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Child Forensic Interviews: Recommendations by the European Association of Psychology and Law (EAPL)

The European Association of Psychology and Law (EAPL) is a scientific association of researchers and professionals in the field of legal and forensic psychology, from various countries. We strive to do research of relevance for developing the justice system in Europe and worldwide. <https://eapl.eu/>

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INTRODUCTION

When children are victims of crimes, violence or abuse, their accounts of the events are often the primary evidence in criminal investigations. However, internationally - both within and outside of Europe - there is a considerable variability in how children are interviewed in investigative and legal contexts. Worryingly, some of the interview practices in use are not evidence-based and may even be harmful both to the children and to the outcomes of the criminal or civil justice processes. Within the relevant scientific research, on the other hand, there are quite clearly established golden standards - best practices - identified for how child forensic interviews should be conducted. The purpose of this paper is to communicate the current state-of-the-art with regards to child forensic interviewing to relevant professionals by providing them with an easily accessible overview of the science to important networks for practitioners, such as the [Promise Barnahus network](#).

In the White Paper on Forensic Child Interviewing, we present central findings about interviewing children in investigative and legal contexts and highlight evidence-based practices of interviewing children in a manner that is valid, reliable, and child-friendly. Our goal is to provide best practice guidelines for child forensic interviewing that should be followed in all European countries. A related aim is to aid professionals in reducing unnecessary and unwanted variation in interviewing practices and warn against possible harmful practices. These collective recommendations have been drafted by a large pool of scholars connected to the EAPL, some of who are holding recent PhDs in the field of child victims and witnesses, some who are currently doing practical work within the field and many of whom are established researchers within the field of investigative interviewing. The recommendations echo the core of the [Barnahus standard](#) nr 6 and provide further information on how to ensure these are followed in practice and are in line with the so-called Mendez Principles; principles on Effective Interviewing for Investigations and Information Gathering.

While protocols developed for the context of child abuse investigations may need to be modified to be used in other types of cases, the core principles for interviewing children apply for all instances where children are heard in legal or other types of investigative processes. These include cases where children are suspects, in the context of child protective services or other criminal investigations such as human trafficking (in which children can be perceived as both a victim and a perpetrator).

Key recommendations

1. Understanding child victims and witnesses

In Europe and globally, various professionals conduct interviews with children who may have been victims of crimes, violence and neglect or with child perpetrators. No one profession ensures expertise in all the areas necessary to conduct child interviews in a skilled and professional way. Interviewers need profound understanding of children's memory, linguistic skills and possible additional needs, the social mechanisms affecting children when discussing with adults, children's susceptibility to suggestions put to them by adults as well as factors influencing disclosure. In addition, interviewers need to understand the importance of creating rapport with and supporting the child throughout the interview, as well as the capacity to create and maintain rapport in practice within the interview. They also need an understanding of the practicalities of criminal and civil investigations and the relevant legal context in which the interview takes place.

2. Evidence-based child interviewing

When children are interviewed about alleged abuse, they should be interviewed sensitively and in a science-based way, according to evidence-based interview protocols, such as the NICHD interview protocol or other protocols based on scientific research, in which the emphasis is on obtaining as much accurate information as possible. Using such open-ended questions will facilitate investigating the events in a non-leading manner, which increases the possibilities for child victims to provide detailed statements in a non-leading way.

3. Phases of the interview and the importance of adequately preparing the child witness

Interviewers are recommended to conduct the interviews following certain phases; taking the time to establish good rapport, introducing the interview situation to the child, going through ground rules, conducting a practice interview, and exploring the topic under investigation in a well-planned, child-led pace. The interview should end with a closure, ensuring the child is doing okay and to the extent possible, explaining what will happen next. The whole interview is to be conducted in a child-centered way, including making efforts to build and maintain adequate good rapport with the child and supporting the child in non-suggestive ways.

Investigative interviews with children work best when they are structured and should therefore consist of the several phases that will help children to come forward with what allegedly happened.

Specifically, a forensic child interview should **first start** with explaining to children the ground rules of the interview. These ground rules simply inform children what they can expect from the interview as well as what is expected from them. For example, children should be told that it is okay to say if they do not understand a question or when they do not know the answer.

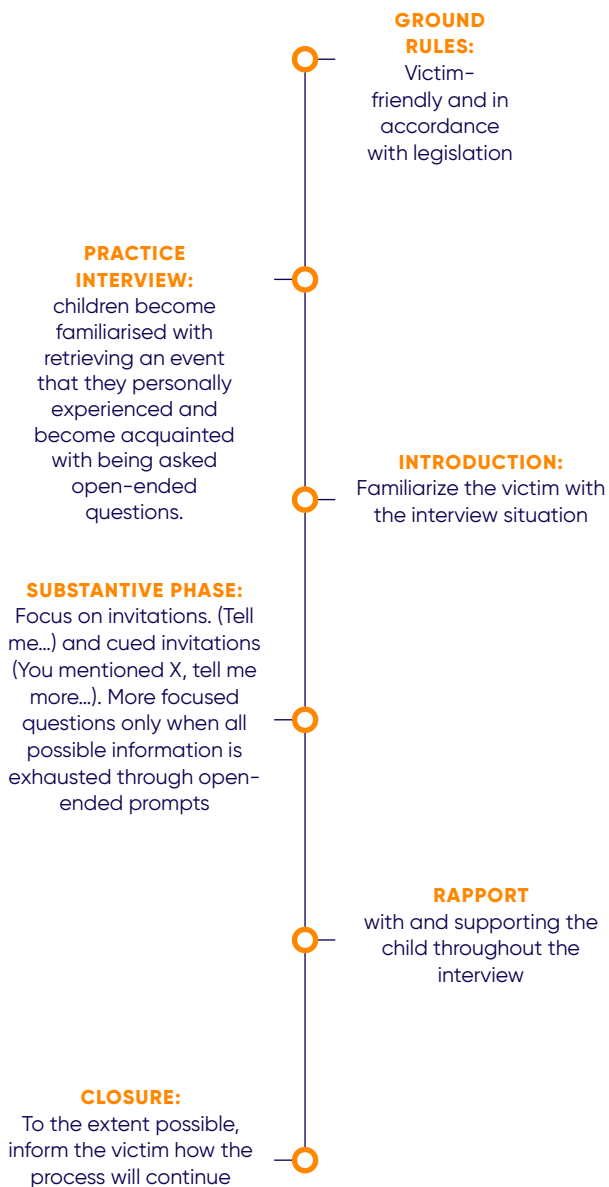
A **second phase** is that rapport should be built with children. One way to do this is by asking children what they like to do (e.g., "Tell me about things you like to do") or to ask them to describe a recent neutral or nice event they have experienced. The goal is to make the children feel they are listened to through asking open-ended questions and engage in active listening, supporting the child account.

In a **third phase**, children should receive a practice interview about an event that they experienced themselves but which is not the event in question (i.e., the event of central interest to the interviewer such as alleged abuse). For example, an interviewer could ask children to tell them what happened yesterday. The goal of this practice interview is that children become familiarised with retrieving an event that they personally experienced and become acquainted with being asked open-ended questions. The extra benefit of this phase is that interviewers can also practise in asking open-ended questions.

Following the third phase, children can be asked **next** about why they are being interviewed (if they know the reason) in a non-leading way (e.g., "I want to now talk about why you are here today"). If children disclose, the advice is to ask as many open-ended questions as possible. Only when children's recall is exhausted, interviewers can ask focused or closed questions (e.g., "Where did it happen?" or "Did it happen at home or somewhere else?"). The advice is that after the use of such questions, open-ended questions are then asked again ("You said that it happened at home. Tell me more about that"). Furthermore, during this phase, it is important to ask whether alleged events happened once or more than once and ask questions concerning the first disclosure.

In the **last phase**, interviewers will close the interview in which they could ask children if there are other things the interviewers need to know and that children can always contact the interviewer if needed. Also, during this phase the interviewer should strive to help the child end the interview in a positive state of mind.

Phases of the investigative interview



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4. The interviewer mindset and hypothesis testing

Interviewers are advised to engage in hypothesis-testing when planning, conducting and assessing the interview to reduce the risk of bias. This means that interviewers should consider the possible alternative explanations to the allegation at hand and make attempts to explore each of them when interviewing children. For example, suspicions of abuse may occur also for non-abused children through, for instance, misunderstandings of the children's accounts. On the other hand, children might deny experiences of abuse when they have actually occurred, for instance to protect the perpetrator or due to feelings of guilt or shame. The use of open-ended questions can reduce a fixation on only one hypothesis (e.g., nothing happened).

Examples of alternate hypotheses in a physical abuse allegation involving a custody dispute

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

For the full recommendations including references, please see the [full paper](#).

5. Recording of interviews

It is essential that the interview is electronically recorded, to see how the child's account has evolved, to have a clear record of the questions that have (and those that have not) been asked, to enable assessing interview quality as well as for evaluation purposes. We recommend that criminal justice systems move towards visually recording the child's account early in the process to use as evidence in court, avoiding the need for further interviewing.

6. Number of persons present at the interview

It is recommended that only those necessary to the interview should be present, to allow the child to feel comfortable with minimal formality, facilitating disclosure.

7. Cultural aspects and use of interpreters in the interview

Interviewers are advised to take cultural aspects into account, such as cultural attitudes to gender, sexuality and shame, whereby different (e.g., longer) rapport-building strategies may be necessary. In interviews where interpreters are required, interviewers should prepare the interview together with the interpreters. Joint pre-interview preparation should be carried out by the interviewer and the interpreter to ensure awareness about the key details, such as the possible topics to be discussed, possible problematic linguistic and/or cultural differences, the paramount importance of accuracy and conditions under which interruptions are warranted. Interpreters should be officially certified and where possible, have specialised training in legal and/or child interviewing.

8. Dolls, body diagrams and drawings in the interview

The use of dolls or props is not recommended, and doll play or drawings by the child should not be interpreted as evidence of abuse. However, if a child is unable to name a body part and/or uses an unusual word for a body part (such as "He touched me on my bobo"), a specially prepared body diagram could sometimes be used to help the child indicate the body part.

9. Online child interviewing

Online interviewing shows promising results with regards to child witnesses, but more research is warranted before conclusive recommendations can be made. The current recommendation is to carry out the interviews in person, unless the expertise is not available in person (e.g., due to remoteness of location or emergency circumstances requiring immediate action).

10. Training of interviewers

Interviewers should receive specialised training, including continuous assessment and feedback on their interviewing style for quality assurance. Training provision distributed over time has shown to be more beneficial than single-instance training. Classroom-only style is not as effective as the training that also includes practical opportunities and extensive feedback that needs to be immediate, continuous and detailed, focussing on communication patterns and phrasing of questions by the interviewer. Suggestive and inappropriate forced-choice questions are to be avoided. Quality control should include the analysis of recorded/observed interviews to establish the quality and quantity of information obtained in order to ensure the accuracy and usefulness of the child's testimony.



Well-prepared child forensic interviewing, enhanced by recorded sessions, promotes accuracy, reliability, and comfort. These recordings aid in quality control, training, and courtroom presentation, benefiting all participants in the process.

