

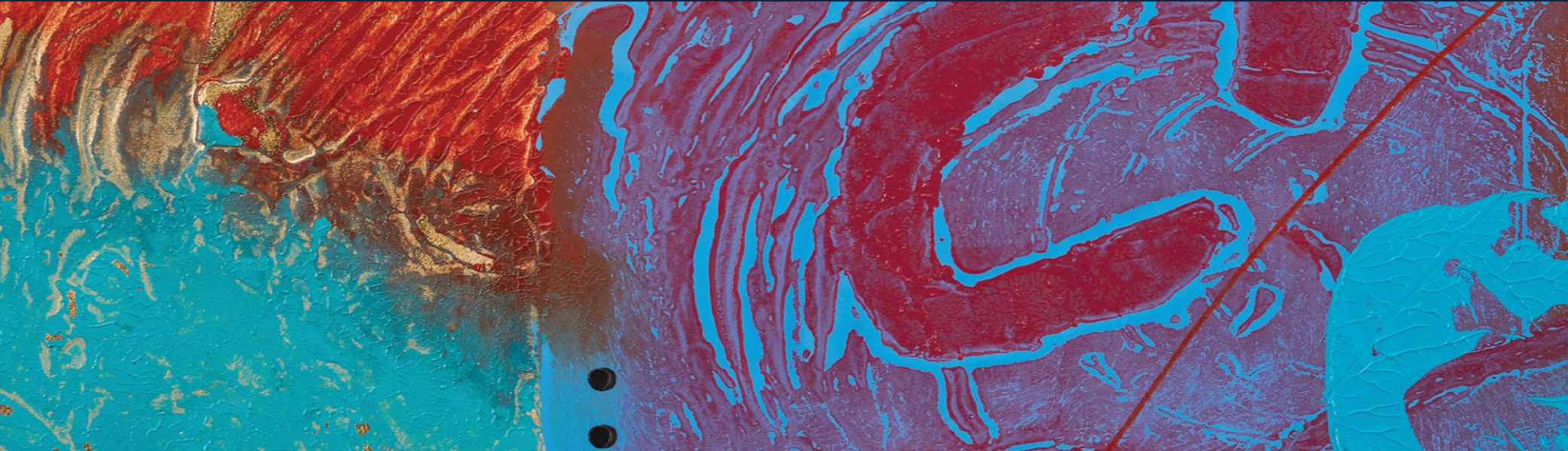
Trauma Informed Child Safeguarding Practices

Interviewing children in investigations

Katie Fudakowski

Partner, Farrer & Co Safeguarding Unit

Credit to: Maria Strauss, Partner, Safeguarding Unit Farrer & Co



What is Achieving Best Evidence?



Achieving Best Evidence in Criminal Proceedings:

Guidance on Interviewing Victims and Witnesses, and Guidance on Using Special Measures

The Advocate's Gateway

F&
Co

Everyone should be able to give their best evidence in proceedings with the minimum of distress

What do I need to know about the child witness?

Preferred name? Age?
Gender/gender identity? Preferred name/form of address? Race, ethnicity? First language? Specialist health or medical needs? Cognition?

Do I understand the impact and side effects of abuse?

How might the abuse impact the evidence?- aggression, non-compliance,

Do I need to make any adjustments?

Best time of day? Adjustments to the room? Building in breaks. Taking account of the needs of the witness

Ground Rules/Truth and Lies

6 ground rules plus age-appropriate truth and lies exercise

Ground rules



Remember I wasn't there so I don't know what happened.



It's important not to guess, so say if you know the answer.



It's really important we only talk about things that have happened. (Things we have seen with our own eyes and heard with our own ears)/we promise to tell the truth.



I don't know what happened so it's important to tell me if I get something wrong.



It's my job to help you understand, so let me know and I'll think of a better way to ask you.



You can use any words when we are talking to help me understand.

Four phase approach to interview

Phase 1 – establishing rapport
(Preliminaries, Neutral Topic, Ground rules, Oath and Truth and lies)

Phase 2 – Free narrative account

Phase 3 – questioning

Phase 4 – closing

Types of questioning

AVOID! Introduces something that hasn't been introduced by the witness

Leading

Requires yes or no

Closed

What happened? When did it happen? Who was it? Where were you? Avoid *why* as it's blaming, and be careful of *how*

Careful! Give options: was it red, blue or something else?

Forced choice

Tell me about home. Explain the room for me. Describe the man...

Specific

Open Specific

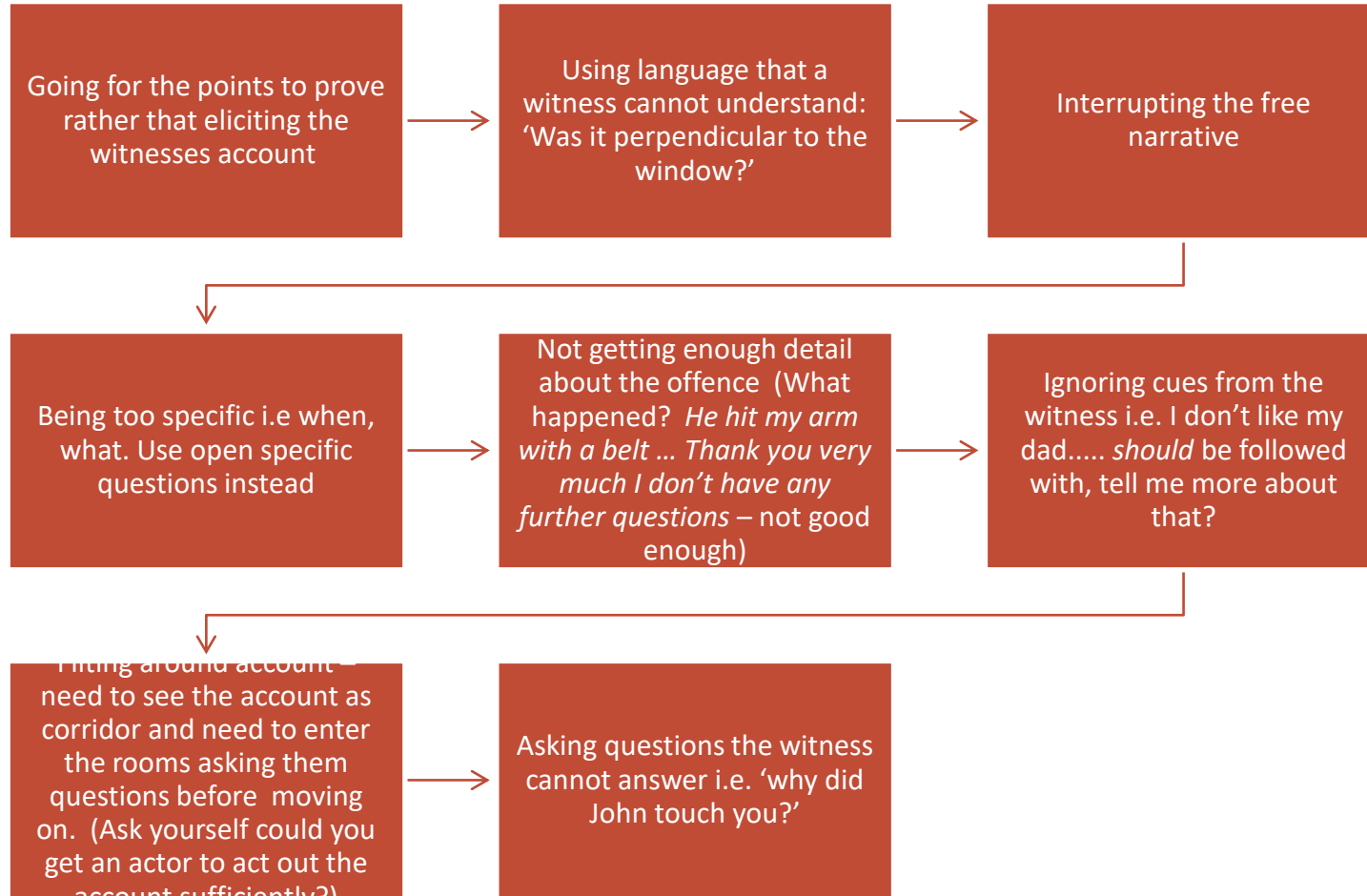
(second best type of questioning)

Open Open

(best type of questioning – designed to tap recall memory)

Tell me... Tell me more... And then... Go on... Using silence

Pitfalls to avoid



Farrer & Co LLP
66 Lincoln's Inn Fields
London
WC2A 3LH

+44 (0)20 3375 7000
www.farrer.co.uk

Thank you for listening

Katie.Fudakowski@farrer.co.uk

F&
Co