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## Observations from Canadian practitioners about the investigation and prosecution of crimes involving child and adult witnesses

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RUNNING HEAD: Investigative interviewers

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Observations from Canadian practitioners about the investigation and prosecution of crimes  
involving child and adult witnesses

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## Abstract

Hundreds of scientific studies on the competencies and limitations of eyewitnesses have been published, but few have sought input from front-line forensic interviewers. In the current study, a research agenda was established with in-depth input from 13 forensic interviewers. Interviewers indicated which techniques they use most often, rated the usefulness of various interview techniques, and disclosed common challenges when interviewing. Although many recommended techniques were used (e.g., the Cognitive Interview and Rapport Building), some techniques shown to be effective in eliciting quality testimony in scientific studies were not always used or considered useful by front-line interviewers (e.g., permission to correct the interviewer, permission to say ‘I don’t know’). Key areas were identified to guide future research (e.g., techniques when interviewing very young children, witnesses with developmental delays).

127 words

Keywords: investigative interviewing, front-line interviewers, interview techniques

## **An agenda for research in investigative interviewing: What do interviewers want?**

### **Introduction**

There is an extensive literature on the competencies and limitations of eyewitnesses. The majority of published studies have been conducted by academic psychologists and much research has addressed theoretical questions such as the fundamental nature of memory processes. While the former research is critical to developing evidence-based practices, the current study adopts an innovative approach by encouraging collaboration between front-line investigators and academic psychologists to establish a research agenda on interviewing techniques. In the study, investigative interviewers were given an opportunity to describe their practices, their evaluations of various interviewing techniques, and indicate where they feel more research should be conducted. A collaborative approach where *interviewers can voice opinions* about their practices has the potential to identify areas of research that will have a substantial impact on interviewing practices in the field. This benefit is important given the disappointing adoption rate by front-line interviewers of interviewing techniques recommended by researchers (e.g., in the infrequent use of open-ended questions). Thus, a better understanding of the challenges faced in the field can inform a research agenda on eyewitness testimony and, subsequently, may improve the overall quality of investigative interviewing. In the current study, therefore, practitioners indicated which techniques they use, whether they find them useful and sufficient to proceed with prosecution, as well as describing specific difficulties they face in investigations. Hence, the focus here is not on the objective quality of interviewing; rather it is a qualitative analysis to understand the reasons behind why interviewers use (and avoid) certain practices.

Obtaining statements from eyewitnesses is a crucial investigative technique. In some crimes, such as child sexual abuse, there are often no other witnesses apart from the child complainant and

the perpetrator, and little physical or medical evidence (e.g., in the case of fondling). Even though some crimes such as rape may result in medical evidence, delays before disclosure can depreciate the value of any such evidence. Thus, investigators are required to elicit the most complete, detailed, and accurate accounts from eyewitnesses in their investigations. Statements that are sparse in forensically-relevant details produce few investigative leads, and lengthy but inaccurate reports can result in problems with prosecution, an increased probability of charging the wrong person, or time wasted on false leads. Thus, the quality of interviewing practices is critical to the outcomes of many investigations.

Experts around the world agree on many interviewing practices that elicit the best quality reports from children and adults (see Lamb, La Rooy, Katz, & Malloy, 2011). For example, there is a consensus that open-ended questions such as “tell me what happened” elicit lengthier and, typically, more accurate reports than closed questions like “Did he touch you under your clothes?” In the current study, we asked front-line interviewers in Canada about their use of 20 different interviewing techniques. Some of the techniques such as the Cognitive Interview (Fisher & Geiselman, 1992) and the National Institute of Child Health and Human Development (NICHD) protocol (Sternberg, Lamb, Orbach, Esplin, & Mitchell, 2001, 2008) have been shown, through scientific research, to result in benefits when interviewing witnesses, whereas other techniques are considered to be more risky (e.g., the use of anatomically-detailed dolls, Bruck, Ceci, & Francoeur, 2000).

We were also interested in interviewers’ perceptions of the quality of elicited information. Quality was measured in several different ways such as the usefulness of techniques in eliciting key forensic information (e.g., time, place, perpetrator description), and whether accounts were perceived as accurate, complete, and adequate for prosecution. Some witnesses, such as children younger than about age 8, have under-developed understanding of key information (e.g., temporal

concepts, Friedman & Lyon, 2005; Gosse & Roberts, 2014). Thus, we were interested in finding out from investigators what their experiences were when trying to obtain such information from witnesses of different ages.

Interviewing child witnesses can be especially challenging because children are not used to being the ‘experts’ when questioned by adults. When children are normally questioned by adults it is to test their knowledge (e.g., when teachers or parents question children). Thus, many children do not understand their role in investigative interviews. Younger children, especially those aged 6 and under, have also been shown to be more suggestible than older children and adults (see Ceci & Bruck, 2007), although there are some exceptions (e.g., Howe, 2005; Powell, Roberts, Ceci, & Hembrooke, 1999). Younger children tend to forget details faster than older children (Brainerd & Reyna, 1998) and thus may be more willing to accept suggestions when offered by a credible interviewer. Finally, children typically provide less complete reports than adults. Despite these limitations, children can provide accurate and detailed accounts of experienced events if questioned in developmentally-appropriate ways (e.g., with open-ended probes rather than more suggestive, closed questions, Goodman & Reed, 1986; and when given practice in responding to open-ended questions, Roberts, Lamb, & Sternberg, 2004; Sternberg, Lamb, Hershkowitz, Yudilevitch, Orbach, Esplin, & Hovav, 1997).

Canada has a relatively small population (34 million vs. 62 million in the UK) that is spread across the second largest country in the world. This results in a diverse mix of investigator training. Investigators can be from municipal, provincial, or federal agencies, and can serve urban, rural, or remote communities (see Brubacher, Price, Roberts, & Bala, in press). Hence, the practices and challenges faced by investigators in Canada may be different to those in, for example, more compact and densely populated European countries.

In sum, the survey extensively probed Canadian investigators' practices and experiences regarding a variety of interview techniques and their perceived efficacy. The results, while preliminary, will be used to make recommendations for training and to define a research agenda that is closely tied to the needs and wants of front-line interviewers.

## **Method**

### ***Participants***

Participants for this study were professionals who regularly conducted front-line investigative interviews. Participants were recruited through advertisements in three major professional magazines (*PAO* – The Police Association of Ontario, *BlueLine* – a national police magazine, and the Ontario Association of Social Workers News magazine; police and social workers often conduct joint interviews in Canada).

Eighteen participants completed an anonymous online questionnaire about their interviewing experiences but five participants were excluded because they did not respond to any of the survey items, leaving a final sample of 13 interviewers (9 police officers, 3 social workers, 1 unknown). The sample was predominantly male (9 males, 4 females), all age groups from 26-30 years to 51-55 years were represented, and all but one were of European/Anglo descent. All participants had at least a year's experience in investigative interviewing: 4 (31%) had 1-5 years, 1 (8%) had 6-10 years, and 7 (54%) had over 10 years experience (1 did not specify). Six (46%) interviewers interviewed between 6 and 10 witnesses per week, with the remainder doing less than this (1 interviewer did not respond to this question).

Eight of the 13 participants identified themselves as predominantly child-witness interviewers as indicated by an affirmative response to the question "Do you interview children regularly?" Grouping the respondents accordingly to their primary interviewing role allows an estimation of how interviewing practices might differ when interviewing children versus adults.

## *Materials*

There were two forms of the survey – the *Child-Witness* questionnaire and the *Adult-Witness* questionnaire (see Appendix 1 for the full survey). The two questionnaires were highly similar except for obvious differences in terminology (e.g., “how often do you find a *child’s* statement was coached” vs. “how often do you find a *witness’s* statement was coached”), but both probed the same topics. One additional modification was that the *Child-Witness* questionnaire sometimes probed opinions about distinct age groups (children aged 6-years and younger, 6-10 years, and 10-years and older) to obtain more precise estimates of practices with respect to child-witness interviewing.

The survey began with a section on interviewing experience and ended with a section on demographics. These sections were identical for both questionnaires. Between these sections were two substantive sections that probed a) the use and usefulness of various interviewing techniques, and b) the effectiveness of current interviewing practices at eliciting high-quality evidence. Following part b), participants were also asked about contamination of witnesses’ testimony but these data are not presented because of space limitations. We now fully describe the two substantive sections.

### *Section 1: Interviewing Techniques.*

Participants were presented with 20 different interview techniques (e.g., step-wise interview, cognitive interview, conversation management) and asked to rate how often they used these techniques on a scale of 1 (never) to 5 (always), and how useful they found the techniques on a scale of 1 (not at all useful) to 7 (invaluable). These techniques were chosen based on a literature review of interviewing techniques. The questionnaires were identical except that Item 20 in the *Child-Witness* questionnaire asked specifically about anatomically-detailed dolls, and the *Adult-Witness* questionnaire asked about “Props (e.g., anatomically detailed dolls)”.

### *Section 2: Quality of Evidence.*



Interviewers were asked whether they are able to elicit enough information about each of five types of forensic information that are sometimes critical for prosecution (actions, appearance, perpetrator identity, location, and temporal information) by selecting a response on a 5-point scale ranging from 1 (never) to 5 (always). Interviewers were then asked a series of questions about the quality of eyewitness reports (e.g., whether witnesses give accounts that are adequate for prosecution, how often witnesses' accounts comprise key evidence), as well as two questions about the length of interviews. These questions were chosen based on discussions with practitioners over a number of years.

### ***Procedure***

The study was approved by the University Research Ethics Board. Invitations to participate included a description of the study and purpose, as well as a link to a secure website where participants could complete the study. Participants were informed that because the study was anonymous, they would not receive direct compensation for participation, but that they could receive a copy of the study results if they requested, and the magazines where the recruitment advertisements were placed for publication would also receive a summary of the results. Participants could decline to participate and were informed that continuing with the survey constituted their informed consent to participate. Participants were free to omit any responses. Responses were submitted between 2007 and 2009.

### **Results**

We first present descriptive data on the quality and quantity of training the interviewers had undergone, followed by characteristics of their interviews. Responses to each of the two substantive sections of the survey (Interviewing techniques, Quality of evidence) are then presented. Responses from the Child- and Adult-Witness interviewers are presented separately. Numbers in parentheses indicate the number of interviewers who fit that category.

### ***Training in interviewing skills***

All but one of the eight Child-Witness interviewers had received initial training in interviewing. Three interviewers had received 2 days or less of training, 1 trained for a week, and one for a month (one did not give details). The training was delivered by colleagues (e.g., supervisors, instructors) or consultants. All five Adult-Witness police officers received initial training (3 trained for a week, 1 for 1-2 days, and 1 did not specify). The training was conducted by consultants or agency/police college instructors.

Half of the Child-Witness interviewers receive regular and ongoing training from a supervisor (n = 1), a colleague (n = 2), or a consultant (n = 1). Two interviewers received such training at least once or twice a year, and two did not specify. Only one of the 5 Adult-Witness interviewers received regular and ongoing training (once every 1-2 years given by a consultant).

### ***Characteristics of interviews***

A majority of the *Child-Witness* interviewers recorded their interviews by videotape (5/8) and the rest by taking notes (1 interviewer did not respond). Most interviewers reported that children are interviewed twice and one indicated more than ten times. The remaining 2 interviewers reported that they usually interview children just once. When asked if they have enough time to conduct interviews with child witnesses, most reported that they *often* or *always* (5/8) do, although one interviewer *rarely* had enough time. Interviewers were quite diverse in their time frames and reported that the interviews lasted 15-30 minutes (2), 31-45 minutes (2), an hour (3), and over an hour (1).

The *Adult-Witness* interviewers recorded their interviews by videotape (2/5) or by taking notes (2). One interviewer reported that videotape, own notes, and an observer's notes are used to record the interview. Three estimated that witnesses are interviewed twice during an investigation and 2, just once. A slight majority of the *Adult-Witness* interviewers reported that they often or

always (3) have enough time to interview witnesses. Most interviews were quite long with 2 reporting an hour as the typical length of an interview, and another 2 reporting over an hour. One interviewer reported taking less than 15 minutes to interview witnesses.

### ***Interviewing techniques***

#### ***Frequency of use***

Figure 1 shows the most frequently-used techniques in descending order of reported use (Figure 1a, Child-Witness interviewers; Figure 1b, Adult-Witness Interviewers). The figures show the percentage of respondents that reported using each technique at least *sometimes*, that is, the percentages include respondents who used each technique *sometimes*, *often* or *always*.

The most common techniques (used *often* or *always* by the majority) of the *Child-Witness* interviewers included: the full Cognitive Interview (6/8), report-everything instruction (6), transfer control to witness (5), conversation management (7), the Step-wise Interview (6), rapport building (all 13), explaining the purpose and aims of the interview (7), the truth/lie discussion (all 8), open-ended retrieval (6), and using focused questions (7).

Techniques that were *never* or *rarely* used by the majority of the *Child-Witness* interviewers included: change-perspective when recalling (7), the NICHD protocol (all 8), using details not yet mentioned by child witness (5), and encouraging the use of imagery (6). Anatomically-correct dolls were not used by the majority of the sample (6) but one interviewer reported using them *sometimes*, and another reported using them *often*. Three interviewers further commented that they use drawings to name body parts or encourage further retrieval (e.g., drawings of the scene, alleged victim's family, or pets).

The *Child-Witness* interviewers varied in their use of some of the techniques as follows (numbers reflect interviewers who used each technique *often* or *always*): reinstate context (4/8), recall in different orders (3; 4 said never or rarely, and one said sometimes), permission to say "I

don't know" response (4), permission to correct interviewer (4), resistance management (3 said *sometimes* used; 5 said never used).

Compared to the Child-Witness interviewers, the *Adult-Witness* interviewers relied slightly less on Cognitive Interview techniques. Only the report-everything instruction was used *often* or *always* by a slight majority (3/5; the remaining 2 chose *rarely*). Other techniques that were used *often* or *always* by the majority included conversation management (4), the Step-wise Interview (4), rapport building (all 5), open-ended retrieval (all 5), and focused questioning (all 5).

Techniques that were *never* or *rarely* used by the majority of the *Adult-Witness* interviewers included: change-perspective when recalling (4), and the NICHD protocol (4, though one respondent reported using it *often*).

The *Adult-Witness* interviewers were split in their use of a number of techniques. A slight majority reported never or rarely using the following techniques: permission to say "I don't know" (3), using details not yet mentioned by witness (3), encouraging the use of imagery (3), and using anatomically-correct dolls (3) though two interviewers reported using them *sometimes*. As can be seen in Figure 1b, there was no clear consensus in the sample in the use of the remaining techniques with many of them being used at least sometimes, but not by an overwhelming majority.

### ***Perceived usefulness of techniques***

Participants were asked to rate their perceived usefulness of each technique on a scale from 1 (not at all useful) to 7 (invaluable). Mean ratings for each technique were calculated and are displayed in Figure 2 in descending order from the most to least useful techniques.

As can be seen in Figure 2a, it is clear that the *Child-Witness* interviewers considered most techniques to be at least adequate (a rating of 4 indicated 'adequate') but note that only respondents who reported that they used the techniques were included in this analysis (the *Ns* are displayed in the figure). Considering those techniques that received a mean rating of 6 or higher (i.e., excluding

those techniques used only by one person), the most useful techniques were: the report-everything instruction, recall in different orders, transfer control, conversation management, rapport building, explanation of the purpose of interview, the truth/lie discussion, the “I don’t know” instruction, permission to point out mistakes, open-ended recall, and focused questioning.

Figure 2b shows the usefulness ratings given by the *Adult-Witness* interviewers. Although most techniques were also judged to be at least adequate by those who used the techniques, many were not considered to be any more than adequately useful (i.e., most ratings hovered around 4). Only rapport building and focused questions received mean ratings of 6 or higher. A few techniques were considered to be less than adequate even though used at least sometimes: change perspective in recall, permission to correct the interviewer, and say “I don’t know”.

### ***Quality of elicited information***

The *Child-Witness* interviewers were asked whether they can get enough information from children to prosecute. Most interviewers considered that children *younger than 6* could *sometimes* provide adequate accounts (6/8) with 2 interviewers finding that it was *rare*. In contrast, there was agreement that children aged 6-10 years (7) and older than 10-years (all 8) could *often* or *always* provide adequate accounts (1 interviewer responded *sometimes*). Opinions on the accuracy of young children’s testimony reflected the above ratings; specifically, only 2 considered the testimony of children younger than aged 6 to be *often* accurate while 5 claimed it was *sometimes* so (1 interviewer did not respond). The interviewers regarded the testimony of *6-10-year-olds* to be often accurate (7; 1 claimed it was sometimes so). Interestingly, although all interviewers had indicated that testimony from children aged 10-years and older was always *adequate* for prosecution, 3 of the 8 interviewers reported that testimony from this age group was only sometimes *accurate*. Four interviewers considered it to be often accurate and 1 interviewer said *always*.

The interviewers were asked to rate how often children's testimony constituted the key evidence. Children's evidence was *often* (5/8) or *always* (1) key in physical abuse cases, and *often* (6) or *always* (2) key when investigating sexual abuse.

The interviewers were also asked to consider children's age and the probability of eliciting five types of critical information. Overall, the interviewers felt that children were able to give enough information about actions at a younger age than information about appearance, identity, location, and temporal aspects of incidents. When asked whether children aged *6-years and younger* provided enough information about actions, 5 of the 8 interviewers agreed, while only 3 agreed that these children could provide enough information about appearance, identity, and location, and only 1 agreed that these children could provide enough temporal information.

Although most of the interviewers agreed that children aged *6-10 years* could provide enough information about actions (7/8) and the identity of alleged perpetrators (6), only 5 thought that these children could provide enough information about location and appearance, and only 2 thought they could provide enough temporal information. All agreed that children aged *older than 10-years* could provide enough temporal information, and enough information about the actions and identity of alleged perpetrators (7), location (6 [1 did not respond]), and appearance (5).

Only 1 of the *Adult-Witness* interviewers claimed to *often* get enough information from witnesses to prosecute. Three out of the 5 interviewers said that they could *sometimes* do so and 1 reported that it *S* happens. The interviewers dealt with a wide variety of witnesses as shown by their reports that witnesses can *sometimes* (3) give an account that is adequate for prosecution, and *sometimes* (4) provide accurate accounts. Two interviewers reported that witnesses *often* provide adequate accounts and 1 reported that witnesses were often accurate. Two interviewers found that witnesses *rarely* provide the key evidence in prosecutions, 1 said they *sometimes* do so, and 2 reported that witnesses *often* provide key evidence.

The majority claimed that they were *often* able to get enough information about actions (4/5), appearance (3), location (4), and temporal details (4) but fewer thought they got enough information about the alleged perpetrator (3). One interviewer reported *rarely* getting enough information about appearance and the alleged perpetrator, and the rest claimed that they *sometimes* got enough of the five types of information. No interviewer reported that they *always* get enough of each type of information.

### ***Other areas of difficulty***

Interviewers were invited to list any other areas of difficulty when interviewing witnesses. Several sources of difficulty were disclosed when talking to *children*: a) a lack of focus – difficulties in reducing distraction and boredom, b) interviewing children with a parent present who can send verbal and non-verbal cues that discourage the child from talking, c) interviewing children where the abuse occurred, and d) interviewing children with mental health or developmental delays.

Two *Adult-Witness* interviewers also nominated other areas of difficulty: a) eliciting information when the witness was under the influence of drugs or alcohol at the time of the alleged incident, b) downplaying the incident out of fear of repercussions from the alleged offender, and c) intentionally reframing the incident (e.g., when victim omits own actions).

### **Discussion**

Interviewers reported that they used a variety of investigative interviewing techniques to elicit eyewitness statements, and found these techniques to vary in their usefulness. Interviewers reported that they used many recommended interviewing techniques like ‘transfer of control’ and rapport building. Although a majority made use of interview techniques that aim to elicit spontaneous descriptions from witnesses (e.g., the report-everything instruction of the Cognitive Interview, the Step-wise interview), not all interviewers used open-ended retrieval (2 of the 8 Child-witness interviewers used this technique never, rarely, or only sometimes). Further, more of the

Child-witness interviewers relied on focused questioning than open-ended retrieval. This finding is of particular concern because it suggests that the evidence showing the superiority of open-ended versus focused questioning has not penetrated police training. Indeed, many focused questions are considered to be suggestive because they focus children's recall on details not reported by child witnesses, provide options for children to choose from (e.g., 'in the bedroom or the bathroom?' when neither option is correct), or elicit simple compliance to an interviewer's assertions (e.g., 'did he touch you over your clothes?'). Contemporary interviewing protocols like the NICHD protocol (Sternberg et al., 2001) emphasize open-ended retrieval as the primary method of probing because it elicits descriptive responses that are more likely to be accurate than reports elicited by specific probes.

It would be important to understand the reasons why open-ended recall was not always used as an investigative technique. In contrast to the child-witness interviewers, all of the adult-witness interviewers reported using open-ended recall. Thus, one possibility might be of perception – the assumption that children cannot respond as easily to open-ended questions as adults. Another possibility might be time pressure - 2 of the 5 child interviewers claimed to not have enough time to conduct interviews. As open-ended questions typically elicit longer responses than do focused questions (Dent & Stephenson, 1979), perhaps this dissuades interviewers from using them, especially as there were also concerns about attention span. These concerns may be allayed by emphasizing the importance of studies finding that even young children can be 'trained' to provide descriptive and lengthy responses to open-ended questions (Roberts, Lamb & Sternberg, 2004; Sternberg et al., 2001). Including a practice interview in the pre-substantive part of the interview where children can practice answering open-ended questions about a recent, neutral event (such as a school holiday or a birthday) transfers to the substantive portion of the interview (see Roberts, Brubacher, Powell, & Price, 2011, for a review). Children who are practiced at answering open-



ended questions provide longer descriptions in response to the first open-ended question about the allegation than children who are not practiced (Sternberg et al., 1997).

Three ‘ground rules’ are recommended for use with children (see Poole & Lamb, 1998). The first – the truth/lie discussion to measure competency – was used by all of the child interviewers. The competency test for children in Canadian courts has now been abolished (see Bala, Duvall-Antonacopoulos, Lindsay, Lee, & Talwar, 2005). It remains to be seen whether the truth/lie discussion will continue to be a part of Canadian investigative interviews. Two other ground rules – permission to correct the interviewer, and permission to say “I don’t know” – were used by only half of the sample of child interviewers. Research has shown that when interviewers distort children’s statements, only a third of children will correct the interviewer and the distorted version of the details continues for the rest of the interview (Roberts & Lamb, 1999). When children do not know an answer to yes/no questions, they often will try and answer the question, usually producing an incorrect response (Waterman, Blades, & Spencer, 2004). The use of these ground rules might offset these two unattractive outcomes and, hence, it might be helpful to incorporate their use into interviewer training.

It was encouraging to see that some of the more suggestive and risky techniques were used more sparingly (e.g., use of anatomically detailed dolls, imagery). An alternative to using dolls – drawing – was cited by three child interviewers (5/13 overall). Research has found that drawing *per se* is not a useful technique to use as a central investigative tool because of the increase in errors (Brown, Pipe, Lewis, Lamb, & Orbach, 2007). It has been recommended that, if drawing is used in interviews, it be used late in the interview when every attempt to verbally elicit reports has been made, and to combine it with open-ended questions (Aldridge, Lamb, Sternberg, Orbach, Esplin, & Bowler, 2004).

One way to enhance interviewing practices might be to engage in ongoing supervision. Only a third of the sample said that they receive regular and ongoing training. Many units do this informally (e.g., when a colleague watches interviews and provides feedback and suggestions to the interviewer), but formal procedures for feedback have had a significant, documented impact on the quality of interviewing (e.g., Lamb, Sternberg, Orbach, Esplin, & Mitchell, 2002). Given that the interviewers indicated that children's evidence was often or always the key evidence in abuse cases, and few had any formal follow-up to their training, the effort of formal interviewing feedback seems more than justified.

### ***A research agenda***

The experiences and challenges highlighted by the interviewers in the current study provide some clear ideas for a research agenda. Although these results were from a small sample, several key needs were identified by the interviewers. Researchers can respond by developing and testing innovative practices that address current gaps in interviewing techniques.

***Investigative tools for interviewing adult witnesses.*** Most research on eyewitness testimony has focused on improving children's testimony. This is probably because children tend to report less than adults (Goodman & Reed, 1986), and can be less resistant to suggestive influences (Ceci & Bruck, 2007). The responses of the adult-witness interviewers, however, showed considerable variation in their use and perceived usefulness of investigative techniques. Less than a third of the techniques were used often by interviewers, and there was little consensus on the use or utility of the other techniques. With the exception of rapport building and focused questioning, most of the techniques were judged to be little more than adequate as investigative tools. This somewhat surprising result indicates some frustration on the part of interviewers as to the tools they have to question adult witnesses. Although there is a large body of research on interviewing techniques and adult witnesses, the findings reported here suggest that further study of why investigators do not

find these techniques useful (to complement research on training and interview practice) is warranted. Contemporary research on interviewing addresses what interviewers *do* but does not inform us *why* investigators use the techniques they do.

***Developmentally-specific needs-based protocols.*** The statements of young children aged 6-years and younger were considered to be the least complete and accurate of all witnesses. Half of the sample reported that they were only *sometimes* able to get enough information from these children to prosecute (one interviewer said it was rare to get enough information) and most believed that their testimony was only sometimes accurate. In contrast, the interviewers perceived children older than age 10 to be able to provide enough information to prosecute and there was a consensus that this information was likely to be accurate. This mirrors knowledge of children's memory development – although some metacognitive skills may still be developing (such as the appropriate use of memory strategies, and correctly calibrated confidence levels), children aged 10 and older can provide as much accurate information as adults (e.g., Roberts & Blades, 1999). Although we did not specifically ask about interviewing adolescent witnesses, it bears mention that most research on adolescents focuses on offending (e.g., Flight & Forth, 2007), rather than their capacity as witnesses. More research with adolescents is necessary given that many cognitive and social factors are different compared to when questioning younger witnesses (e.g., adolescents may be cognitively proficient in lie-telling, may have more motives to produce false allegations if they are in sexual relationships, and may have a greater depth of understanding of the complex social and familial factors involved in disclosure).

Although young children provide less complete accounts of unfamiliar events than older children, they are no less accurate in scientific studies when questioned with open-ended probes (Goodman & Reed, 1986). Although research suggests that the same cognitive tools (e.g., open-ended questioning) results in similar improvements for younger and older child witnesses (Lamb,

Sternberg, Orbach, Esplin, Stewart, & Mitchell, 2003), perhaps social techniques will work well with young children (e.g., sit at eye level to child even if it means sitting on the floor).

Understanding the *social* aspects of interviews has received little attention but recent research (e.g., Davis & Bottoms, 2002) might provide some new insights and tools for interviewers.

Finally, the interviewers identified several other populations that might require specialized interviewing protocols: children with mental health issues, developmental delays, and attention deficits. Researchers are beginning to understand how eyewitness memory processes are similar and different between typically-developing and challenged populations. For example, children with autism spectrum disorders may recall less and need more opportunities to recall than typically-developing children, but yet be no more suggestible (Bruck, London, Landa, & Goodman, 2007). Although several countries have made progress in supporting vulnerable witnesses in court (e.g., the 2006 revisions to the Canadian *Criminal Code* allows the use of screens and closed-circuit television), there are few specialized techniques for interviewing.

**Limitations.** Caution is urged whenever participants self-select themselves into a study. Although true of any survey, it is possible that the interviewers in the current study participated because they were particularly dissatisfied with current techniques. The range of responses given to items is encouraging and, therefore, does not suggest any particular bias, but it is impossible to know whether the sample was representative of front-line interviewers in general without replicating the study with a larger sample. Specifically, and although not an aim of the current study, recruiting a national sample in Canada representing different levels of police services in both rural, urban, and remote communities seems essential.

Nevertheless, the small sample of interviewers in the current study provided invaluable information about the usefulness of recommended techniques, as well as illuminating issues that could be targeted in future research and training. Chief among these were developing techniques

that are effective for key populations: adults, young children, those with developmental or other challenges; and more effective ways to see open-ended retrieval used with children. In sum, interviewers reported that they were using many of the recommended techniques, but varied in how useful they considered them to be. Police-researcher collaborations aimed at developing best practices have the potential to benefit those who come into contact with the justice system.

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## Appendix 1: The Full Survey

### Investigative interviewers' perceptions of interviews of victims and witnesses

#### Do you interview children regularly?

Yes                      No      (Please circle)

If 'Yes', please complete Survey A; if 'No', please complete Survey B. Note The surveys were identical except that Survey A respondents were asked specifically about child victims and witnesses.

#### I. Training

1. Were you given training in interviewing children before you started?

Yes                      No      (Please circle)

2. **If you answered 'Yes' to Q1**, How much training did you initially get in conducting children's interviews?

|      |         |          |        |         |          |
|------|---------|----------|--------|---------|----------|
| 1    | 2       | 3        | 4      | 5       | 6        |
| None | < 1 day | 1-2 days | 1 week | 1 month | >1 month |

3. **If you answered 'Yes' to Q1**, Who conducted the initial training?

- a) Supervisor                      b) Colleague                      c) Forensic Consultant  
 d) Academic Consultant      e) Other \_\_\_\_\_ (please specify)

4. Do you undergo regular training in interviewing children?

Yes                      No      (Please circle)

5. **If you answered 'Yes' to Q4**, How often do you undergo training?

- a) At least once a week      b) At least once a month                      c) At least twice a year  
 d) At least once a year                      e) Other \_\_\_\_\_ (please specify)

6. Who conducts the ongoing training?

- a) Supervisor  
 b) Colleague

c) Consultant

d) Other

If "Other", Please specify \_\_\_\_\_

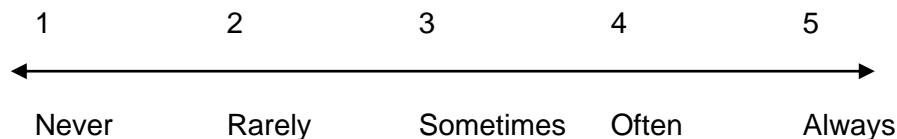
## **II. Techniques**

This section is designed to get an idea of techniques that interviewers find useful as they investigate crimes involving children.

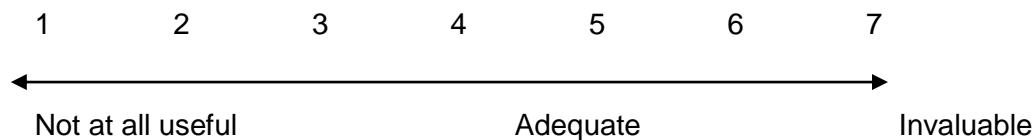
A list of various interview techniques is presented below. For each technique, please identify whether you use the technique, how often you use it, and how useful you find it.

The following scales were used in this section.

You use this technique:



In terms of usefulness, you find this technique:



1. The full **'Cognitive Interview'** (The CI is a witness-directed interview developed by Ron Fisher and Ed Geiselman in the US. The witness is encouraged to 'lead' the interview, recall the events multiple times from different perspectives and report everything, and the interviewer is trained not to interrupt the witness).
2. **'Cognitive Interview' - reinstate context component** (The witness is encouraged to recreate the event in her or his mind and then report what s/he remembers).
3. **'Cognitive Interview' - report everything instruction component** (the witness is asked to report every detail even if it seems insignificant).

4. **'Cognitive Interview' - recall events in different orders component** (e.g., after the first recall attempt, asking the witness to recall the event from the end to the beginning) **'Cognitive Interview' - recall events in different orders component** (e.g., after the first recall attempt, asking the witness to recall the event from the end to the beginning).
5. **'Cognitive Interview' - change perspective component** (e.g., asking the witness to recall the event from the perspective of another person who was present).  
event from the end to the beginning).
6. **'Cognitive Interview' - transfer control to the witness component** (e.g., allowing witness to talk more than the interviewer, explaining that the interviewer was not present and so the witness is the expert)  
event from the end to the beginning).
7. **'Conversation management'** (Based on the principles of interpersonal communication, the interviewer directs the interview in a responsive fashion. Incorporates elements such as greeting, rapport, body language and non-verbal communication, and active listening)  
event from the end to the beginning).
8. **'Step-wise interview'** (An interview that begins with general, open-ended questions from the interviewer that encourages the witness to recall any information and gradually progresses to more focused questions about specific details).  
event from the end to the beginning).
9. **'National Institute of Child Health and Human Development (NICHD) Protocol'** (A structured interview technique: The format and sequence of questions is pre-determined but information provided by the witness is incorporated into the prompts).  
event from the end to the beginning).
10. **'Resistance Management'** (An analysis of the interviewee's willingness and ability to talk, combined with the use of facilitative techniques to encourage disclosure)  
event from the end to the beginning).

11. Rapport building
  12. Explanation of the purpose and aims of the interview event from the end to the beginning.
  13. Truth/Lie discussion
  14. Instruction in the option of saying "I don't know"
  15. Instruction in the option of pointing out any mistakes by the interviewer
  16. Open-ended or recall retrieval phase (i.e., asking general prompts such as "What else happened?" that contain no information and allow the witness to choose what to report)
  17. Focused questions (i.e., asking about specific details already mentioned by the child)
  18. Using questions containing details that the child has not yet mentioned (e.g., asking "Did X do something to you?" when the child has not disclosed any interactions with X")
  19. Encouraging the witness to use imagery
  20. Anatomically detailed dolls
  21. Other techniques, Please list
- 
- 

### ***III. Evaluation of interviews***

The following section deals with your satisfaction with the information obtained from children during interviews. **You can select more than one option here.**

*The following scale was used for Questions 1-5.*

| 1      | 2                                | 3                          | 4                                    |
|--------|----------------------------------|----------------------------|--------------------------------------|
| Rarely | Yes, from ages<br>6 yrs and less | Yes, from ages<br>6-10 yrs | Yes, from ages<br>10 years and older |

*Do you get enough information about:*

1. Alleged actions
2. Appearance of key people
3. Identity of alleged perpetrator or other people *present* (e.g., names, relation to child)
4. Temporal information (when it happened)

5. *What other information do you typically need to get?*

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*The following scale was used for Questions 6-12.*

- |  |       |        |           |       |        |
|--|-------|--------|-----------|-------|--------|
|  | 1     | 2      | 3         | 4     | 5      |
|  | Never | Rarely | Sometimes | Often | Always |
6. In general, do you find that children under 6 years old can provide an account adequate for prosecution?
  7. In general, do you find that children aged 6 to 10 can provide an account adequate for prosecution?
  8. In general, do you find that children older than 10 years old can provide an account adequate for prosecution?
  9. In your experience, how often do child witnesses and victims give enough evidence to prosecute?
  10. In general, how often do you feel that statements from children under 6 years old are accurate?
  11. In general, how often do you feel that statements from children aged 6 to 10 are accurate?
  12. In general, how often do you feel that statements from children over 10 years old are accurate?
  13. Do you feel you have enough time to conduct the interviews adequately?
  14. How long is a typical interview?
    - a) Less than 15 minutes
    - b) 15 – 30 minutes
    - c) 31-45 minutes
    - d) An hour
    - e) Over an hour
  10. In cases of physical crimes, how often is a child's statement the key evidence?
  11. In cases of sexual crimes, how often is a child's statement the key evidence?

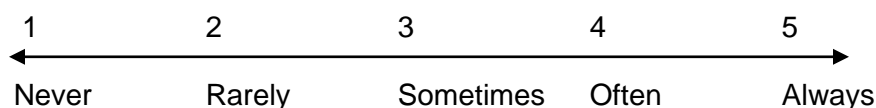
#### **IV. Sources of errors in children's reports**

This section deals with various ways that children's testimony can be contaminated before they are formally interviewed by an investigative interviewer.

Sometimes children report information from another source as if it had actually happened.

Sometimes it is deliberate fabrication and sometimes they are unaware of their errors. Please answer the following items without regard to whether children intentionally or inadvertently provide false information.

*The following scale was used for Questions 1-4.*



1. In your experience, how often have you felt that a child's statement was *coached*?
2. Sometimes children confuse their experiences with something they have seen on *television*. In your experience, how often have you felt that a child mistakenly reported something s/he
3. Sometimes children confuse their experiences with something they have *imagined*. In your experience, how often have you felt that a child mistakenly reported something s/he only imagined?
4. Sometimes children confuse their experiences with information that came up in a *conversation* with someone else. In your experience, how often have you felt that a child mistakenly reported something s/he had only heard about?
5. Are there any other ways that you have seen children's testimony be contaminated?

Yes                      No      (Please circle)

If Yes, Please specify

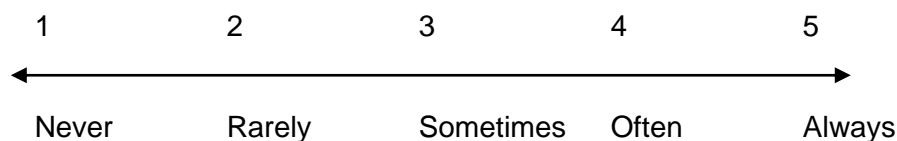
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*Sometimes children confuse different incidents of a repeated crime (e.g., when abuse has been repeated). The next section deals with these complex cases.*

### ***V. Investigations of repeated crimes***

Of the children you interview, how many of them disclose multiple incidents?

The following scale was used in this section.

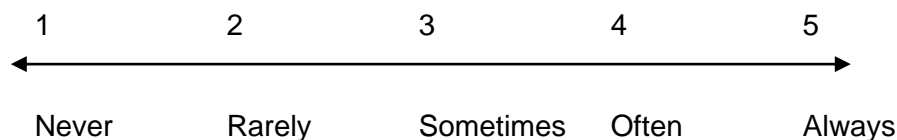


1. How often do you find that children get different *incidents* mixed up?
2. How often do you find that children get different *locations* of incidents mixed up?
3. How often do you find that children get different *times* of incidents mixed up?
4. How often do you find that children get different *perpetrators* mixed up?
5. How often do you estimate that children confuse their own *actions* with those of a perpetrator?

### ***VI. Strategies for questioning children about repeated crimes***

This section refers to interviews of children who have disclosed multiple incidents of crimes or when a history of repeated crimes is suspected.

The following scale was used in this section (excl. Q4).



1. Is it difficult to interview children who have alleged multiple incidents?
2. Do you try to elicit an account of what usually happens in all incidents (i.e., common components of the crimes)?
3. Do you try to elicit accounts of individual incidents?



4. If you answered never to either of the last two questions omit this question.

What do you usually do *first*, ask about what usually happens in all incidents or ask about individual incidents? (Please circle one)

What usually happens  All Incidents  Individual Incidents

5. Is it difficult orienting children to individual incidents?

6. How often do you label individual incidents by references to *time* (e.g., 1st time, 2nd time, last time)?

7. How often do you label individual incidents by references to *location* (e.g., time in the bathroom, time in the bedroom)?

8. How often do you label individual incidents by references to *actions* (e.g., time he touched your front privates, time he touched your back privates)?

9. How often do you label individual incidents by references to *people* (e.g., the time R. touched you, the time A. touched you)?

10. Are there any other ways you find it helpful to orient children to individual incidents? If yes, please specify and indicate how often you do this.

Yes  No  (Please circle)

What other problems are there when interviewing children who have memories of different events?

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### **VII. Background Information**

This is the last section of the survey.

1. What is your gender?

Male  Female  (Please circle)

2. What is your age range? (Please circle)

- |                   |                  |
|-------------------|------------------|
| a) Under 20 years | d) 31 – 35 years |
| b) 21 – 25 years  | e) 36 – 40 years |
| c) 26 – 30 years  | f) 41 – 45 years |

- |                  |                  |
|------------------|------------------|
| g) 46 – 50 years | j) 61 – 65 years |
| h) 51 – 55 years | k) Over 65 years |
| i) 56 – 60 years |                  |

3. What ethnic group do you belong to?  
(e.g., Anglo/European, Asian, First Nations, etc.)

\_\_\_\_\_

4. What is your profession? (e.g., police officer, social worker, teacher)

\_\_\_\_\_

5. How many years experience do you have in your given profession?

- a) Less than 1 year
- b) 1 – 5 years
- c) 6 – 10 years
- d) More than 10 years

6. How many years have you been interviewing children in abuse cases?

- a) Less than 1 year
- b) 1 – 5 years
- c) 6 – 10 years
- d) More than 10 years

7. How many interviews of children do you conduct on average each week?

- a) Less than 5 per week
- b) 6 – 10 per week
- c) More than 10 per week

8. How are the interviews of children normally recorded?

- a) Audiotape
- b) Videotape
- c) Interviewer's notes
- d) Other

If answered "Other" please specify:

\_\_\_\_\_

9. On average, how often is an alleged child victim interviewed during the investigation?

- a) Once
- b) Twice
- c) 3 - 5 times
- d) 6 – 10 times
- e) More than 10 times

***Miscellaneous***

Please list any other areas that are difficult when interviewing child witnesses and victims.

Would you like to say anything else?

## **Figure Captions**

### **Figure 1a**

Percentage of Child-Witness interviewers using technique *sometimes* or more often.

### **Figure 1b**

Percentage of Adult-Witness interviewers using technique *sometimes* or more often.

### **Figure 2a**

Child-Witness interviewers: Mean perceived usefulness ratings on a scale of 1 (not at all useful) to 7 (invaluable).

### **Figure 2b**

Adult-Witness interviewers: Mean perceived usefulness ratings on a scale of 1 (not at all useful) to 7 (invaluable).

Figure 1a (Child-witness)

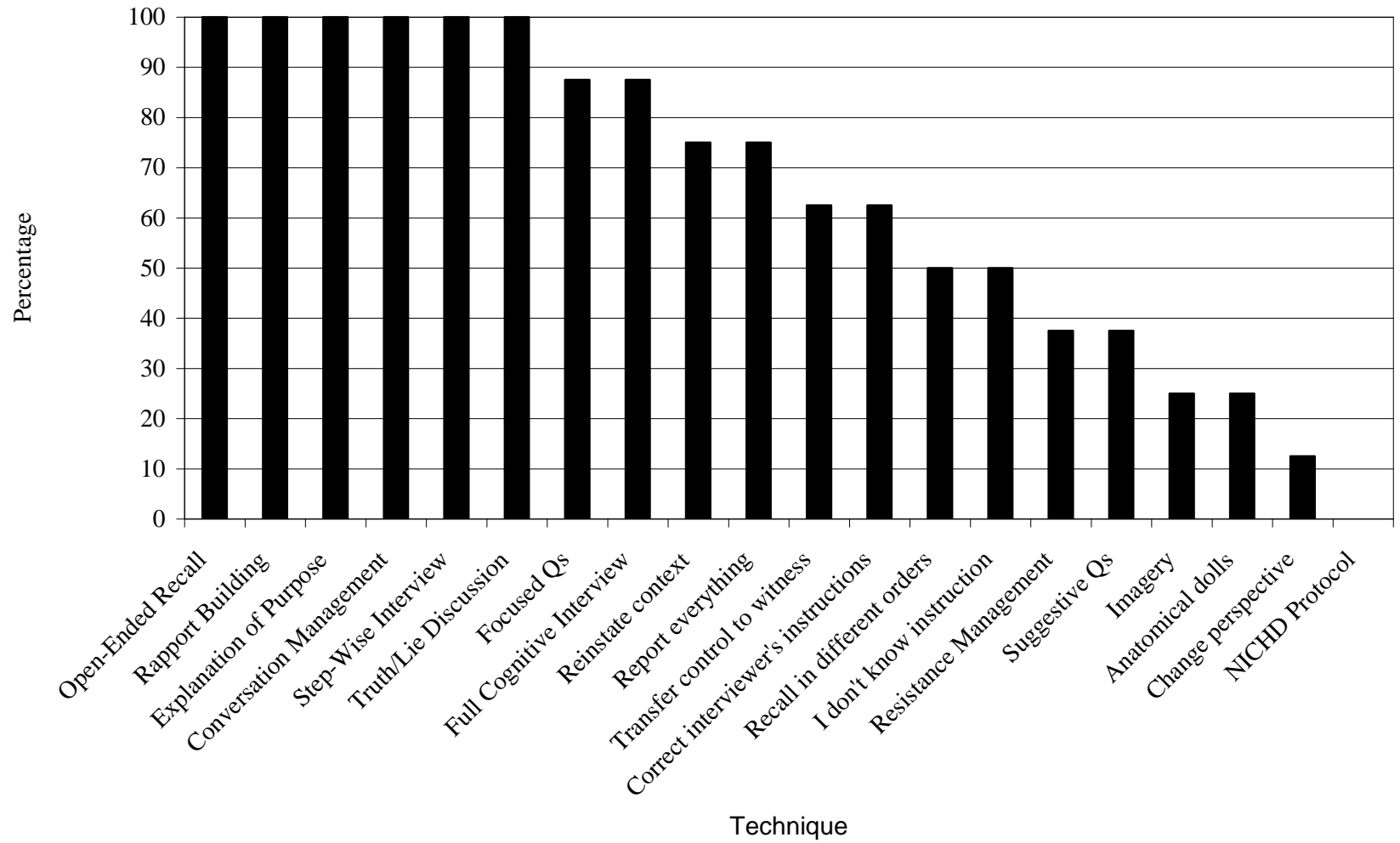


Figure 1b (Adult-witness)

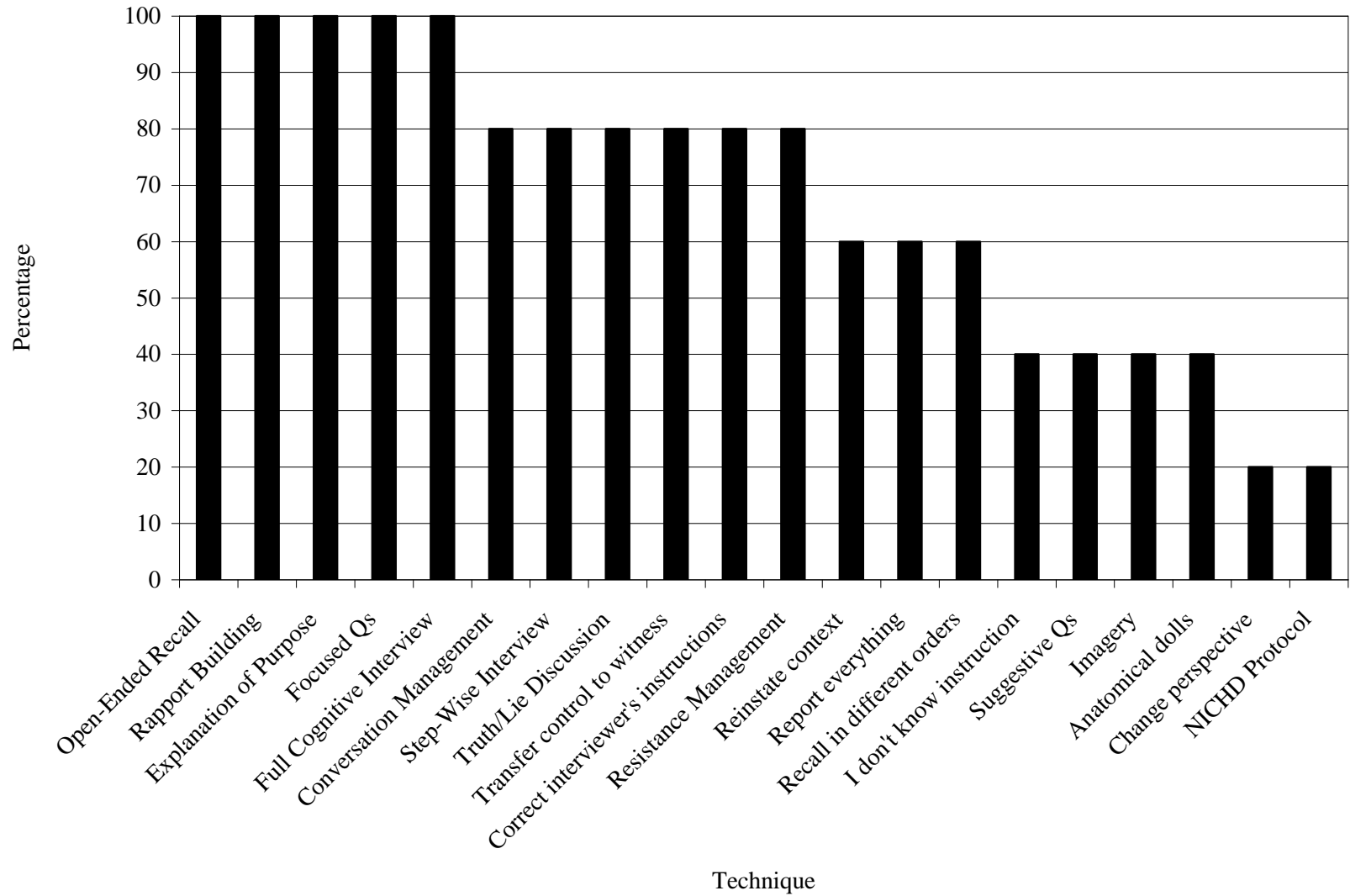


Figure 2a (Child-witness)

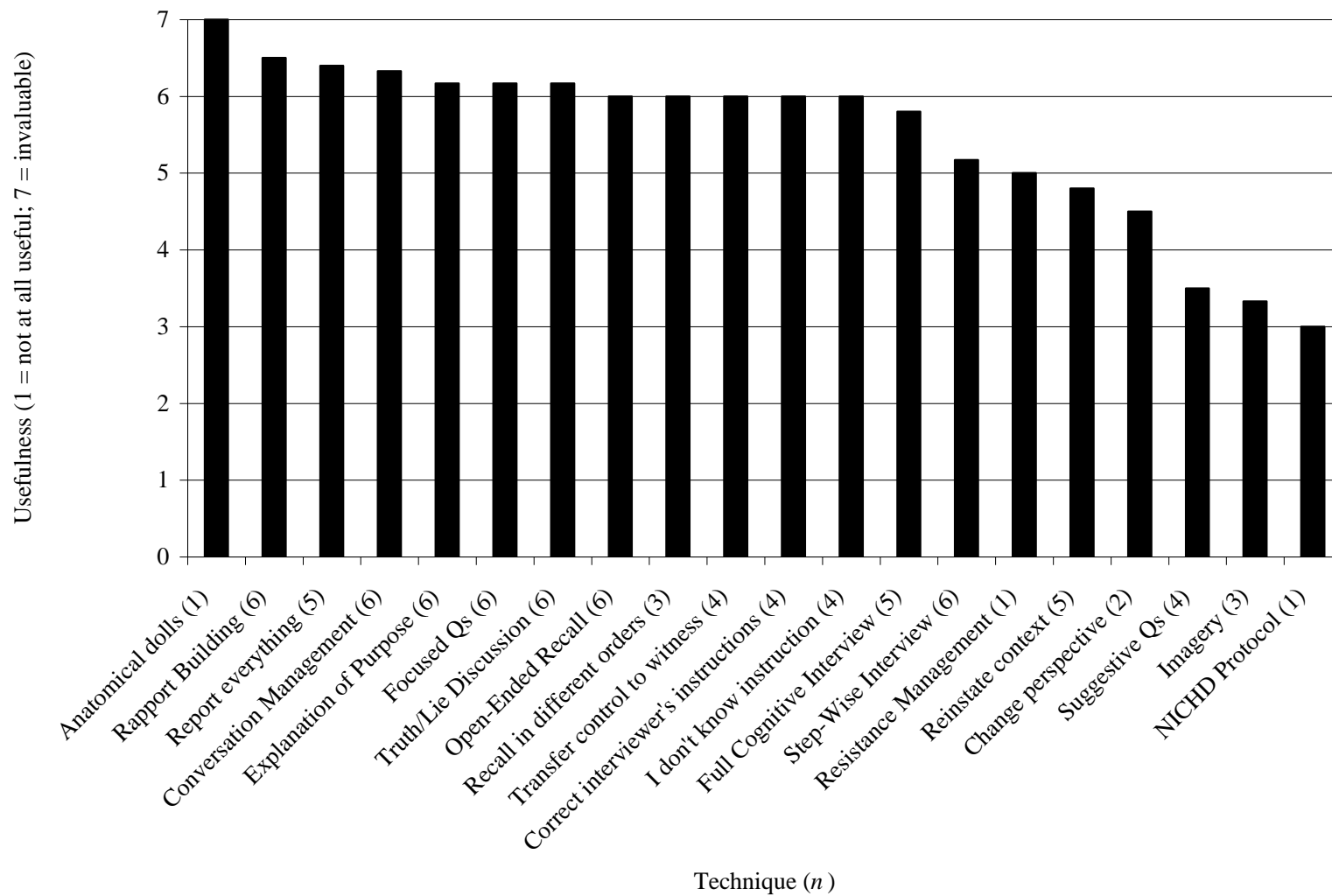


Figure 2b (Adult-witness)

