



Child interviews in legal settings

Policy and practise in Finland

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Framework

- Children under 15 years do not need to witness in court but give their evidence during the pre-trial investigation
 - Enables a timely child interview
 - The interview is electronically recorded and transcribed word for word
 - The defendant has the right to pose questions through the interviewer

Policy and practise

- Police officers investigating suspected crimes against children in Finland must be especially trained in the matter
 - Pre-trial investigation act, 2014
- The police may also ask assistance from specialized units
 - Law re investigations of child abuse, 2008
 - Teams consist of experts in forensic and developmental psychology, social workers familiar with CPS and child psychiatrists

Training of interviewers

- Since 2009, yearly 1-year long courses for police and health care personnel (in particular, forensic psychologists) conducting the child interviews:
- **Theory** (10 full days):
 - Attitudes and decision making
 - Information gathering and hypothesis testing
 - How to maximize the amount of reliable information provided by the child, phrasing the right questions
 - Taking the child's developmental level into consideration (suggestibility, memory, language development, developmental problems etc.)

Training of interviewers

- **Supervision and feedback** (throughout the year):
 - Participants present their interviews in small supervision groups and receive feedback on their questioning style
- Continuous feedback has been found to be necessary for maintaining the quality of interviews

Expert assistance from the university hospital units

- Can take many forms depending on the need:
- Interviews with young children or children with disabilities
- Interviews in particularly complicated cases
 - For instance, custody disputes
- Helping/supervising the police officer plan and conduct the interview
- Expert statements for the court
 - On particular issues relevant to the case, the child's statement or other issues

Prior to the interview

- Pre-screening:
 - Is there a cause for suspecting a crime?
 - Suspicions based on the child's behavior may be unfounded (e.g., normal sexual developmental behavior is misinterpreted)
 - Evidence that the child has been subject to highly suggestive discussions prior to the interview (e.g., custody disputes)

Background information analysis & hypothesis testing

- Background information by the CPS, health care information, school/kindergarten etc. where necessary
 - May differentiate long-lasting abuse and neglect from unique instances in otherwise functioning families
- **In acute cases, the priority is on hearing the child ASAP**
 - in other cases the need to assess background information carefully predominates
- The assessments are driven by a **hypothesis-testing approach**: which are the alternative hypotheses to the allegation? (see e.g., Dale & Gould, 2014; Poole & Lamb, 1998; Herman, 2009)
 - Explicitly stated as a working approach in Finnish guidelines

Evidence-based interviews

- Interviewers follow the NICHD-protocol (see work by Michael Lamb and colleagues)
 - The most researched interview protocol
 - Flexible: requires expertise on the part of the interviewer to adjust to the individual case at hand
 - Interviews are well planned, bearing in mind the alternative hypotheses to the allegation
- The interviewers at the university hospital centers follow the current research developments in the field to ensure interviewing is evidence-based.
 - This also translates more broadly to the police officers working in collaboration with the units.





References

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