

## ASSESSING THE QUALITY OF INTERVIEWS WITH CHILDREN ALLEGING SEXUAL ABUSE IN SCOTLAND

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**Summary:** Child sexual abuse is a significant problem in the UK. The key to successful prosecution of child sexual abuse lies in investigators conducting high quality victim interviews that are based on guidelines provided by the Home Office (2002) and the Scottish Executive (2003). However, previous research has shown that just because scientifically based guidelines are made available by the Government, investigative agencies do not always follow them (Sternberg et al., 2001). It is currently unknown whether the interview guidelines for Scotland are actually being adhered to by interviewers. If this is the case, there is a need for *quantitative* assessment of the quality of interviews currently being conducted so that training resources can be effectively directed.

### INTRODUCTION

Child sexual abuse is a significant problem and recent UK estimates suggest that 11% of boys and 21% of girls under the age of 13-years-old will experience sexual abuse (May-Chahal & Cawson, 2005). This UK estimate accords with other estimates of child abuse in developed countries. The type of abuse that is brought to the attention of the police typically involves contact abuse such as touching under the clothes and penetration. Abuse is usually perpetrated by someone known to the child living within their community. Children may be coerced or groomed by adults intending to sexually abuse them, they may be threatened to keep abuse a secret, and abuse may occur multiple times. Children find it hard to disclose abuse to adults for many reasons including fear, denial, and shame. As many as 31% of abuse victims may never disclose abuse (May-Chahal & Cawson, 2005), with a developmental trend that younger victims are the least likely to disclose (Pipe et al., 2007).

The problems stemming from child sexual abuse are manifold and long-lasting. Depending on the type and severity of abuse, children can be physically and mentally traumatized, or injured. A follow up study of teenagers in the UK who had been abused before the age of 7 years reported that re-victimization, externalizing problems, educational difficulties, health problems and a failure to thrive were common (Frothingham et al., 2000). Recent results from a New Zealand study suggest that victims of child sexual abuse are twice as likely to become involved in abusive relationships later in life (Fanslow et al., 2007).

Participation in the legal system has also been shown to have negative consequences for victims of abuse. Goodman et al., (1992) compared children who had to testify in court with children who did not end up having to testify. They found behavioural and mental health problems in the children months after testifying, which was linked to the number of times children testified; the more children testified, the worse the behavioural and mental health problems were. Quas et al., (2005) followed up these cases 14 years later and still found problems associated with previous participation in the legal system. The frequency of testifying was still associated with internalising problems such as anxiety and depression. Externalising behaviours such as aggression and antisocial behaviour were also present. The amount of distress experienced by children on the witness stand also predicted later internalising and externalising behaviour, as well as sexual problems. The effects of participating in the legal system were always

negative. When lenient sentences were given, victims felt that more could have been done. Older children at the time of the court cases harboured negative attitudes towards the legal system in adulthood.

It is difficult to estimate the true cost of child sexual abuse to society, but it is likely to be large. The personal cost to victims, their families, and community cannot be calculated. Police, legal and medical resources are also used.

In sum, there may be positive benefits of successfully policing child sexual abuse. It sends a public message that child sexual abuse is not tolerated and that victims can trust the police. It may also reduce the negative impact of participating in the legal system.

## **CURRENT ISSUE: THE QUALITY OF INTERVIEWS IN SCOTLAND**

When children report abuse, there is frequently very little physical evidence supporting their allegations. Investigators must therefore rely on what children say when they are formally interviewed. Exactly what is said forms the main body of evidence in the case. Over 30 years of accumulated research on children's eyewitness memory shows clearly how interviews should, and should not, be conducted. The bottom line is that children should be allowed to provide an account of what happened through a non-leading and non-suggestive line of questioning. The most reliable information is obtained when interviewers use open-ended requests for information as simple as, "tell me what happened," "tell me more about that," and "you said \_\_\_\_\_, tell me more about that," (Lamb et al., 2008).

The Joint Investigative Interview Technique (JIIT) commissioned by the Scottish Executive (2003) is an example of internationally accepted best-practice guidelines. They emphasise the use of open-ended requests for information. Of particular use is an appendix echoing the detail of a protocol reported by Orbach et al., (2000) that has been validated in field studies of approximately 40,000 forensic interviews with children. When followed, the technique described by the Scottish Executive (2003) should, in theory, elicit more forensically relevant information compared to other interview techniques such as *Achieving Best Evidence* (2002) used in England and Wales that does not specify a specific protocol to follow.

However, there is serious cause for concern regarding the forensic interviewing of children in Scotland because there is currently no requirement to video- or tape-record interviews with children (plans have been formulated to change this in the coming years, see Scottish Executive, 2007). Available evidence overwhelmingly proves that recording interviews is the best way to preserve evidence compared to hand-written contemporaneous notes, post-facto notes, or just trying to remember what was said. It is not possible to know exactly what was said in an interview without having recorded it (Warren & Woodall, 1999). Research also shows that the type of questions asked, whether they be suggestive or neutral, also has a large impact on answers children give, again emphasising the need to record exactly what was said (Ceci & Bruck, 2000). By not recording interviews, evidence is lost.

Moreover, the absence of recorded interviews in Scotland means that it is impossible to accurately determine whether or not the Scottish Executive (2003) recommendations are actually being used by Police Officers who interview children. Previous research has shown that the uptake and implementation of Government guidelines on interviewing child witnesses cannot be assumed (Sternberg et al., 2001). The lesson learnt is that the release of Government guidelines is the *beginning* of a process to improve interviewing standards – not the end of a process. The quality of interviews must be independently checked to determine that a high standard is maintained. When applicable, training resources can then be justified and targeted (Lamb et al., 2002a, 2002b). It is surprising that resources are currently being directed towards training police and social workers in Scotland, yet no attempt has been made to evaluate the success of the training. Evaluation is urgently needed before even more resources are directed towards training when video recording of interviews becomes mandatory in Scotland.

## STRATEGY FOR INDEPENDENT ASSESSMENT OF THE QUALITY OF INTERVIEWS IN SCOTLAND

**Study 1:** In the short-term a useful starting point would be to survey police officers in Scotland about their interviewing practices and their level of training. A modification of a questionnaire devised by Dr. C. Dando for the purpose of assessing interview standards with adults would serve this purpose (Dando et al., 2008).

**Study 2:** A sample of recorded forensic interviews with children in Scotland is needed to directly assess the quality of interviews that are being conducted. The quality of these interviews should be *quantitatively* assessed to determine how well best practice guidelines are being followed. Obtaining access to a sample of forensic interviews in Scotland is being sought. This needs to be approached sensitively and the cooperation of the police and social workers is essential.

Quality assessment should follow the National Institute for Child Health and Human Development (NICHD) system of analysing the quality of the interviews with children. This method of analysing the quality of interviews has been developed by a team of researchers lead by Prof. Michael Lamb and Dr. Yael Orbach and is supported by the largest dataset of this type in the world today.

This project will be a collaborative effort lead by Dr. David La Rooy who has received training in assessing the quality of forensic interviews with children using the NICHD coding system. The expertise of Prof. Amina Memon and Prof. Michael Lamb in the areas of child development, forensic interviewing, and the development of interview guidelines will be drawn upon. Prof. Memon was specifically involved in the development of the interview guidelines for Scotland (Scottish Executive, 2003). Dr. Patrick Cronin, Associate Director of the Police-Community Relations network will assist in facilitating access to recorded forensic interviews, quantitative analysis, and be a key liaison. Expertise from other members of SIPR will also be drawn upon when necessary.

Funding for this project is currently being sought to cover costs.

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