The Nuts and Bolts of a Child Forensic Interview

by **Dr. Dan Swerdlow-Freed** on April 14, 2017

What is a Forensic Interview?

A child forensic interview can be conceptualized as a structured conversation that is designed to obtain information from a child about an event the child may have experienced. The interview should be "developmentally sensitive," meaning questions should be phrased based on a child's level of cognitive development and linguistic skills. The results of a child forensic interview can serve several purposes: (1) To inform and direct a law enforcement investigation; (2) To substantiate or disprove allegations of child sexual or physical abuse, neglect or maltreatment; or, (3) To assess the safety of a child's living arrangement (State of Michigan Governor's Task Force on Child Abuse and Neglect and Department of Human Services, 2011).

Ultimately, the results of a child forensic interview may help determine whether to bring criminal charges against an individual suspected of physically or sexually abusing, or neglecting a child, or suspected of another criminal offense. Given the importance of protecting children who may have experienced abuse or neglect, as well as protecting the legal and civil rights of individuals suspected of a criminal offense, it is imperative that forensic interviews of children are conducted in a neutral and unbiased fashion that follows empirically-based, best-practice standards.

What is a forensic interview protocol?

Over the past three decades, extensive research has been conducted on how to question children about events they may have experienced (Poole and Lamb, 1998; Lamb, LaRooy, Malloy, & Katz, 2011). These investigations have led to the development of different forensic interview protocols such as the National Institute of Child Health and Human Development (NICHD, Orbach, Hershkowitz, Lamb, Sternberg, Esplin, & Horowitz, 2000); the National Children's Advocacy Center's Child Forensic Interview Structure (National Children's Advocacy Center, 2012), and the Michigan Forensic Interviewing Protocol (State of Michigan Governor's Task Force on Child Abuse and Neglect, 2011). While there is not a national consensus regarding the use of a single forensic interview protocol, the procedures outlined in most guidelines rest on the same body of empirical research, which cumulatively establishes the best practices for forensic interviewing of children (Juvenile Justice Bulletin, 2015).

Forensic interview protocols outline a series of stages or phases for interviewers to proceed through during questioning of a child. Each phase is designed to achieve a specific objective, while the overall goal is to enable children to provide an accurate and reliable account of an event they may have experienced.

What are the phases of a forensic interview?

Forensic interview protocols or guidelines differ in the amount of structure they provide. The NICHD protocol is the most structured and provides a script for interviewers to follow. The NCAC and State of Michigan protocols are semi-structured and direct interviewers to cover certain topics, although not necessarily in a sequential fashion. In addition, these protocols do not direct child forensic interviewers to follow a series of scripted questions. Most research-based forensic interview protocols include the following phases, although each guideline may refer to it by a different name.

Pre-interview Preparation

This phase involves gathering background information about the child, including what is known about the alleged offense. This information can be used to develop alternative hypotheses the child forensic interviewer can explore and to formulate questions designed to test each hypothesis. Finally, the interview room should be prepared for the child and the interviewer should verify that recording equipment is operating properly if the interview will be recorded.

Rapport Building

This phase starts when the child forensic interviewer introduces him- or herself to the child. A properly conducted forensic interview begins by establishing rapport with the child – explaining the purpose of the interview and ensuring the child is comfortable and ready to proceed. Preliminary discussion enables the interviewer to begin assessing the child's cognitive abilities and verbal skills.

This stage also involves establishing "ground rules." These include directing the child not to guess, to report if the interviewer says something the child does not understand, and to correct the interviewer if she makes a mistake. These instructions encourage the child to provide accurate and truthful information. In addition, children should demonstrate knowing the difference between a truth and a lie and should agree to tell only the truth. Research shows that asking children to "promise" to tell the truth may reduce the likelihood of their making false statements (Lyon and Dorado, 2008).

Conduct a Practice Interview

The main purpose of a practice interview is to help children understand what is expected of them. Practice questions should be open-ended and are designed to elicit detailed, multiple-word answers to neutral topics. Asking open-ended questions about the child's life not only strengthens rapport, it provides an opportunity to assess further the child's linguistic and cognitive skills and to reinforce ground rules (State of Michigan Governor's Task Force on Child Abuse and Neglect, 2011).

Asking children to answer open-ended questions also provides practice in episodic memory training (Poole, 2016), which can enhance the quality of information they provide during the rest of the interview.

Substantive Phase of the Interview

This stage should be introduced by the child forensic interviewer in a neutral manner that permits the child to select the topic and direct the conversation. The least suggestive prompt ought to be used and should avoid suggesting that a particular individual, behavior or act is the subject of interest. A common introductory statement would be, "Tell me the reason you are here today." If the child makes a disclosure, the interviewer can follow up with another open-ended question to obtain a complete report, such as "Tell me everything that happened when (repeat the child’s statement). It is important to permit the child to give a narrative account with minimal interruption or comment.

“Maximizing the amount of information obtained through children’s free recall memory is universally accepted among forensic interview models as a best practice” (Juvenile Justice Bulletin, 2015, p. 6)

For a variety of reasons, some children do not respond to neutral prompts and may need additional prompting. While there are different approaches to providing it, all forensic interview protocols indicate that child forensic interviewers must avoid making suggestive comments about a specific person or action. One recommended procedure involves making more general remarks, (e.g., “I understand something has been worrying you.”).

Additional Questions & Clarification

Once the child has finished his or her account, it may be necessary to seek additional information or to clarify ambiguous statements. Forensic interview protocols direct interviewers to solicit additional information by asking the child to expand on statements that were previously volunteered using specific question formats. For example, specific but non-leading questions seek elaboration of one aspect of an account (e.g., “You said John got into the bed with you. Tell me everything that happened when John got into the bed with you.), or clarify information that is contradictory (e.g., “First you said you were in the kitchen with John, but then you said you and John were upstairs. I’m confused about where you and John were. Can you tell me about that again?”).

Another recommended way to solicit information is to ask “wh” questions about details the child previously disclosed, (e.g., “You said Joe touched you. *Where* were you when Joe touched you?” or “*What* were you doing just before Joe touched you?”) Most forensic interview protocols recognize that there may be situations where it is necessary to ask “closed questions.” This type of inquiry provides a limited number of response options that are either multiple-choice (e.g., “Where you in the kitchen, basement or somewhere else when he touched you?)” or option-posing (“Did he touch you over or under your shirt?”). These questions are the riskiest and most forensic interview protocols caution that their use should be postponed until all other question formats have been exhausted. Finally, whenever a “closed question” is asked, it should be followed by an open-ended question that seeks elaboration in the child’s own words (Poole and Lamb, 1998).

Close the Interview

This phase involves different elements depending on whether the child has made a disclosure, and his or her current emotional state. Once a discussion of the substantive issues has been completed, it is useful to ask the child if he or she has any questions or has anything else to tell the interviewer. Introducing a neutral topic (e.g., “What are you going to do after you leave here?”) prepares the child to end the interview, before thanking the child for their attendance.

For more information about Forensic Interviewing of Children or to schedule a consultation appointment, please call Swerdlow-Freed Psychology at 248.539.7777. Our offices are conveniently located at 30600 Northwestern Highway, Suite 210, Farmington Hills, Michigan 48334, and 55 North Pond Drive, Suite 6, Walled Lake, Michigan 48390.

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