often in the ABE interview process. This was a point also picked up by prosecutors who were of the view that, while ABE practice was generally good and had definitely improved in recent years, practice seemed to be somewhat behind other UK jurisdictions in terms of providing child friendly interview environments and communication aids.

3.3 The importance of planning

All participants across professional groups indicated that planning was extremely important to delivering a good ABE interview, although police interviewers, the Young Witness Service and PSNI trainers indicated that appropriate time was often not given to this. Police stated that planning was crucial but that there was often not sufficient time. They acknowledged that it was possible to get a good ABE interview without much planning but noted that this was largely dependent on the ability of the child. Police interviewers also stressed the importance of the role of the second interviewer in suggesting questions/areas for further exploration but highlighted how sometimes second interviewers were reluctant/hesitant to speak. The importance of having adequate planning time to discuss roles and responsibilities in this context was discussed and police indicated that, in the majority of cases, police officers acted as interviewer and social workers as second interviewers.

Trainers were also aware from specialist interviewers (SI's) that, in practice, the time to plan effectively could be severely reduced by workload and other issues. There were some comments that the police PJ4 forms should reflect the planning process but, based on their experience, these were often not completed very well. Trainers also commented that the pre-interview assessment (PIA) and 'rapport' stage could be very important in producing effective planning but felt that staff conducting PIAs and ABE interviews did not always allow any real time for planning these and the information obtained in the PIA was not always carried forward to the ABE interview (as the ABE interviewer was not the same as the person who did the PIA). Similarly YWS staff felt that interviews tended to be undertaken very much on the basis of who was available to do it on the day and suggested a

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greater focus on attempting to match the skills of the interviewer with the child/young person and their needs, although it was acknowledged this may be difficult to achieve in practice.

Registered intermediaries stressed the importance of planning and assessment and their role in assisting interviewers not only to understand the communication needs of the child but also in providing them with alternative strategies to facilitate communication. RIs indicated that they spend a lot of time with the child before their formal interview assessing their needs – this was identified as both a form of preparation and rapport building in the sense of building a relationship with the child and helping them develop an understanding of what was required in the formal interview process. They often used small tables and chairs not just as a means of providing a child friendly environment but also establishing an expectation that, at the table, the child is there to do 'work' and this would be the same in the interview. RIs also indicated that they usually encouraged the police interviewer to be present at the assessment session to establish rapport with the child and to better understand their communication needs and style.

3.4 Good practice in each of the four stages of ABE interviews:

Rapport stage – All participant groups emphasised the importance of establishing good rapport with PSNI trainers indicating that this should start well before the interview itself: *'start it as early as you can, helps the child to know you and vice versa'*. Good rapport was considered essential by trainers to developing communication, entailing the SI using appropriate, open questions on neutral topics, so the child could begin to understand the style of the communication required. The rapport stage must also include the *'ground rules' and the permissions*, which can be done before the interview and again, briefly, at the start of the interview. Although rapport does not need to be seen on camera as it is not evidence, prosecutors also stressed the importance of building a relationship with the child. From their experiences rapport generally appeared to be good but they also noted a lack of continuity with children often not being formally interviewed by the same officer who took the initial disclosure. Cases in which witnesses were uncommunicative would not necessarily reflect an inability to establish rapport but may be more about where the child is in terms of the disclosure process. Prosecutors recognised that obtaining the necessary information in a one off interview would not always be possible and felt that where a child was uncommunicative and an interview simply wasn't working that consideration should be given to taking a break and restarting the interview, bringing in a different officer or holding it on a different day. Whilst it was understood that this could leave them open to attack from the defence at court, prosecutors indicated that as long as the reasons were properly recorded and justified, it was their job to be proactive in court and represent the needs of witnesses. They recognised that not all cases would fit into the 'ideal' ABE scenario and needed to be worked with more flexibly to facilitate the child giving their evidence in an appropriate way.

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Registered intermediaries also discussed how the lengthy process of showing the child the interview room, the equipment, going over ground rules, truth and lies etc. was often distracting for the child and left limited time in the interview proper where the child would be able to concentrate. They suggested shortening this or recording it separately, if it was required to be seen on camera, to help make the interview phase more effective. They felt that where children had difficulties with concentration the interview needed to be as brief as possible and enter the substantive phase as quickly as possible. Pre-interview assessment conducted by RIs in conjunction with police often constituted substantial rapport building which lessened the need for this to happen directly before the ABE.

Free Narrative - PSNI trainers emphasised the importance of getting a good free narrative, '*facilitating a full lengthy free narrative, without asking questions*', as being the most important phase in practice. One trainer characterised it as asking '*big open questions*', using a '*nice easy pace, and not 'clos(ing) it down too quickly*'. They thought SIs were able to do this but needed to practice this regularly to build up and sustain their skills base. Likewise, YWS participants felt that good practice in the free narrative stage involved the interviewer enabling the child/young person to describe what happened using his/her own language. They noted that this stage was influenced both by the skills of the interviewer and by the characteristics of the child, stating that some children needed help to tell their story and that good interviewers recognised this and were able to prompt the child, using open questions, to enable the child to tell as much as they could in as much detail as possible before engaging in more detailed questioning and clarifying.

Registered intermediaries were also very aware of the importance of free narrative and discussed the assessment of children as contributing to an understanding of their ability to generate free narrative, sometimes using neutral pictures e.g. cars and asking the child to tell them everything they could about the picture to inform their assessment. They stressed the importance of always trying to facilitate some degree of free narrative as extremely important to the formal interviewing process. They also talked about encouraging children to construct a chronological story, either about a popular fiction topic, e.g. Disney Frozen film, or about a neutral topic such as what happens after getting out of bed in the morning, as a way of helping the child understand the importance of sequencing which they could then apply in the interview. They found pictorial sequencing to be particularly helpful for those children who struggled to do this in free narrative and often drew stick figures and line drawings in the formal interview to provide visual cues followed by open questions such as 'and what happened after that'.

RIs were also very aware of the limits of free narrative for very young children or those with significant learning or other disabilities, indicating that a simple instruction to 'tell me everything about that' would often only generate unfocused dialogue which would have no evidential relevance. One discussed a particularly young rape victim aged 2-3 years where a general open question would not have been appropriate. Instead a line drawing of her

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house was used to help her identify who lived with her. The RI then drew a face for each of the people she lived with and encouraged her to talk about the good things she does with them and the 'not so good' things. As the child worked through the different people she then spontaneously started talking about the offender and the interviewer was then able to draw out the relevant evidential details. The RI felt that this more focused approach had provided a much better framework for the interview than a purely verbal free narrative approach. RIs were aware that direct questioning was to be avoided wherever possible and devised ways of using drawing, pictures, models and stick puppets to engage the child in general free narrative discussions that might facilitate the child spontaneously providing offence relevant information.

However, they also highlighted cases where the severe nature of the child's disability and the extremely limited nature of their communication skills meant that verbal free narrative might only amount to 2-3 words. An example given was of a child witness who could mainly communicate through Makaton –a language programme which uses signs and symbols to help people to communicate. In this instance the RI had to devise a specific set of symbols to facilitate the child's communication on both neutral and potentially offence relevant information during the ABE interview. As the RIs noted, in these types of cases, this form of communication is the witnesses' equivalent of free narrative. While it remains to be seen how such cases will proceed at court, giving children who would previously never have been formally interviewed the opportunity to tell their story is an essential first step in taking the case forward both in terms of investigation and safeguarding.

Questioning - PSNI trainers felt that good practice in questioning should reflect the training SIs had received. Some comments stressed the importance of having a structure to questions, rather than asking *'random questions as they come into your head'*. This would involve starting with whatever way the child has remembered events in free narrative, giving good instructions to the child (depending on their age and stage of development), using 'topic areas' and telling the child they are going to 'sit and listen' and then move on to another topic. SIs are taught to use a 'questioning funnel' which starts with open questions and then moves on to specific or closed questions. One trainer thought that topic boundaries needed to be used more to help the child structure their evidence and another stressed the importance of use of the second interviewer to ensure coverage of all relevant issues at the end of each topic area. Trainers also thought that interviewers needed to be more proactive in communicating with the second interviewer and that this should be part of the planning process. Interviewers also need to prioritise relevant material from the free narrative phase to make sure that *'potential difficult parts of the interview are not left too late for the child, who may be tired and anxious'*.

As with trainers, YWS participants felt that good practice involved avoiding leading questions, asking open questions, as far as possible, and using the child's own

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language/words when asking questions rather than adult language or jargon. One participant described an interview in which a police officer had used adult language to describe a body part that the child would not necessarily have used. The child, however, did start to use this word during the interview without fully understanding what it meant. Participants also felt that it was good practice for interviewers to use a range of questioning techniques to probe, gather further details and to summarise what the child had said in order to check out understanding. Good interviewers, they stated, sought out the detail and enabled the child to tell more (e.g. a description of the alleged perpetrator, of the environment in which the incident/event took place, etc.). In summary they felt that good practice was evident in interviews where the interviewer enabled the child to give as much detail as possible, using open questions, but also recognised when they needed specific detail and asked direct questions in order to elicit that detail from the child/young person. This point was reiterated by prosecutors who stressed the importance of using questioning techniques to break down relevant details into bite size pieces of information. Overall they felt that the police interviewers did a good job in very difficult circumstances.

Closure – While much of the closure phase takes place outside of the video interview, it was deemed important by all participant groups as a means of ensuring that the child had an opportunity to ask any questions. YWS participants highlighted it as an opportunity for the interviewer to summarise and check out their understanding of what the child/young person had said. They also felt that it was important for the interviewer to be honest with the child about what might happen next and that it should be left open for the child/young person to come back if they remembered further details. Getting an assurance from the child that they had ‘told everything’ could potentially be problematic in court if further information is given and could lead to claims by the defence that the child was lying. Registered intermediaries also highlighted the effective use of summarising and checking for clarity not just at the closure phase but throughout the interview. Some officers reported that this was not recommended in practice as it could make the interview too long or introduce inconsistencies but felt that it could be effective in clarifying important information.

3.5 How does the ABE process facilitate evidence gathering with specific groups of children? (e.g. those who have difficulty communicating because of age or cognitive ability)

Trainers thought that the ABE process was generally effective in recording children’s evidence in chief (EIC), a view supported by YWS participants who felt that, overall, it was effective in facilitating the gathering of evidence from children and young people, especially in relation to sexual abuse cases. There was acknowledgement, however, that the process

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could be difficult for very young children and children with specific needs, such as communication difficulties or disabilities. One participant talked about an interview she had viewed with a child with autism who had largely been unable to engage in the process. All participant groups emphasised the importance of the introduction of registered intermediaries in developing better communication with particularly vulnerable groups. Equally registered intermediaries indicated that they were involved in interviewing children who previously would never have been formally interviewed, either because of their age or disability. While the RI service roll out was, and continues to be, a major learning experience for all stakeholders involved, it appears to be making a real difference in helping vulnerable children give their evidence.

Prosecutors, on the other hand, indicated that sexual offences were generally difficult given their sensitive nature, particularly for teenagers and thought that better ABE interviews tended to be with those victims who had made clear disclosures. They highlighted disclosure as a process rather than a one-off event and that the detail gained in an interview would often relate to where the witness was in this process and whether they were 'ready to tell'. In some cases the witness may not be ready to give detailed evidence, an issue complicated by the fact that offenders often target those who are particularly vulnerable. They highlighted how the pre-interview assessment conducted prior to a formal ABE interview helped clarify issues around willingness to disclose and were generally of the view that they didn't tend to see many ABEs where the child was unwilling to disclose. However, they did note that for some very young children they have seen interviews where the witness tended to 'just jump around and not really say much'. An example of a child making numerous disclosures to a social worker but not giving any more details on camera beyond that 'mummy beat them' was given to highlight this.

Prosecutors discussed the facility within the system to revisit the offence and reopen a case if necessary. In discussion about the advantages and disadvantages of multiple interviews, while recognising this was not ideal, prosecutors emphasised their own role in presenting issues to juries and the judiciary, highlighting the needs of children and explaining why they may not disclose or may require multiple interviews. They talked about cases involving multiple offences being conducted over multiple interviews being successfully prosecuted. Breaking multiple interviews into a sequence of different events in cases involving multiple offences was considered more appropriate than going back over evidence that had been given in previous interviews, as this could impact on perceived consistency in court. YWS participants also commented on the need to rethink expectations that a 'one size fits all' approach should suit all children and young people and for the interview process to be tailored more to the individual needs of the child.

3.6 Do ABE interviews provide a coherent narrative of the alleged offences that enable offender identification, prosecution and/or conviction at court?

Generally, trainers thought the process should allow this narrative to come through but that it would be dependent on the skills of the SIs. While one trainer thought that it did not always add to the identification of offenders (as they could be known or other parts of investigation could uncover this), YWS participants felt that ABE interviews were particularly effective in enabling offender identification. They stated that this was often a key focus of

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the interview and that police officers were especially were good at enabling the child/young person to be clear about the identity of the alleged offender. In relation to prosecution or conviction, some YWS participants described ABE interviews as adequate and some as good at facilitating this. However, they stated, that the real difficulty occurred in court as the child/young person still had to undergo live cross-examination. This was felt to be a particular difficulty especially if the ABE interview had been inadequate in eliciting sufficient detail from the child/young person or if the interviewer had failed to check out and clarify understanding of what the child/young person had said. Prosecutors also highlighted that the lack of a criminal conviction did not necessarily mean that there had been a poor investigation or prosecution but that other factors could lead to acquittals such as the perceptions of jurors and reliance on stereotypes of how victims should present or behave.

Prosecutors also highlighted using the ‘bench book’ as a way of guiding members of the judiciary to advise juries on key issues such as manner of witness dress not being relevant to sexual offences, or of the need for a child’s communication difficulties to be taken into account. However they also indicated that use of the bench book in practice was variable. Lack of an adequate case management system for court cases was also highlighted as a major issue, pointing to how the case management system used in England could help to reduce delays and give the case focus. They felt there was a general unwillingness amongst the NI judiciary to adopt this and, consequently, there was considerable drift in NI cases. They indicated that the defence statements they receive prior to trial rarely say anything beyond denial of guilt and so give little in the way of focus for the case. As prosecutors they, on the other hand, needed to disclose almost everything and this imbalance could lead to ‘fishing expeditions’ where the defence would routinely seek as much information as possible with no real direction or goal beyond tripping up the witness or identifying discrepancies. In summarising they felt that if the defence are not required to identify their issues in the case and clearly set out what their defence is then this may result in cases taking longer to get to trial and at trial could result in lengthy, unfocused cross examination of the vulnerable witness.

3.7 What do you think your organisation can do to make all interviews good interviews? What can other organisation can do?

Participants made a range of suggestions for assisting the development of more consistent good practice:

Training

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- Social work SIs might benefit from accessing additional ‘investigative interviewing’ training that the PSNI provides for their own officers (with the caveat that the SWs need to commit to this area of work for a number of years).
- Regular update training for both police and social work interviewers and greater focus on child development and the impact of trauma on children and young people.
- Training for interviewers, especially social workers, should involve attending court to see how the video is used and the cross-examination of the child/young person. Participants felt that this would emphasise the importance of gathering detailed and unambiguous information during interviews.

Operational (Police/Social Workers/Registered Intermediaries)

- Establishing an ‘interview team’ and ‘case progression team’ team within PSNI to assist in single agency investigations (The PSNI train officers on ABE who do not use it regularly in their work).
- Establishing teams of social work SIs – sometimes they are not available – and enabling them to regularly assume the first interviewer role. Perhaps develop regional or local rotas to help the PSNI have easier access to trained SWs. One suggestion was co-located child abuse teams of SWs and PSNI officers, perhaps one in each of the new 5 PPU, who do the PIAs and the ABE interviews. It was thought this work would cover out of hours etc.
- Locations – ensuring interviews are carried out in locations that are as neutral and child-friendly as possible.
- Dealing with delay – participants noted that there was often a lengthy delay from the interview being conducted and the case coming to court. This could create difficulty for young people who had matured significantly in the interim period and who may use different language than they used at the time the interview was undertaken or be embarrassed by the language that they used and not want to repeat it.
- The need for ongoing contact and information for the child and family after the ABE interview – often this is lacking; Greater clarity and consistency regarding pre-trial therapy for children and young people.
- Need for debriefing/support for RIs to minimise negative emotional impact on them

Operational (Prosecution/Court)

- Increased consultation between the prosecutor and the child before court – this often occurs at the last minute and is rushed.

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- Ensuring that children and young people are given the opportunity to view the recording of their ABE interview prior to court. Often this occurs on the day of court and, in many cases, it does not occur at all.
- Reducing time spent prior to the substantive part of the interview where the child is very young or is likely to have difficulties concentrating.
- Introducing a case management system in NI courts to improve delays, focus the case and support and protect child witnesses better
- Using the bench book to inform judicial guidance to juries
- Educating juries to better understand how victims react to trauma and child cognitive capabilities

Monitoring, Feedback & Review

- Potential for YWS practitioners, given the number of ABE interviews they view, to provide general feedback on their quality although they felt that this should be general rather than in relation to specific interviewers.
- Improving quality assurance of ABE interviews by line managers has been an issue – this rarely happens in practice
- Identifying what is a ‘good interview’ (and perhaps not so good) and sharing that learning with other interviewers.

3.8 The overall quality of ABE interviews

Prosecutors, the YWS, PSNI trainers and registered intermediaries all recognised the difficulties inherent in conducting ABE interviews and felt that overall the police interviewers did a good job in pressurised and uncertain circumstances. All stakeholder groups could point to examples of excellent interviewing with registered intermediaries in particular highlighting positive experiences of working with highly skilled and motivated officers. Trainers, as well as other stakeholders, thought there could be quite a lot of variation in practice and attributed poorer practice to issues such as ‘*skill fade*’, ‘*bad habits*’

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and ‘lack(ing) structure’. They also stressed the importance of police and social workers working together more regularly. In summing up their view they felt that the ABE process was certainly a benefit for the child giving evidence and was continuously evolving. Likewise, registered intermediaries pointed to on-going developments to better meet the communication needs of vulnerable children, highlighting how the system is now able to facilitate groups of children giving evidence who previously would never have been interviewed.

SECTION 4 - RESEARCH REVIEW OF KEY PRACTICE AREAS

The 1st stage findings indicate that practice interviews are rarely used by interviewers and, while the use of enhanced cognitive techniques is more common, some tend to be used more often than others. The findings also highlighted limited use of specific protocols, variable use of various communication aids such as drawing and others props and infrequent monitoring and review after completion of training. In order to maintain an

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evidence based approach to analysis and take account of key research developments the research team conducted a series of reviews aimed at assessing the effectiveness of:

- Practice interviews
- Specific interview protocols and enhanced cognitive techniques
- Communication aids and props
- Training, monitoring and review

Whilst it was outside the scope of the project to conduct a systematic review of the literature in each area, a focused review of the key developments and findings from recent research literature in each area and the implications for ABE practice in NI are summarised below.

4.1 Practice Interviews

Literature

The survey findings show that police interviewers in NI rarely use practice interviews. While current ABE guidance suggests that, in some instances it may be appropriate to conduct a practice interview on a neutral topic, it tends to downplay this a normative practice (DoJ, 2012). Similarly, a survey of Scottish police interviewers (LaRooy, Lamb and Memon, 2011) showed low rates of practice interviewing, despite the fact that Scottish guidance provides a clearer direction to conduct practice interviews, outlining this an element of extended rapport which acclimatises the child witness to the rhythm and expectations of the interview proper with the interviewer using the same prompts in both the practice and forensic interview. Research with children aged 4-13 years interviewed in relation to child sexual abuse has shown that training in answering open ended question prior to forensic interview produces more detailed responses during the interview. Interviewers were given a seven minute rapport script, with one condition using open ended questioning and the other more directed questioning. Children who had received the open ended training provided 2½ times as many details and words in response to the first substantive utterance compared to children who had not (Sternberg et al. 1997). Using a staged event, Roberts, Lamb and Sternberg's (2004) research with 3 to 9 year old children also showed that children gave more accurate information in response to an open style of rapport building as opposed to a more direct, closed style and were better able to resist misleading questions. However they did not replicate Sternberg et al.'s (1997) finding that children in the open condition gave more detailed reports. The authors attribute this difference to the length of time spent in the open rapport condition (mean 16 minutes), in comparison to the direct condition (6 minutes). In the Sternberg et al. (1997) study both the open and direct condition used 7 mins of rapport building, suggesting there may be an optimal amount of time spent in this phase before the child tires and concentration in the interview phase is lessened.

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Additionally, there is evidence to suggest that Narrative Elaboration Training (NET), a procedure which used practice and feedback prior to interview, significantly increases the amount of information provided in free narrative. The NET (Saywitz and Snyder, 1996) addresses the limitations children can often display in forensic interview by training them about the level of detail required when talking about the past, and by providing picture cards as external cues to report forensically important categories of information during the interview itself (see Text box 1 for an overview of the protocol format). Children are taught a strategy for retrieving details by organizing the elements of an event into five categories considered to be psychologically salient constructs that guide event recall: participants, setting, actions, conversation/affective states and consequences). Each category is represented by a line drawing on a card (see Figure 1) and the cards are used as external cues to remind children to report as much detail as possible from each category. Children practice using the cards on mock recall tasks with the overall training lasting approximately 30 minutes.

Text Box 4.1 - Format for Narrative Elaboration Interview

i. Preparation for Interview

Narrative Elaboration Training

- (a) Rationale for value of using new ways to remember better;
- (b) instructions to be complete and accurate;
- (c) introduction of new strategy for organizing recall into five categories and reporting detail in each category;
- (d) introduction of visual cues (reminder cards) to remind children to use each category;
- (e) practice using the strategy and visual cues on mock recall tasks, with feedback on accuracy and modelling of more detailed responses; and
- (f) reinstruction of (b) through (d) immediately before interview.

ii. Free Recall

The interview begins with a general open-ended question to elicit narrative description of event. If a narrative is forthcoming, the interviewer refrains from interruption until the child indicates completion ("that's all"). If completion is not indicated, interviewers prompt once with "Anything else?"

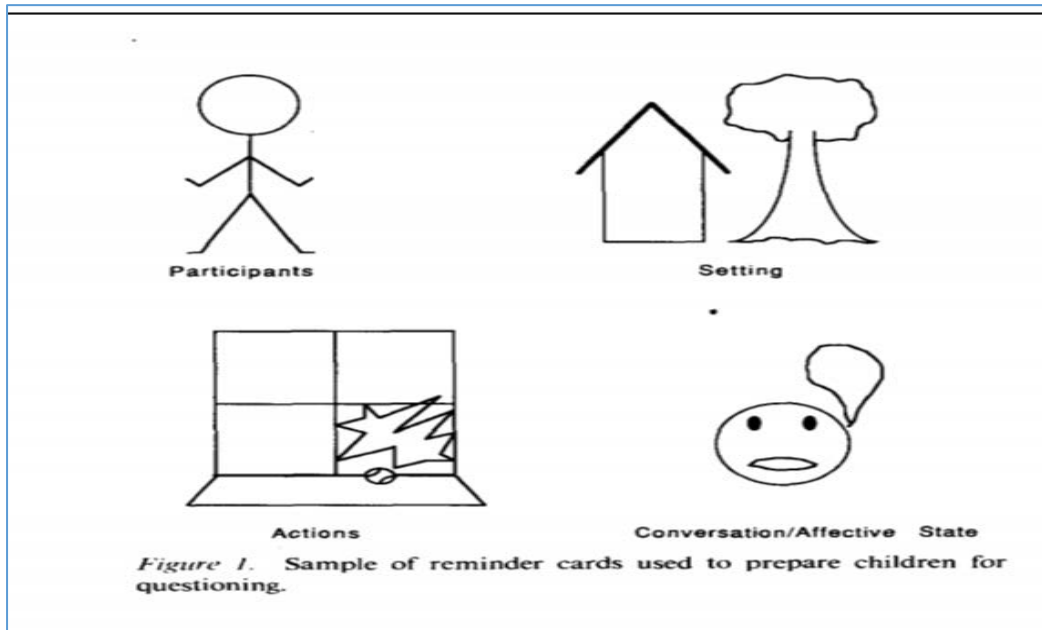
iii. Cued Recall

Children are given an opportunity to elaborate on what was reported in free recall. Each reminder card is presented individually accompanied by the question, "Does this card remind you to tell something else?"

iv. Specific Follow- Up Questions

Before questions, children are warned not to make up anything and to tell as much as they can remember.

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Research on NET has shown that:

- Children ranging in age from 3 to 11 years have demonstrated enhanced recall without making more errors in their reports of a staged event following NET training (Camparo et al., 2001; Dorado and Saywitz, 2001; Saywitz and Snyder, 1996; Saywitz et al., 1996). In one study, 7- to 8-year-old children trained with the NET performed at the same level as the 10- to 11-year-old children in the control condition.
- Research with 3–7-year-olds interviewed about a highly stressful real-life event, specifically an injury requiring hospital emergency room treatment, found that NE-trained children not only provided more information in open-ended recall but they also provided longer, more emotionally evaluated, more descriptive and more coherent open-ended recall than did controls (Peterson, Warren and Hayes, 2013).
- A shortened 20 min version of the training has increased the amount of correct recall amongst 4-6 years olds when questioned about an event they had witnessed (Bowen and Howie, 2002). Effectiveness in free narrative did not appear to depend on explicit prompting with cue cards and suggested that brief NET, like context reinstatement, can be a valuable mnemonic aid.
- There is some suggestion that where children have not made a disclosure or allegation that the NET may increase inaccurate recall and thus it is recommended that it should only be used where there is a disclosure.

Implications for NI ABE Practice

The literature points to the positive impact of using practice interviews or a form of pre-interview training in enhancing the amount of detail children provide in forensic interviews,

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particularly younger children. Practice interviews lasting only seven minutes have been shown to be effective in enhancing recall of a staged event while more specific NET training using protocols lasting 20 minutes has been shown to be effective in enhancing children's recall of a real life, traumatic event. While the use of practice interviews with child witnesses by police were uncommon, registered intermediaries in NI report that their assessment can often involve a form of interview preparation that helps children to understand the format of the ABE interview and what is required of them.

4.2 Specific Interview Protocols/Techniques

Literature

- **Enhanced Cognitive Techniques**

The Cognitive Interview (CI) and its improved version, the Enhanced Cognitive Interview (ECI), were both devised by Geiselman and colleagues with the aim of increasing the ability of police officers to obtain accurate and detailed information from witnesses through use of a number of psychological techniques.

The original CI (Geiselman et al., 1984) comprised a set of four instructions:

1. report everything- witnesses are encouraged to report everything they remember, even if seemingly not important or incomplete)
2. context reinstatement CR; witnesses are asked to mentally reconstruct both the physical surroundings of the event to be recalled and their subjective state of mind at the time of the incident)
3. change order of recall - witnesses asked to recall the event again but in a different order, for example, from the end to the beginning)
4. change of perspectives - witnesses are encouraged to recall the event from the spatial and visual perspective of another person who was also present.

The Enhanced Cognitive Interview (ECI; Fisher and Geiselman, 1992) introduced additional concepts such as establishing rapport, transferred control of the interview to witness and using witness-compatible questioning. It also introduced an additional context reinstatement instruction in which the witness is encouraged to use focused memory techniques to activate and probe mental images of the various parts of an event, such as clothing and objects (mental imagery technique; MI).

There is a broad range of studies which show that both CI/ECI enhances the quantity of information recalled by witnesses without jeopardising its quality (e.g. Beatty and Willis, 2007; Dando and Milne, 2009. Stein and Memon, 2006, Memon, 2006). The ECI can produce significant increase in the recall of correct information across a range of populations including children, children with mild learning disabilities and young adults (Akehurst, Milne, and Koehnken, 2003; Holliday and Albon, 2004). While some studies have reported a slight increase in the amount of incorrect information recalled using the CI, meta-analysis covering 25 years of research (Memon, Meissner and Fraser, 2010) concluded that the original CI and

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more recent modified versions consistently produce a large and significant increase in correct details with only a small increase in errors. However, it should be noted that the CI/EI does not appear to be suitable for interviewing adult witnesses with an autism spectrum disorder (Maras and Bowler, 2010) and can actually reduce accuracy for this group.

Research exploring police use of CI techniques in practice suggests that application of the procedure is generally poor, that the procedure is rarely used in its entirety and that some individual components, such as mental reinstatement of context, are applied more frequently than others with change of temporal order being the least likely to be used (Milne, Koehnken and Bull, 1994; Clifford and George, 1996). A large scale survey (Clarke and Milne, 2001) of novice police officers in the UK who had been trained in the PEACE interview model (Planning & Preparation Engage & Explain - which includes the core elements of the CI) found that 83% of the interviews evaluated revealed no evidence, at all, of the PEACE CI procedure having been implemented. In the remaining 17%, officers' application of individual components varied with the change temporal order and mental reinstatement being least commonly used. Given the lengthy nature of the ECI and the fact that only certain elements tend to be applied in practice, there have been a number of studies which have explored using shortened versions of the ECI or focused on the efficacy of individual and combined techniques to isolate what works best.

- Davis et al. (2005) developed a shorter version of the ECI that replaced the change order and change perspective techniques with two additional forward order recall attempts, whilst still including mental reinstatement of context. It was found to be as effective as the original ECI in eliciting a greater amount of information with the replacement of the CO and CP instructions actually producing more correct information. Results showed that ECI minus these techniques elicited 87% as much correct information as the full ECI, but took 77% of the time.
- Dando, Wilcock, Milne, and Henry (2009) investigated a modified ECI procedure in a laboratory mock witness study. The modified version comprised an alternative mental reinstatement of context instruction believed to introduce less potentially suggestive/misleading information and less cognitive load compared to the original MRC, referred to as a sketch reinforcement of context (See text box 2). The analysis compared a number of different interview types for quality and quantity of information and interview duration:
 - Peace Model CI (PCI – explaining the interview process and instructing interviewee to concentrate, never guess and to report everything, followed by 1st recall attempt with traditional MRC, questioning in the 2nd recall attempt, followed by a 3rd attempt at free recall used the change temporal order instruction.
 - A modified version of the CI (MCI) - explaining the interview process and instructing interviewee to concentrate, never guess and to report everything, followed by 1st recall attempt replacing with traditional MRC with sketch MRC,

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questioning in the 2nd attempt at recall, followed by a 3rd attempt using free recall.

- A standard structured interview (SI) – explaining the interview process but excluding the instruction to report everything, followed by a 1st attempt at free recall during which the interviewee was simply asked to explain what he/she could remember about that film, followed by a questioning phase, followed by a 3rd attempt at free recall – no enhanced cognitive techniques were used.

Results showed that interviews using MRC produced significantly more information than the standard structured interview but that modified version using sketch reinstatement produced 20% more correct information than the standard MRC and was significantly shorter (10 mins V 15 mins).

- Bensi et al., (2011) compared the full ECI with three shortened versions of the ECI and with a Structured Interview condition in an adult sample. The three modified ECI versions which involved:
 - Report Everything and Mental Context Reinstatement (RE+MRC)
 - Report Everything and Mental Imagery (RE+MI)
 - Report Everything, Mental Context Reinstatement, and Mental Imagery (RE+MRC+MI)

The mental imagery technique is a more focused version of mental reinstatement of context in which the witness is encouraged to activate and probe mental images of the various parts of an event, such as clothing and objects. Results showed that the full ECI did not elicit more total correct information than the RE+MRC+MI condition yet required more time. The change order and change perspective techniques did not seem useful in improving witness retrieval when RE, CR, and MI techniques. The RE+MRC+MI interview elicits the same amount of both correct information and correct type of details as the ECI using only one recall attempt (and a questioning phase) compared with the three attempts of the ECI.

Text Box 4.2 - Sketch plan mental reinstatement of context phase

The interviewee is asked to draw a detailed sketch/plan of the event including any details they wish and in any order. They are asked to describe each item out loud to the interviewer as they draw and are allowed as much time as they wish to both complete the drawing and to describe it. When the interviewee had finished drawing the interviewer sits silently for a further 5 seconds to allow the interviewee a period of concentration/reflection during which they add anything to the drawing. The interviewee is then asked to explain what he/she can remember about the event and is encouraged to use the sketch/diagram to explain/indicate items recalled. The sketch mental reinstatement of context places the onus on the witness to generate their own retrieval cues.

- **National Institute of Child Health and Human Development (NICHD) Protocol**

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The NICHD Protocol was developed by group of researchers at the National Institute of Child Health and Human Development (Orbach et al., 2000) with the aim of guiding interviewers through all phases of the investigative interview and illustrating free-recall prompts and techniques to maximize the amount of information elicited from free-recall memory (a full copy of the protocol is available at <http://nichdprotocol.com/NICHDProtocol2.pdf>). The NICHD involves three main stages (see Text Box 3 for an overview).

Text Box 3 - Overview of the NICHD

Pre-declarative stage - this aims to prepare the child to become an effective informer. In this stages and roles and rules (telling the truth, correcting the interviewer, saying "I don't know," saying "I don't understand") are explained to the child. The child is asked to speak about things he or she likes to do to gradually build a relationship of trust. The victim then recounts recent events unrelated to the sexual abuse to practice using his or her recall memory. This stage helps continue building the relationship of trust while helping the child understand what is expected of him or her. Through practice, the child understands that he or she is expected to give very detailed answers and becomes accustomed to the type of open-ended questions (invitations) which will be used. The stage dealing with details of the

Declarative stage – the sexual abuse is introduced with an open-ended question (invitation). The Protocol provides a series of alternative non-leading questions to be used if necessary with a victim who does not disclose anything in answer to this question. One feature of this Protocol is that it takes into consideration new discoveries about how memory functions, including recognition, recall and scenario. The Protocol structures the sequence in which the events of sexual abuse are reported (disclosure of one incident, the last incident and the first incident, and a detailed recall of one of them). This stage of the interview is conducted using open-ended questions (invitations) and questions involving specific clues given by the victim. If required, the use of close-ended or specific questions is allowed at the end of the interview.

The closing stage – this allows the child to discuss who he or she disclosed the sexual abuse to, and how the disclosure was made. This stage also ensures that the child has said everything he or she wanted to. The interview ends within an invitation to discuss another neutral subject if the child

Source – Cyr (2011)

To date, independent field studies in U.S., U.K., Israel, and Canada (see Lamb et al., 2007 for a review) have demonstrated that use of the protocol enhances the quality of information provided by child witnesses with interviewers using three times more open-ended prompts and approximately half as many option-posing and suggestive prompts as they do when exploring comparable incidents, involving children of the same age, without the protocol. The NICHD has also been shown to be effective in improving the quality of forensic interviews with very young children, aged four to six years (Lamb et al., 2007). It is

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recognised in both research and guidance (DoJ, 2012) that developmentally younger children tend to provide less free narrative than older children, although their reports are no less accurate. Some practitioners have claimed that open-ended questions often fail to elicit forensically valuable information from young children, especially 4–6-year-olds, and concerns have been expressed about the efficacy of using structured protocols with this age group. However, research examining how children of different ages respond to free recall prompts (Lamb et al., 2003) has shown that while younger children provide less overall information than older children, children as young as four can provide most of the information needed by forensic interviewers through free recall. The study highlighted how younger children respond particularly well to cued open prompts, e.g. you said he kissed you, can you tell me more about the kissing, rather than more general open prompts, e.g. 'can you tell me more about that'.

In addition to improving the information obtained from forensic interviews with children, research has also highlighted how the use of the NICHD can improve case outcomes. One study (Pipe et al., 2008) examined this relationship using 1280 cases involving children aged 2-14 years; 729 of the interviews were conducted by police detectives following extensive training using the NICHD protocol (1997-2000); these were compared with 551 cases in which interviews were conducted by the same police detectives prior to NICHD training (pre-protocol, 1994 - 2000). The results indicated that cases involving the protocol were significantly more likely to result in charges being filed. An interaction between age and interview condition indicated that the strongest effect of the protocol was for the 7-9 year old children, with 22% more cases with charges filed compared to pre-protocol interviews. Once charged, both protocol and pre-protocol interviews were both highly likely to be resolved in a guilty plea. However, as more cases were charged following the introduction of the NICHD interview protocol than prior to it, more cases in the protocol condition led to a guilty plea. Of the thirty cases which proceeded to trial, 94% involving the NICHD protocol resulted in a conviction compared to 54% of pre-protocol cases.

Implications for NI ABE Practice

Encouragingly the PSNI survey results point to higher levels of interviewer use of enhanced cognitive techniques than surveys in other jurisdictions, with the report everything instruction almost always used and a majority using mental reinstatement of context at least some of the time. In keeping with the literature, the change order instruction is the least commonly used by NI interviewers. However, given that numerous studies highlight MRC as a key component of improved interviews, increasing the frequency of its use across all interviewers and interviews would appear beneficial. While the current literature on modified MRC procedures is still developing and relies mainly on laboratory studies, it suggests that focusing on MRC and using modified techniques such as sketch plans and mental imagery has the potential both to improve the quality of information as well as reduce the length of time taken. Equally there is a wealth of evidence to suggest that the used of structured protocols like the NICHD not only improve the quantity and quality

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information but increase the likelihood of prosecution and conviction. Given that the survey findings and focus groups interviews identified interviews with very young children as particularly difficult, the efficacy of the NICHD with witnesses aged 4-6 years is of particular note and again, worth considering in the NI context.

4.3 Communication aids and props

Literature

A wide variety of communication aids and props can be used during forensic interviews with children including dolls/puppets, anatomical dolls, body charts, diagrams, drawing and other visual aids. The key rationale for their use is to provide concrete memory retrieval cues that are sensory rather than semantic in order to help extend children's search of memory and keeping them engaged during the task (Salmon, 2001). This section outlines the evidence of effectiveness relating to key communications aids/props as well as results from evaluations of using the service of registered intermediaries to assist communication.

- **Anatomically correct dolls & body charts**

Of all the communications aids/props available, the use of anatomically correct dolls has received the most attention and been the most controversial. Indeed a number of reviews explicitly advise against their use as they have been shown to increase false reports of touch and produce higher levels of confabulation than open questioning (Poole and Bruch, 2012; Wakefield & Underwager, 2003). One of the key arguments against their use is that dolls are normally used for play and introduce an element of fantasy into the interview, particularly where very young children are involved. In the forensic context the doll also acts as a symbolic representation. This requires the child to understand that the doll is a representation of themselves and be able to map their experience of a past event onto the doll in the interview setting. It is argued that this makes the use of dolls inappropriate for pre-school children as these skills are only just developing.

Everson and Boat (1997) present a more nuanced evaluation of their use, arguing that much of the evidence against their use has been confounded by leading and suggestive interview practice and it is this, rather than the dolls, which increases false reports. They highlight the wide range of uses for dolls, including building rapport, enabling children to demonstrate the language they use for different body parts, allowing them to demonstrate where they were touched or what happened following verbal disclosure and assisting children where there is reason to suspect abuse but where the child lacks communication skills or appears unwilling to talk but willing to show what happened. Likewise, Falller (2005) concludes that the selective use of anatomical dolls as communication aids when interviewing children who may be reluctant or unable to describe sexual abuse is warranted by the evidence. Salmon's (2001) review notes that accounts of children older than 6 to 7 years may benefit from dolls and other toys without a marked cost to accuracy but their use with preschool children

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should be avoided. As with any interview, suggestive and leading questioning is also to be avoided and interviewers need to maintain awareness that sexual knowledge and/or sexualised playing with the dolls is by no means indicative of abuse and must be explored further by the interviewer.

While there has been much less investigation into the use of body charts and anatomical drawings, much of the concern around the use of anatomical dolls applies to what is essentially their two dimensional counterpart; the main criticism being that while the diagrams do not facilitate fantasy in the same way that a doll might, they still require children to understand the diagram as a representation of themselves. For example, Brown et al.'s (2007) study of 58 5- to 7-year-old children recalling a staged event that included physical contact/touching found that asking children to talk about innocuous touch may lead them to report unreliable information, especially when human body diagrams are used as aids and repeated interviews are conducted across delays that resemble those typical of forensic contexts. Nevertheless, despite some concerns, the use of anatomical diagrams has been incorporated into several forensic interviewing protocols, including the RATIC protocol developed by CornerHouse and used in seventeen states across America (Anderson, 2013).

- **Drawing**

Salmon's (2001) review of the use of drawing in forensic interviews highlights how this is considered to be a 'safer' form of communication aid as it is based on the child's own retrieval cues rather than the interviewer's cues and therefore does not increase the risk of introducing inaccurate information and contaminating memory. Back in 2001, her review concluded that drawing shows promise as a means of facilitating the completeness and accuracy of the accounts by children 5 years and older but highlighted mixed findings concerning the effectiveness of drawing after a very long delay or where the drawing request is very specific (i.e. a request to draw a nurse from a medical exam).

Since Salmon's review in 2001, there have been a number of more recent studies examining the effectiveness of drawing in forensic interview settings:

- Poole & Dickinson (2014) evaluated the impact of comfort drawing (allowing children to draw during interviews) on the quality of children's eyewitness reports using 219 children aged 5 to 12 years. They concluded that children successfully divided attention between voluntary drawing and conversations about past events and this did not impair the amount of information recalled, the accuracy of children's answers, or the extent to which interviewers needed to prompt for answers.
- Katz et al., (2014) asked 125 children, alleged victims of sexual abuse, about their investigative interview which had been conducted according to the NICHD Protocol. Half had been assigned to a drawing condition and half not. The results demonstrated the advantage that drawing has on the children's experience of the investigation, with children in the drawing group more often reporting feelings of hope and success.

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- Gentle et al., (2014) compared the effectiveness of two techniques in enhancing younger (5-6 years) and older (8-9 years) children's recall of an event that they experienced a week earlier. Before recalling the event, some children were instructed to mentally reinstate the context of the event, others were asked to draw the context of the event and others received no reinstatement instructions. While results showed that these instructions had no impact on children's free recall or responses to open-ended prompts, the conditions using reinstatement instructions positively impacted children's responses when suggestive questions were used. The drawing group gave more accurate responses than the mental reinstatement of context group, suggesting the use of drawing as potentially protective against the impact of biased questions with child witnesses. This differs from the finding of Bruck et al. (2000) whose study of 3-6 years old found that although drawing did assist with better recall it did not protect against suggestive questioning across repeated interviews.
- Barlow et al. (2011) showed 80 5 to 6 year-olds a video clip of a novel event and then interviewed them the following day. The children were randomly allocated to one of four recall conditions: tell-only, draw-and-tell, interactive draw-and-tell and interactive tell-only. The interactive draw-and-tell group recalled more correct information for items compared to the other three recall groups, without any accompanying increase in errors.
- Katz and Hershkowitz (2010) explored the effects of event drawing during investigative interviews on the richness of the accounts made by 125 children aged 4 to 14 years, all alleged victims of sexual abuse. The children were first interviewed with open-ended invitations before they were randomly assigned into one of two interview conditions: with or without event drawing, and then re-interviewed. Children in the drawing group disclosed more free recall information than children in the comparison group, including more evidentially relevant details about central details about people, actions, time, and location of the incidents. The effect of drawing was evident regardless of the child's age, gender, type of abuse, and time delay.

In summarising the literature Katz and Hershkowitz (2010) conclude that drawing in the context of open ended questions enhances the quality of forensic details recalled regardless of age, gender or verbal ability while some studies have also found drawing accompanied by direct questions to be effective. This is further supported by the emerging research evidence on the use of sketch reinforcement of context discussed above. Equally the literature on narrative elaborative training supports the use of picture cards to further cue children's recall.

However, as Jolley (2010) notes, the optimum drawing conditions for recall have yet to be established. Jolley notes that research in this area has tended to focus on the use of drawing as purely facilitative, with no further verbal support provided by the interviewer beyond the instruction to "draw what you remember". In studies where the interviewer has asked

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more direct questions, these have tended to be pre-determined and not reactive to either what the child has said or drawn. Hence little encouragement has been given to the child to elicit more information or elaborate further, a situation which is significantly different from the interactive context of a real interview. Barlow et al.'s (2011) research has demonstrated that an interactive interview in which the interviewer uses follow up questions to facilitate the child to verbally expand upon information they had spontaneously spoken or drawn produces significantly more accurate information than a purely verbal interview or a draw and tell interview with minimal verbal support.

Implications for NI ABE Practice

The literature on anatomical dolls and body charts is mixed and a number of authors advise against their use. Key concerns are around the introduction of fantasy and the child's ability to understand that the doll/chart acts as a representation of themselves. A number of studies have shown that their use can increase false reports of touch, particularly when used with pre-school children. However, other commentators highlight that a blanket ban is not warranted and that, if used carefully, they can be useful – interviewers need to be clear about why they are being used avoid leading or suggestive questions and be particularly careful when they are used with pre-school children in the absence of a disclosure.

Drawing featured heavily in the examples of good ABE practice identified across stakeholders. Equally registered intermediaries also indicate that this is a primary means of helping to facilitate communication with very young children and/or those with learning or other communication disabilities. In some cases this necessitates the RIs facilitating communication with the child by drawing pictures themselves. The research literature points to drawing being effective in helping children recall richer, more evidentially relevant details, particularly when paired with open questioning and follow up prompts based on verbal or visual information. While there is no literature specifically available on how children respond when others draw pictures for them, the ways in which RIs use drawings appears supported in the available literature in terms of being: a form of extended rapport building focused on generic, neutral topics to facilitate free narrative at the start of an interview; a visually cued invitation generated by verbal or visual information provided by the child; and as a means of helping the child to sequence an event chronologically. An interactive approach further supports the child to maximise their verbal accounts. The evidence base for the most optimal use of drawings is still developing, as is the RI service itself. Consequently, a longer term aim might also be to develop guidance as to how drawings and other communication tools can best be used with different groups in order to share good practice and inform a consistent approach.

4.4 Training, Supervision and Review

Literature

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Research has consistently demonstrated that while training in forensic interview techniques is often effective in improving trainees’ knowledge, it appears to have limited impact on the way actual interviews are conducted. This has been evidenced in a range of descriptive studies examining videos and transcripts of actual forensic interviews with children across the US, UK, Sweden, Finland, Canada and Norway (see Lamb et al., 2002a for an overview). Lamb et al. (2002) highlight that ‘the majority of investigative interviews conducted in the 1990’s and early years of the new millennium, do not reflect the application of the ‘best practice’ recommendations provided by a long list of experts and professional groups’ (p80). A particular problem is limited use of open ended discussion and prompts despite almost universal policy and training guidance which stresses gaining as much information from child witnesses as possible from this style of questioning. The authors conclude that it is typical for more than 80% of interview elicitations to come from ‘riskier’ question styles, such as closed, specific or leading questions rather than open ended ones. A UK study examining the use of the Memorandum of Good Practice found that interviewers, on average, offered only six open ended utterances before moving to more specific prompts (Sternberg et al., 2001). Minimal use of open ended questioning persisted regardless of involvement in intensive training and high levels of awareness of best practice recommendations and despite interviewers often believing that they were following the recommendations (Larsson and Lamb, 2009).

The NICHD Protocol and other protocols such as NET were primarily developed as a means of addressing these deficits in the implementation of guidance and training into interview practice. The NICHD, in particular, aimed to assist in translating research recommendations into operational practice by providing a highly structured interview procedure to guide interviewers through all stages of the process. Through involvement in training and research in the use of the NICHD over more than a decade, the developers conclude that training in forensic interview techniques is only effective in improving and sustaining practice when it combines regular intensive training in the use of a structured protocol with regular supervision, review of recent interviews and continuous feedback on interview performance (Larsson and Lamb, 2009). Further research (Lamb et al., 2002b), has also demonstrated the negative impact of termination of supervision and feedback on interviewer’s performance. Forensic interviews conducted by trained investigative interviewers who received close and continuing supervision and intensive individual feedback were compared with interviews conducted by the same interviewers in the six months immediately following the completion of training and the termination of the supervision-and-feedback. The comparison showed that decrease in the quality of the later interviews with a decrease in the use of open-ended prompts and increase in reliance on more focused prompts, and the earlier introduction of focused prompts.

Implications for NI ABE Practice

A number of the components of effective training are already apparent in the current ABE training arrangements in NI. Specialist police and social work interviewers take part in an intensive 8 day course which offers an opportunity to practice interview techniques through role play and take part in and review recorded interviews. Specialist interviewers are also

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required to take part in refresher training every two years. While the results from the police survey indicate that interviewers rate the effectiveness of the course highly, it is also clear that on-going monitoring and review of ABE interviews outside of training sessions is rare. Given that continuous review of performance has been highlighted as a core element of developing and sustaining good practice, this lack of supervision and feedback is a major gap. The findings from research on the effectiveness of training would also suggest potential benefits in developing follow up workshops in the period between completion of specialist training and refresher training as well as developing additional support and feedback mechanisms.

SECTION 5 CORE GOOD PRACTICE THEMES

The survey of police interviewers provides a broadly positive picture of ABE practice in Northern Ireland suggesting high levels of awareness, understanding and implementation of the ABE process, high levels of engagement with specialist training and refresher courses and regular use of a number of cognitive interviewing techniques. Police interviewers and other stakeholders provided a number of examples of where interviewers had used their skills to engage with vulnerable young people, to put them at their ease and to obtain high quality evidence which led to successful prosecution. Many interviewers emphasised the importance of continuity and establishing a relationship with the child and their family prior to interview as essential to establishing rapport and developing trust. Some also talked about utilising the skills of second interviewers whilst others commented on the importance of adopting a flexible child centred approach through offering a choice with regard to interviewer gender, facilitating breaks or, where necessary, using multiple interviews. Quantitative data on the proportion of multiple interviews suggests that this practice is fairly common with 19% of interviews conducted by specialist interviewers involving more than one interview. The introduction of registered intermediaries was also highlighted as a key development and learning experience which enabled officers to develop effective communication with groups where previously they might have struggled or an ABE interview might have been deemed inappropriate or unfeasible. While highlighting a range of child, skill and resource factors as contributing to good ABEs, the single biggest factor identified by interviewers was the ability to establish good rapport with the child.

Likewise key stakeholders commented on the effectiveness and proficiency of highly skilled interviewers who could not only establish rapport and generate free narrative, but could focus the interview on specific evidential details. Prosecutors highlighted how good interviewers were able to ground discussion around key events, times or places to help structure the interview and felt that this helped to focus children, particularly very young children. They also commented on how skilled and experienced officers use visualisation techniques, asking the witness to imagine the scenario in their head and then describe what they see, and how this seems to be particularly effective. Young Witness staff felt that good practice was evident in interviews where the interviewer enabled the child to give as much detail as possible, using open questions, but also recognised when they needed specific detail and asked direct questions in order to elicit that detail from the child/young person. The team described a very good interview where the officer used drawing as a medium to

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allow the child to describe what had happened to her. The interview was child-friendly, the witness was allowed to move about the room freely and the interview went at her pace. Registered intermediaries also talked about working collaboratively with skilled and motivated officers to develop communication strategies to engage children who previously would not have been interviewed. Overall stakeholders concluded that interviewers did a good job in very difficult circumstances.

Based on thematic analysis of the data collected and the findings from the research review, the following section outlines four good practice themes identified as central to ABE interviews.

1. Planning, Preparation and Flexibility
2. Practice and Rapport
3. Interview Skills and Techniques
4. Feedback and Review

The themes do not exhaustively reflect every aspect of the Phase 1 findings nor incorporate every suggestion for change, although they are recorded in previous sections as ‘raw data’ should individuals or agencies wish to consider them. Rather the focus is on areas where identified strengths exist to build on and where there is a degree of shared understanding amongst stakeholders as to the relative importance of the issue. The section concludes with a framework outlining the key elements of good practice in each theme and the potential barriers to maximising good practice identified so far. This framework has been finalised with input from the steering group, discussions with small groups of police and police trainers and feedback from research participants. It is intended this will provide the basis for discussion at the stakeholder workshop where the goal will be to discuss the extent to which this is reflective of stakeholders views/experiences and to develop concrete actions to maximise future good practice in ABE interviews with children.

5.1 THEME 1 – PLANNING, PREPARATION AND FLEXIBILITY

- The majority of those surveyed reported **always or usually discussing interview objectives with a 2nd interviewer**, consulting with the child witness and social services in planning their interviews with smaller numbers consulting with medical staff or registered intermediaries (as this service is just being rolled out, the numbers would be expected to be small).
- All participants across the focus groups indicated that **planning was extremely important to delivering a good ABE interview**. Police in focus groups emphasised how they only had one chance at the interview and that planning was crucial to making this count. Qualitative data provided by police interviewers also frequently cited adequate time to plan and prepare the interview as a key factor in a successful ABE interview.

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- Trainers and other focus group participants also noted that sometimes the appropriate forms relating to interview planning were not completed in the case file. **Police interviewers recognised the importance of completing the appropriate forms as**, increasingly, this could be brought up in court. They also pointed to the relatively small pool of practicing joint protocol or ABE interviewers at any one time as a significant resource pressure.
- Interviewers emphasised flexibility and adaptability as a key interviewer skill. An effective interview was considered to be one in which the interviewer could adapt to meet the needs of the child as well as the evidential requirements of the process. This entailed **following the ABE process in a flexible rather than rigid way** and making use of interview techniques such as mental reinstatement of context, aids such as drawing, or services such as registered intermediaries to deliver the most effective, child centred interview.
- **Registered intermediaries play an important role** in assessing the child’s communication needs and developing alternative communication strategies to help them give their best evidence. Police interviewers are encouraged to be present during assessment and RIs have been involved in significant planning with them which appears to enhance the formal interview.

5.2 THEME 2 – PRACTICE AND RAPPORT

- A majority of interviewers surveyed (more than 80%) considered rapport, free narrative and questioning to be very important or essential to the process while close to 3 in 5 thought the same about closure. When estimating the time spent on different phases, questioning tended to account for the longest amount of time, followed by free narrative. Both rapport and closure accounted for similar shorter amounts of time, although the fact that rapport is generally not recorded may mean that respondents identified a shorter time period than they would use in practice. Nonetheless, when considering the factors contributing to their ‘best’ ABE interview the ability to establish rapport was the most commonly cited factor. Equally qualitative **responses repeatedly emphasised rapport as an essential element of the process** while both interviewers and other stakeholders pointed to continuity of care from report to formal interview as a key element of establishing rapport. However, a number indicated that resources and time available to achieve this were not always available and that preparation could sometimes be limited.
- In the rapport phase the vast majority of interviewers reported discussing ground rules and truth and lies with the witness, although 3 in 5 indicated that they rarely or never conduct a practice interview. Nonetheless, **some officers interviewed talked about asking children to describe neutral objects or events beforehand** to help them understand what to expect in the interview. It may be that some interviewers engage in this but do not refer to it as a ‘practice interview’ whilst others do.

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- Registered intermediaries work with police interviewers to assess the communication needs of the child. Their input at the assessment stage can act as a means of developing rapport, particularly where police interviewers are present, as well as assessing the child's verbal and cognitive ability to generate free narrative. **RIs use neutral topics to assess the child's free narrative capabilities** and to help them practice sequencing their narrative.
- **Review of the research evidence** points to the positive impact of using practice interviews or a form of pre-interview training in enhancing the amount of relevant detail children provide in forensic interviews, particularly younger children. Practice interviews lasting only seven minutes have been shown to be effective in enhancing recall of a staged event while more specific protocols, such as Narrative Elaboration Training (NET,) lasting 20 minutes have been shown to be effective in enhancing children's recall of a real life, traumatic event.

5.3 THEME 3 - INTERVIEW SKILLS AND TECHNIQUES

- In keeping with the guidance and training in ABE practice, a majority of interviewers reported using open ended questions during questioning as well as rapport with closed questions and specific closed questions being more common in the questioning phase. In terms of rating their ability the majority rated their interviewing ability across a range of areas as good or very good. In focus groups some interviewers talked about **encouraging several free narrative attempts to ensure obtaining as much witness generated information** as possible.
- Trainers emphasised the importance of getting a good free narrative as being the most important phase in practice. Stakeholders generally recognised that **the ability to generate free narrative is influenced both by the skills of the interviewer as well the characteristics of the child**. Some children need help to tell their story and good interviewers recognise this and are able to adapt their approach. While prosecutors tend to be more focused on questioning because of the specific evidential information it produces they recognise that free narrative provides the framework required for good questioning, although they are not necessarily aware of the emphasis placed on free narrative in training or the reason for this. A number of focus group participants across stakeholder groups noted that sometimes free narrative could be quite short and, on occasions, could be interrupted by asking specific or leading questions.
- The **majority of police interviewers had used most of the enhanced cognitive interview techniques**, either always, usually or sometimes. The 'report everything' instruction, posture and orientation and mental reinstatement of context were the most frequently used cognitive techniques, although only 2 in 5 reported always or usually using mental reinstatement of context. The 'report everything' instruction was rated as the most effective followed by mental reinstatement of context and

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physical reinstatement of context. Some interviewers who participated in focus groups indicated they tended to use mental reinstatement as a matter of routine and found this extremely effective in obtaining greater detail from witnesses.

- Drawing was the most commonly used communication aid, followed by pictures/symbols, body charts, registered intermediaries and photographs. Only a minority had ever used dolls or specific interview protocols. Qualitative comments and focus group data indicated that some interviewers found using **props/communication aids extremely effective with young children** to help engage and focus them during the interview as well as a means of enhancing their evidence. Some recognised that this could also act as a distraction and that it required enhanced skill on the part of the interviewer while others noted that they would only use these in the exception or highlighted a lack of availability of props. A small number indicated that they would welcome training on the use of communication aids or specific protocols. Registered intermediaries were also commented on as a welcome addition to help communication and had been used by 2 in 5 interviewers despite the service still being in the process of being rolled out.
- **Registered intermediaries use a range of communication aids** with drawing featuring heavily as a means to facilitate communication with young children or those with disabilities. This appears to serve three key functions in interviews:
 - as a form of extended rapport building focused on generic, neutral topics to facilitate more focused free narrative at the start of an interview;
 - as a visually cued invitation generated by verbal or visual information provided by the child which they are then asked to elaborate on:
 - as a means of helping the child to sequence an event chronologically. An interactive approach further supports the child to maximise their verbal accounts
- **Review of the research evidence** identified numerous studies which support MRC as a key component of improved interviews. While the literature on modified MRC procedures is still developing and relies mainly on laboratory studies, it suggests that focusing on MRC and using modified techniques such as sketch plans and mental imagery has the potential both to improve the quality of information as well as reduce the length of time taken. Equally there is a wealth of evidence to suggest that the use of structured protocols like the NICHD not only improve the quantity and quality of information but increase the likelihood of prosecution and conviction.
- **The literature on anatomical dolls and body charts is mixed** and a number of authors advise against their use. Key concerns are around the introduction of fantasy and the child's ability to understand that the doll/chart acts as representation of themselves. A number of studies have shown that their use can increase false reports of touch, particularly when used with pre-school children. However, other

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commentators highlight that a blanket ban is not warranted and that, if used carefully, they can be useful – interviewers need to be clear about why they are being used, avoid leading or suggestive questions and be particularly careful when they are used with pre-school children in the absence of a disclosure.

- **The research literature points to drawing being effective** in helping children recall richer, more evidentially relevant details, particularly when paired with open questioning and follow up prompts based on verbal or visual information. While there is no literature specifically available on how children respond when others draw pictures for them, the ways in which RIs use drawings appears supported in the available literature with an interactive approach further supporting the child to maximise their verbal accounts. The evidence base for the most optimal use of drawings is still developing.

5.4 THEME FOUR – FEEDBACK AND REVIEW

- 57% of the sample completed ABE (police only) training, 70% Joint Protocol Specialist interviewer training with half having completed Protocol Refresher Training. The majority of respondents rated this as always, very or quite effective across domains with “providing the necessary knowledge with regard to child development” being considered the least effective area in both Joint Protocol and ABE training. Likewise qualitative comments indicated **a high level of regard for the quality of training** as well as the availability and quality of refresher courses.
- However, the vast majority of interviewers indicated that, beyond reviewing their own work, the interviews they conducted were rarely reviewed by a supervisor. This was also highlighted by interviewers in focus groups, who indicated that **there was little in the way on-going support outside of training to help develop and maintain their skills**. ABE trained interviewers talked about interviewing ‘on their own’ with few options for feedback available. Likewise trainers indicated that little in the way of on-going review happened in practice. Some interviewers also highlighted an overall lack of appropriately trained interviewers and the fact that not all those who complete training go on to conduct interviews.
- **Review of the research evidence** suggests that a number of the components of effective training are already apparent in the current ABE training arrangements in NI. Specialist police and social work interviewers take part in an intensive 8 day course which offers an opportunity to practice interview techniques through role play and take part in and review recorded interviews. Specialist interviewers are also required to take part in refresher training every two years. However, on-going monitoring and review of ABE interviews sessions is rare. Research consistently shows that that training alone is not enough and continuous review and feedback is needed to develop and sustain good practice.

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5.5 FRAMEWORK FOR FURTHER STAKEHOLDER DISCUSSION

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THEME ONE – PLANNING, PREPARATION AND FLEXIBILITY

What makes for a good interview?

- Taking time to consult with social work, registered intermediaries or other relevant professional re child's needs
- Taking time to complete joint protocol planning forms
- Having the confidence and knowledge to adapt the interview to suit child's needs
- Ensuring the reason for any breaks, multiple interviews or deviation from the 'standard' ABE can be justified

"planning is so very, very important, it's something we didn't used to be good at, but we've got a lot better, because when you go to court barristers now are very good at knowing what forms we have to fill out.....no matter what you've just got to say no, we need to sit down and plan this interview with this child..... properly plan it, what age is this child, what terminology are they going to understand, will they understand past and present, what are our constraints here, does the child have any mental health issues, is the child distressed in any way, who does the child want to be at the interview, who do they feel more comfortable with, what about mum – where do we put her....it's so, so, so important.....you cannot just go in and wing it.... You've got one opportunity to go in there and get the information from the child"

"The child was very shy and before the ABE interview which I carried out for a colleague, I made time to build a rapport with the child on several meetings. She had a speech impediment and so I took my time with her and progressed the interview at her pace, taking breaks when needed."

"There has to be a structure, you have to try to follow that structure, but especially the younger child, you have to go in with a really open mind – yes I've got this structure in my head and I am going to use this but this may not work, maybe I'm going to have to go and sit behind the sofa with the child or whatever it is.... you have to really, really adaptable"

Potential Barriers to Good Practice

- Specialist skills and time involved in good ABEs not understood/recognised
- Only a few of those qualified actively in ABE only conducting interviews at any one time
- Rigid interpretation of the process
- Fear of opening the door to ABE being thrown out in court
- Not knowing enough about certain disabilities/disorders

How might delivery be enhanced???

[Raise awareness of Senior Police 'champion' for witness interviewing?](#)

[On-going liaison between police and prosecutors to build understanding of how ABEs are being used at court and how guidelines can be applied flexibly?](#)

[Newly qualified interviewers shadowing experienced interviewers to build confidence and learning?](#)

[Newly trained interviewers starting with a more routine ABE before progressing to more complex cases?](#)

[Creation of senior specialist interviewer role?](#)

[Always having a planning meeting with an RI and sharing questions before the ABE?](#)

[Forum to share learning with registered intermediaries?](#)

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THEME TWO – PRACTICE AND RAPPORT

What makes for a good interview?

- Having continuity between report and interview
- Being involved in pre assessment processes
- Routinely doing short practice interview on a neutral subject

“The case involved the Rape of a 14 year old child by a known acquaintance in a rural community....Initial rapport building with the family prior to the interview led to the female victim choosing a male officer ahead of a female colleague. This was in contrast to conventional same sex choosing as more prevalent, given the normal sensitivities (i.e. body parts explanations in recalling the incident). This emphasised to me that initial communication and rapport building greatly neutralises the experience of victims.”

“if you explain to the child, especially beforehand, that I might ask you to go over things a couple of time, but it’s because if I ask you to describe this pen, you’ll tell be about the pen in a wee bit of detail, but if I ask you to tell me about this pen again and this time tell me everything about the pen you’ll tell me much more about it, so each time you ask them to go over it, they’ll give you more information – I would use toy during rapport as an example”

“Female child age 9 sexually abused by her father on multiple occasions. Having met the child at her home and then at a medical I had built rapport up by the 3rd meeting for ABE. I was not a stranger to her and she knew and used my name

Potential Barriers to Good Practice

- Worrying that a practice interview may be perceived as coaching
- Not having time to do a ‘practice’ interview
- System makes continuity difficult
- Not having time to build rapport

How might delivery be enhanced???

[Trainers emphasising 5 minute practice during rapport as routine and reasons why good practice?](#)

[Development of short guide to practice interviews with input from registered intermediaries?](#)

[Ensuring consultation with registered intermediary in the pre-interview assessment/planning stage?](#)

[Learning about the particular communication needs of the witness through observing the RI's assessment?](#)

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THEME 3-INTERVIEWER SKILLS AND TECHNIQUES

What makes for a good interview?

- Giving a child a number of opportunities to go through free narrative before moving to specific questions
- Using techniques like MRC as routine practice
- Using specific interview protocols to increase the level of free narrative
- Using child friendly techniques such as drawing to engage the child and provide visual triggers

“I will ask them if they can remember any smells, sounds or visuals and get them to describe the room or location. By taking them on a “tour” of the room / location this too has the effect of placing them back there and helps evoke memories. I try to use pauses but find that these usually work better with adults and teenagers as opposed to young children.”

“you’ve big free narrative ‘tell me everything’, a couple of times over that and then, kids like you to break it down into sections –I tell them it’s like a jigsaw puzzle, I going to pull this bit out and tell me everything about that, out it back in and then pull another bit out and tell me everything about that bit and out it back and then at the end I’ll have a nice big picture of what happened, and kids like that”

“I might ask them if they can remember any smells or sounds as well as visuals. If the interview is in relation to a family member I will initiate conversation about the family and on occasions use diagrams or get them to draw the family members. When the children are very young it is usually necessary to use direct Qs and to be specific about what we are talking about - “I want to talk about daddy”. This will follow “conversations” with the child about their other primary family members.”

Possible Barriers?

- Concern about evidential requirements may push interviewers from free narrative to specific questions
- Not feeling comfortable using techniques like MRC
- Not understanding why MRC can be effective and how memory can be triggered by its use
- No agreed use of a specific protocol such as the NICHD in NI
- Lack of knowledge about how and when to use drawing
- Concerns that what is ‘allowed’ in the formal interview

How might delivery be enhanced???

Trainers promoting mental reinstatement of context as routine and use of communication aid as good practice and the reasons why?

Considering introducing specific interview protocols such as the NICHD in Northern Ireland?

Develop more detailed good practical guidance on use of drawing, body-charts and diagrams?

Developing a ‘toolkit’ of aids for interviewers?

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THEME 4 - FEEDBACK AND REVIEW

What makes for a good interview?

- Well-structured and well evaluated initial and follow up training programme
- A system of on-going monitoring, review and regular feedback to sustain good practice

“The other thing that could be improved on is assessing them, probably within the police and within the criminal justice system”

“...there is a managers' course for ABE and I've been trained in it. You're meant to review three ABEs per officer per year on cases that are finished. I do not have the time to do that...so you do an ABE and you're easily looking at two years later that your supervisor will be coming back to you about that ABE because the case is then over”

“there's not that many trained, that's problem A, problem B is there's people out there who are trained, you come here to do the course, for whatever reason, thought they would quite like it and end up terrified when they go out, they'll not do it and then their training has slipped and there name sort of drops off the list...maybe that's something that could be follow up after people have completed training...”

“There's people who come and do the training, and then the fear sets in.... And you really have to chuck yourself in the deep end, no matter how scared you are, if you're like 'oh I don't really want to do that interview, I would like an easier one for my first one', you just have to go and do it, like within the first couple of days, just chuck yourself in there and that's you, you're up and running... they tell you that during your training...”

Possible Barriers to Good Practice?

- A lack of an on-going monitoring and review process
- Those supervising may not have skills to evaluate
- Not everyone who completes ABE only training puts their learning into practice
- Lack of a process to share good practice amongst interviewers
- Lack of a process to share good practice amongst stakeholders

How might delivery be enhanced???

Establishing process of supervisor evaluation?

Establishing forum to share good practice and development across disciplines and stakeholder groups?

Establishing interviewer practice forum to share and develop learning?

Setting minimum number of completed per year to maintain ABE interviewer status only?

Developing portfolio to be completed at end of 1st year after training which includes strong evaluation component?

Developing secure on-line forum to review and get feedback on ABEs?

Introducing 'debrief' process for registered intermediaries?

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