

CHILD CENTERED LEADING PRACTICE GUIDELINE

FOR INTERVIEWING AND SUPPORTING CHILD VICTIMS OF SEXUAL CRIME



This is a Child Centered Leading Practice Guideline developed under the TDH NL funded WATCH project that aims to prevent and tackle Sexual Exploitation of Children in Travel and Tourism (SECTT).

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FOREWORD

The increase of child sexual exploitation demand and accessibility to children at risk, combined with the rapid growth of Internet Communication Technologies (ICTs) has contributed to the growing threats of child sexual abuse and exploitation in Cambodia and globally.

Child victims of sexual crime need special protection and assistance as well as easy access to child friendly justice. The development of this Child Centered Leading Practice Guideline was carried out with careful consultations with the law enforcement officials at different levels, and tailored to the local context and international standards, with the aim is to equip law enforcement with the necessary skills and knowledge for investigating and prosecuting sexual crimes against children in a victim centered approach that ensurs full respect of children's rights and the best possible protection of child victims involved.

We hope to spread this leading practice and child friendly culture across all the criminal justice institutions in Cambodia and build interagency protocol in coordination and collaboration among law enforcement, social wefare and legal serivce providers, medical professionals and NGOs to ensure child victims have access to holistic coordinated support for their recovery, rehabilitation and re-socialisation.

This development, along with many other interventions, signifies the commitment of APLE in protecting the most vulnerable children against sexual abuse and exploitation, and reaffirms its crucial role in supporting and strengthening the criminal justice system in Cambodia.

I hope that this Child Centered Leading Practice Guideline is helpful and will enable the greater promotion of child centered practices in Cambodia.

Phnom Penh, 28th April 2021

Mr. Seila Samleang, Executive Director APLE Cambodia

ABBREVIATIONS

ASEAN	The Association of Southeast Asian Nations
BID	Best interests determination
СВО	Community-Based Organization
CRC	Convention on the Rights of the Child
CSAM	Child Sexual Abuse Material
ILO	International Labor Organization
ISP	Internet Service Provider
NGO	Non-Governmental Organization
PTSD	Post-Traumatic Stress Disorder
тот	Training of Trainers
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
UNTOC	The United Nations Convention against Transnational Organized Crime

SECTION 1 GUIDING PRINCIPLES

These guiding principles set out ethical responsibilities and standard behaviors of the law enforcement officials to ensure the best health and well-being's services are delivered to the children and families as possible.

These following guiding principles/approaches draw upon best practice principles outlined in the UNHCR Guidelines on Sexual Violence Response and Prevention, UNICEF Justice for Children, and Cambodia's best practices in consultation with National Cambodia Police Forces in the context of Cambodia and tailoring to the international standards.

Upholding children's rights - Rights based approach

All children should be offered the same high-quality care and treatment, regardless of their race, religion, gender, family situation or the status of their caregivers, cultural background, financial situation, or unique abilities or disabilities. Victims have a right to be protected, consulted and informed of all actions being taken on their behalf. Children have the right to participate in decisions that have implications in their lives.

Information about a child's experience of abuse should be collected, used, shared and stored in a confidential manner. 'Best interests shall be a primary consideration' in any decision where a child will be affected that police, judges and prosecutors should give priority to the child's best interest.

Adopting child-friendly procedures - Child centric approach

Any action initiated by the law enforcement agencies should ensure that the victim is the pivotal/ focal point. In all cases involving child victims or witnesses, measures and safeguards should be implemented to protect them from intimidation, reprisals or secondary victimisation that may occur whilst participating in the justice process. For example, the victim is (1) not treated as an offender, (2) not re-victimised, (3) not stigmatized, and (4) is entitled to receive help and assistance as a matter of right.

Integrating multi-disciplinary services - Multi-disciplinary approach

Agencies and professionals work together with mutual responsibilities and joint accountability for managing different aspects of helping a child within the context of the family, community, and society. The management of child abuse cases is multi-sectoral (national and local government agencies, non-government and faith-based organizations, civic and private sectors) and multi-disciplinary (police, prosecutor, judge, lawyer, social worker, medical doctor, psychiatrist, psychologist, barangay officials, among others) working together as a team to provide appropriate protection, legal and social services to the child victims of abuse, neglect, and exploitation. The law enforcement agencies need to coordinate with these stakeholders to develop a synergy and partnership with them.

Addressing gender bias - Gender-sensitive approach

The approach recognizes that girls and women's perceptions, experiences and interests may be different from those of boys and men, arising from an understanding of their different social position and gender roles. The provision of gender-sensitive services to abused children necessarily includes rights-based approach, i.e. responding to victims' peculiar needs at all times and in all stages, according them respect, and promoting dignity as their inherent right. The law enforcement officials recognize and address any gender bias he/she holds towards the child victims.

Strengthening children's resilience - Family and community based approach

This approach recognizes that families and communities are the first line of response in dealing with problems of children, thus interventions should strengthen the capabilities of families and communities to care for them.

SECTION 2

CHILD FRIENDLY STANDARD OPERATING PROCEDURES

2.1 CHARACTERISTICS OF CHILD-FRIENDLY SOP

The child's well-being comes first

If the child victim is too distraught to immediately give a statement, postpone the interview until the child is ready. Coordinate with the child's parents or guardian and any assisting social welfare officer or professional to determine the earliest opportunity that the child may be safely interviewed. Be thorough in the interview to avoid the need for multiple interviews and take breaks during the interview as often as the child requires.

Create a child-friendly environment

Interviews with children should be conducted in a private, comfortable space that is free from distractions (e.g. ringing phones, people coming and going) and both physically and psychologically safe for children and non-offending family members. Toys and games are helpful to keep children occupied while they are waiting, but should be put away during the interview to avoid distraction. If there is no childfriendly space available within the police station, request the use of another stakeholder's child-friendly space (such as a social worker's space or an NGO). Police should sit beside the child rather than directly in front of him or her to avoid the appearance of confrontation.

Have a support person present

The child's parent, guardian or relative is not obliged to be present for the interview, but may be comforting for the child. Ask if the child would like accompaniment and, if the child requests it and it is in the child's best interest, a parent, guardian, relative or supportive adult may sit as an observer in the interview. If a parent or guardian is present, remember that the focus of the interview is the child who was the victim and/or witness, not the parent or guardian. The adult should not actively participate in the interview. A parent or other support person should not be present if the police have any concerns that s/he may try to influence the child's evidence.

Have a social welfare officer present

As far as practicable, the interview should be conducted in the presence of a social welfare officer in order to miminise the child's trauma from multiple interviews and to provide support to the child as needed. If the child has a disability that impacts on his or her ability to communicate, it may be necessary to arrange for a specialist to be present (e.g. sign language interpreter, psychologist, etc.).

In cases of sexual abuse, it is preferable that female victims be interviewed by a female officer. If none is available, the social welfare officer attending the interview should be female to ensure that a girl child is not interviewed in the presence of two men.

Minimise contact with the alleged suspect

Under no circumstances should the child be present in the same room with the alleged suspect, nor should the alleged suspect have the opportunity to refute the child's narrative in the same room or at the scene of the crime. A child should not be in the same space nor required to communicate with the person accused of committing the crime against him or her.

Interviews should never be conducted in the presence of the suspect or other adults who are not accompanying the child. If the child must formally identify the suspect, this should be done through photo line-up or through a two-way mirror, if available at the station, rather than in person.

Modify language to the child's age and level of development

Questions must be tailored to the child's age and level of understanding. Ask questions using short, simple sentences and conveying only one main thought per sentence. A general rule of thumb is to match the number of words in a question to the age of the child (for example, a six-year old child will understand a question with no more than six words in it).

Documentation

Electronic recordings are the most complete and accurate way to document interviews, capturing the exchange between the child and the interviewer, as well as the exact wording of questions. Where only written interviews are possible, write the questions asked in full and try to take down the child's response word for word. Both of these documentation techniques will keep the number of interviews to a minimum, and respect the child's age and attention span by keeping the interview as short as possible.

Ask the child to participate in decision-making

Children have the right to actively participate in the decisions affecting their lives. In a police investigation, this includes informing children of the steps and purpose of the interview and giving the child the opportunity to participate in deciding who will be present, how the interview might be better adapted to his or her needs and what will happen after the interview.

> " Interviews with children should be conducted in a private, comfortable space that is free from distractions and both physically and psychologically safe for children."



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2.2 CONSIDERATIONS FOR WORKING WITH CHILD VICTIMS

A child, and particularly smaller children, communicate differently from adults and may not be able to express thoughts, memories, ideas and concepts in the same way as adults.

Having a good knowledge of the child and the context will assist the law enforcement official in understanding the child (eg when they refer to someone by and result in the less need for clarifying questions such as "who is …?" that might distract the child).

The more information the law enforcement official has on context of the disclosure or other elements of the incident(s) that lead to the concerns being raised, the more likely the interviewer will be able to build better rapport with the child and introduce the topic of concern in a non-leading manner.

Nature of the abuse

There are certain factors affect the severity of the reaction to abuse such as the perpetrator of the abuse, whether or not violence was involved, how long the abuse went on, whether the child told anyone, and what happens after the abuse.

Victims of child trafficking may have developed attachments to their traffickers or may have completely lost trust in adults as a result of their experience. In these cases, police shall be sensitive to the child's needs, including the need for multiple interviews in order to build a rapport with the child and gain sufficient trust from the child so that she or he feels comfortable speaking the truth.

Children's responses to trauma

Children who have been victims of maltreatment or were witnesses to violent crimes will react uniquely to their experiences. Trauma symptoms may interfere with a child's ability or willingness to report information about violent incidents. Memories of children who have suffered extreme forms of trauma may be impaired or distorted. Police may need to modify their expectations of what a traumatised child is able to report. Under no circumstances, should the police attempt to force a disclosure or continue an interview when a child becomes overly distressed, as this may re-victimise the child. Severely traumatised children may benefit from additional support and multiple, non-duplicative interview sessions.

Child age and developmental abilities

A child's age and developmental abilities influence his or her perception of an experience and the amount of information that she or he can store in long-term memory. Young children find it difficult to focus their attention and search their memory effectively when interviewed.

Assess the child's level of understanding at the beginning of the case and at the start of the interview, including assessing the child's developmental level, language skills, suggestibility and credibility, and habitual answering patterns. Do not exceed a child's level of competence; if he/she does not understand, simplify the questions.

Gender, ethnicity and cultural considerations

Be aware of diversity in the community and language, cultural, and gender differences that might affect the working process. A child's family, social network, socioeconomic environment and culture influence his or her development, linguistic style, perception of experiences and ability to focus attention.

Cultural, gender and language differences also present communication challenges and can lead to misunderstandings during the interview. Police will have a plan to address linguistic and cultural differences, including using community members as interpreters or, if none available, using family, and paying attention to gender.

2.3 CHILD-FRIENDLY RESPONSES

2.3.1 Initial response

All reports of child abuse are to be recorded and shall be fully investigated even if the alleged abuse occurred several months or years before the report. Any case of suspected child abuse, neglect, exploitation, abandonment or trafficking must be investigated as soon as possible by the police without delays. Report can be made by phone, or in-person by child victims, or third persons, or NGOs. The law enforcement officials as first responders shall respond in a caring and trusting manner, and reassure the victim will not be judged. If treated respectfully and with empathy, the child and his or her family can feel trust in the law enforcement officials and better assist in the investigation process.

The first responders should not conduct a full interview with the child so as to minimise the number of times a child needs to provide information. The police officers obtain general information about the offence, but not going into great details. Information to be collected such as:

- ▶ The victim's name, age, address, telephone number
- > The time and place of the incident
- The name/s and/or a description of offender/s
- > The direction and means of the offenders/s departure.

The law enforcement officials may take the information of/from the parents or guardians as well. A contact detail or phone number of police officer in charge should be provided to the victim(s) and/or the family for emergency contact related to their safety issue. In any cases, the primary consideration is the welfare and safety of the child.

(1) If the child is in danger, arrange a police patrol, and immediately remove the child away from the scene. When the child is at the police station, bring him/her to a child-friendly and private space.

(2) If the child is alone, locate a parent or guardian to come to the station as soon as possible (if the parent or parents are not the alleged perpetrators). If the suspect is the parent or guardian of the child, ask the child is he/she knows any adults or relatives who can be contacted to accompany the child. If there is no one available, contact the Department of Social Development/Welfare to send a social worker to accompany the child. Wait until the parent or guardians or social workers arrive. Do not leave the child alone. Provide transportation if necessary.

(3) Complete Needs Assessment and Safety Planning (reference form in the Annex) to ascertain child's care and needs. Consult the Multi-disciplinary team to provide the necessary care and support for the child (legal support, medical assistance, shelters, etc.).

The law enforcement official shall inform the victim about retaining forensic evidence. The police shall advise that the child victims should be asked to not change clothing or wash him or herself to preserve evidence. Types of evidence includes but are not limited to: semen and other bodily fluids; blood; saliva; hair; fibres; soil or vegetation; condoms; gloves; fingerprints; items used in the assault e.g. rope, restraints, weapons, objects; and bedding, towels, clothing, tissues or any other items that may have DNA evidence.

The victims should be encouraged to wait for police attendance and medical examinations. However, if the victim insists on showering, having a drink or going to the toilet, this must be allowed to occur.

The welfare of the victim is paramount. If the victim does shower or change clothes, police should advise them on how to handle clothing, i.e., separate bag for each item of clothing to minimise the loss of evidence.

Medical examination shall be requested where necessary and should be minimally intrusive. Only one single examination should be made and free to the victims. If the medical examination is likely to provide corroborating evidence, explain that a complete medical examination is required. This requires the consent of the child or the consent of his or her parents or legal guardian.

All examinations must be conducted in a child-sensitive manner and be the least intrusive necessary. Child's parents or guardians, or his or her support person can be present unless the child himself or herself decides otherwise. However, the parents' involvement should be denied where the best interests of the child requires.

If the child requires medical attention or psychosocial support, ensure that he or she receives it immediately by getting the child to a hospital, medical clinic or licensed medical practitioner's office. Arranging the transportation and support person to go with the child. Medical care, forensic medical examinations and medical certificates shall be available free of charge to all child victims.

The police shall reassure that the victims do not need to decide whether to involve in future court proceedings. Child victims shall be informed on the detailed information of court proceedings in order to make better informed decisions and get them to regain a sense of control. Investigators should discuss the options available to the victim and the importance of them telling their story regardless of whether an investigation proceeds or not.

2.3.2 Investigation

Sexual assault can be categorized into two types: a case in which the offender is known or unknown. A thorough investigation is to determine (1) the identity of the offender, (2) the element of force or coercion, and (3) the issue of consent. Investigation also includes collecting and preserving evidence and potentially using them in the court. Evidence can be gathered from the victim, the suspect, and the crime scene (and other witnesses).

All possible victims shall be identified

and their age shall be determined.

It is important to do an on-the-spot preliminary age assessment to segregate child victims from adult victims. Children may be under duress, coercion, or compulsion to declare themselves adults. Thus, the police officers shall assess their age based on a birth certificate, family record, identification card, or identification-related certification issued by the competent authorities. If the above documents are not available, the determination of the victim's age shall be carried out by authorized medical experts (in a timely manner). If the services are not available, the law enforcement official can base on Age estimation



Information shall be cross-checked and kept confidential.

The police officers can diverse their source of information, include NGOs, crime stoppers, helplines, community, etc. Gathering information related to the victim(s), related individuals and the nature of crime should be done in child friendly manner without any coercion, making them favor to get the information, or putting them in a pressure situation which they have no choice but to provide the required information. Information shall be stored and kept confidentially unless required by law or court's decision. All about a child's whereabouts (home address, temporary shelter where the child is staying, child's school, etc.) should be blacked out from any witness statements, is restricted to release to the media.

Prevent, as much as possible, any further contact between the child and the suspect. If a formal identification of the perpetrator is needed, this should be done later through photo line-up and not in person. Under no circumstance should the victim and suspect be transported in the s ame vehicle.

2.3.3 Interview

The full interview will be conducted as soon as possible after the initial disclosure of abuse, but only after the child's mental state will permit it and all necessary medical, psychosocial and familial support can be coordinated. A forensic interview is a developmentally sensitive and legally sound method of gathering factual information regarding allegations of abuse. The forensic interview has three goals:

- Minimising any trauma the child may experience during the interview;
- Maximising the amount and quality of information obtained from the child while minimising the contamination of that information; and
- Maintaining the integrity of the investigative process.

A. Preparation for an interview

Information to gain before the interview:



Age

 Functioning (any issues such as learning difficulties, language difficulties, hearing impaired, numeracy, literacy, ect.

Culture/language

Has the child made any statements regarding how they think or feel about what's happened

Any previous behavioral issues (for example, aggression, sexualised behaviors, sudden or unexplained changes in behavior, etc)

Is the child an introvert or extrovert, how do they relate to others, especially strangers.



▶ Family and living arrangements now and in the past. History of violence or abuse, transience, multiple adults in the home, sexual boundaries, etc.

School attendance • Peers and friends - does the child have them, how close are they.

Previous incidents of harm or abuse.



- Has the child disclosed, if so?
- Was it deliberate or accidental?
- Who did they disclose to? When and under what circumstances?
 - What did the person say to them?

If the child has not disclosed, what are the circumstances that have raised concern?



Who is it, what is their relationship to the child and their relationship to the family?

• How long has the alleged offender known the child, the family?

What is the families view of the offender prior to the disclosure, post the disclosure? – What access has the offender had to the child over time?



- What was the context of the offending?
- > What can you find out about the pattern of offending, eg grooming, targeting?
 - How often and over what period did it occur?
 - Are there other victims?

Was it part of a broader pattern of sexual behaviors especially escalation over time?

Creating a child-friendly environment Interviews should be conducted in a private, comfortable, and non-threating space that is free from distractions and both physically and psychologically safe for children and non-offending family members. If there is no child-friendly space available within the police station, request the use of another stakeholder's child-friendly space (such as a social worker's space or an NGO) or take the child to a space which offers privacy and is not intimidating.

Toys and games are helpful to keep children occupied while they are waiting, but should be put away during the interview to avoid distraction. The seats should be comfortable and facing toward each other at about an angle of 120 degrees. Having the seats facing directly towards each other (180 degrees)



can be too confronting and intense for children, while having them side by side is not conducive to conversation. By this way, it allows the interviewers to read a child's body language, and as well as for them to read the interviewer's genuine body language. ▶ Do not have anything between the interviewer and the child on the desks. Ensure there is somewhere close to the interviewer's seat for putting down papers. Don't take anything into the room unless the interviews are going to use. Folders full of paper are distracting for the child. If the interviewers have need to refer to material, ensure it is brief and to hand (refer to the Guidelines on Using childfriendly room of APLE).

Preparing yourself

▶ The interviewers shall prepare himself/herself not only physically but emotionally for the interview such as restraining emotional response from the child's disclosure. The police officers are advised to turn off the cell phones, do not wear uniform, or carry gun or handcuffs; do not wear a dress with a low neckline (for female professionals); do not wear eye-catching, or expensive jewelery; etc.

▶ The interviewers shall keep an open mind and address any biases he/she has toward the child. With increasing experiences on the field, the interviewer may make subconsciously conclusions about the cases, which can affect the results of the interviews as well as how the interviewer reacts to the case. If the information provided by the child does not fit with what the interviewer has, crosscheck and verify the information before concluding that the child is lying.

▶ The interviewer shall prepare potential questions to be asked before the interview. The interview with the child should be restricted to eliciting the forensically relevant information that cannot be obtained in any other way. The child brings limited resources to the interview (attention span, narrative ability, etc). The limited resources should be focused on the most important aspects of the interview and not squandered an eliciting information that could easily be obtained outside of the interview.

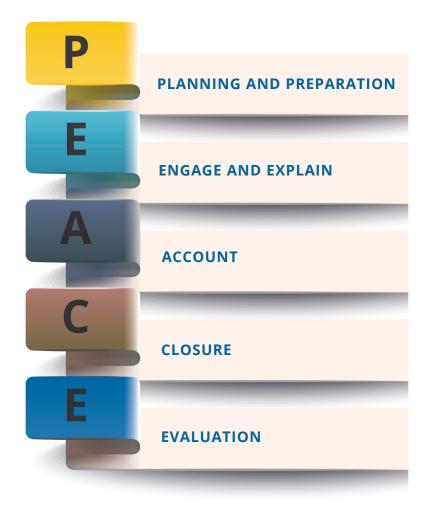
Preparing others

▶ If there are other people such as interpreters, guardians, etc. to be involved in the interview, the police officers shall explain in details what they expect from them. Include details such as where everyone will sit, what they can and cannot do or say, how they should respond if the child addresses them directly etc. People in the office should be informed of the interview so they can minimize noise or avoid interruptions. Ensure a lack of distractions and interruptions to minimum level.

B. Conducting a child-friendly interview

The PEACE model of an interview

The PEACE model is developed to ensure the interviewer is able to obtain as much information as possible in a constructive and acceptable way from either witness or a suspect. It remains the latest and most recommended investigative interview practice in most countries.



Source: Schollum, M. (2005). Investigative Interviewing: the literature. Wellington: Office of the Commissioner of Police, New Zealand Police.

(1) Introduction and establishing the rules

During this phase, the interviewer shall make introductions, establish roles, give instructions, explain expectations of the interview, and to set tone for the interview.

▶ If the interview is being recorded, begin after the recording devices have started by stating the date, time and location of the interview, as well as the full names and contact details of everyone present. To make this less formal, the interviewer can engage the child, for example asking, "Do you know what the date is?"; "Do you know how to spell your name?";

▶ Introduce persons present in the interview. Reassure the child that she or he is not in trouble. Some children might be worried that they are in trouble because they have been brought to the police station; and

▶ Ground rules should be established before the interview. It is up to the judgment of the interviewer whether to use this step for specific age groups or for individual child. Usually, it is not appropriate with pre-school age children as it might confuse them. Children and persons with a cognitive impairment need additional guidance and instruction. Give the child a sense of control by giving him choices whenever possible.

Interviewers may want to include some of the following rules:

▶ I wasn't there, so I don't know what happened. The more you can tell me, the more I will understand what happened (reducing your authority over the content of their answers, and therefore their perception that you know the right answer and you are testing them);

- If I misunderstand something you say, please tell me;
- If you don't understand something I say, please tell me and I will try it again;
- ▶ If you feel uncomfortable at any time, please tell me or show me the stop sign;
- Even if you think I already know something, please tell me anyway;
- It's okay to say "I don't know" or "I don't understand that question";

▶ If you don't know the answer to a question, don't try and guess, just tell me you don't know. If you do know the answer, tell it to me (research has demonstrated that making both of these statements is more effective than just the first one.)

- Please remember that I will not get angry or upset with you; and
- Only talk about things that are true and really happened.

Research shows that it is not enough to simply tell a child these things at the start of the interview, they must be repeated throughout the interview. For younger children, consider asking them to demonstrate their ability to follow the instructions. The more the child understands what is going to happen, the more they feel safe. Safety equals calmness which leads to improved memory performance by the child in the interview.

(2) Rapport building

This phase helps the interviewer to develop a relationship with the child victims, assess child's development, practice narrative and create a relaxed and friendly environment. This helps the interviewer to understand child's language, and gauge child's willingness to participate so that he or she can tailor the interviewing styles and techniques to the child's needs. From the child's perspective, from the moment a child first sees the interviews, they also begin to assess him/her.

▶ The interviewer uses open-ended questions/prompts to tell about a salient event such as recent birthday or festival, favorite subject at school, favorite activities during free time, etc., and encourage him to tell about the event from beginning to end to practice narrative. "Tell me about your last birthday/recent event". "Tell me everything that happened".

The interviewer shall try to prompt the child for more information and modelling what is going to happen in the interview. Studies show that encouraging children to give detailed responses early in the interview enhances their informative responses to open-ended prompts in the later stage. Depending on the child's age, use objects and questions to determine the child's understanding of certain concepts (such as over/under, before/after, inside/outside). For example, ask the child, "Did I put the pen on the table before or after I put the paper on the table?" "Is the pen under or over the paper?" "Is the pen inside or outside my pocket?"

To develop an understanding of the child's recall and the level of detail about an event he or she usually provides, ask the child to describe an event such as Christmas, the first day at school, or another important event, providing details about what he or she did.

Limit the length of rapport building under 10 minutes, otherwise it can be a tiring process for both the interviewers and the child victims.

Avoid stereotypical questions which are generally asked by the adults such as "Do you like schools", "What football teams do you support?", "What's your favorite…". Such questions do not allow deep memory processing, don't establish trust, nor it allows developmental assessment, and prime child to the task.

(3) Free narrative

Free narrative is the most reliable source of accurate and untainted information from a child and is consequently the most important phase of the interview. Free call describes the child's memory process while free narrative refers to the way that memory is reported or told.

▶ Introduce the topic of concern in the most open-ended and non-suggestive way possible "Now it's time to talk about something else. Do you know why you are here?" or "Remember how I told you that I talk to children all the time about things that happen to them, do you want to tell me about anything that's happened to you?"; "Tell me why you are here today", "Is someone worried about you?", "I heard you talked to.... Tell me what you talked about.".

▶ Encourage the child to give a full account of what happened, in his or her own words. For example, "Tell me all about that from the beginning to the very end."

▶ If the child stops or pauses during the free narrative, encourage him or her with prompts, such as "What happened next?", "Then what?", "Tell me more about that".

> The interviewer should listen to the entire story without interrupting or asking clarifying or follow up questions.

The interviewer shall ask whether an event happens "one time or more than one time" to identify whether it is multiple incidents of abuse. He/she then explore each incident by asking the recent one, the first one, and the typical one accordingly. Using the child's own wording is the best way to cue the child to each incident.

Explore additional risk factors such as exposure to violence, child pornography, online grooming, drug and alcohol use, threats or manipulation, and family dynamics.

Apply "fishing techniques" when children have difficulties in processing their memories and formulating detailed narratives. It refers to the open questions that contain more direction/ boundaries regarding the expected response. For example, if the law enforcement officials know something about the alleged assaults such as the identity of the alleged offender, where it takes place, and under what circumstances, he/she can start from the existing information and begin to probe the children.

(4) Questioning

There are generally five types of questions used in forensic interview: open questions, focused questions, specific questions, leading and non-leading questions. Throughout the interview, interviewers should move from open-ended to more focused questions to gather clarifying information, then move back to open-ended questions.

Questions should be as short, simple, non-leading and open-ended as possible. Do not ask questions that are answerable by either yes or no, unless as a last resort.

▶ Open-ended questions prompt and encourage a free narrative response from recall memory; examples include, "Tell me why you are here today" and "Tell me everything from beginning to end." Open-Ended questions are followed by prompts for more information, such as, "What happened next?" and "Then what happened?" The interviewer can encourage the narratives to continue by making a narrative request such as, "You said X happened—tell me more about X." The interviewers allow the child to complete their narrative response without intervention prior asking additional questions. Once the child's narratives have been fully explored, the interviewer can then follow with focused questions, asking for sensory details, clarification, and other missing elements. This question directs him/her to a particular topic, place, or person, but refrain from providing information about the subject.

Specific questions are those in which the actor and act are specified. Ask direct questions to confirm or clarify information the child has already provided during the interview. Once he has responded to a direct question, it is important to return to open-ended questions. "You said the Barang hurt you, what did he hurt you with?" followed by, "Tell me more about [child's word for object]." When a child is reluctant, it may be appropriate to use externally derived information from a credible source.

Closed-ended questions include multiple-choice or yes/no questions. By the time the law enforcement official need to ask very specific questions (such as yes/ no questions), only a few last details are to be cleared. Generally, closed-ended questions should be used to clarify a disclosure or information already provided. If a child provides only brief responses, the interviewer should follow up by asking for additional information or explanation using focused questions that incorporate terms the child previously provided. End a multiple-choice question by providing the child with an open-ended option. For example, ask, "Did it happen in the house, bedroom, or someplace else?"

Coercive questions or statements are those that pressure the child to do or say something.

▶ Leading questions are questions in which the actors, acts, and tags are included. Such questions are leading because they encourage the child to provide a particular response, usually an affirmative one. It reduces the accuracy of a child's account as they contain elements that trick or pressure (either intentionally or unintentionally) the child into giving an account that is in line with the interviewer's agenda / view/ assumptions/ interpretations etc. It also leads to inconsistency as the child now has two versions of the event in their memory and potentially on record, the real one and the corrupted one. Those leading questions should be avoided in general.

OTHER TECHNIQUES

Minimal encouragers

Even though they are not questions, minimal encouragers help facilitate the child's speaking. Examples include: "Uh Huh"; Mm; the last words uttered by the child with a questioning inflection – such as "he came into the room?" – said after the child has said this; nodding your head; an enquiring expression on your face; or hand gestures that indicate "go on".

Pregnant pause

Often when a child stops speaking they are either marshalling their thoughts before continuing, or, they are looking for a sign from the interviewers. In either case, the "pregnant pause" will serve the interviewers well. It tells the child the interviewers are happy to wait while they continue the hard work and that the interviewers have time and are wanting to hear everything they have to say. The second most frequent error made by interviewers is to fill in silences. One of the most important skills for interviewers is to learn to be comfortable with long pauses, and to learn how and when to use them.

Focused reinstatement

This is a questioning technique where witnesses (victims) are asked to focus on a particular sense or aspect as they remember the incident in question. This technique assists in the memory process of the victims. For example:

▶ The interviewer asks the child, "You said before that Uncle Akra touched your fanny. I want you to try and remember everything you can about what you felt (saw, heard, smelt etc) from the time Uncle Akra touched your fanny."

> Or "You said Uncle Akra told you to take you your clothes off. Tell me everything Uncle Akra said after he came into your room."

(5) Closure

The closure is often neglected or poorly conducted. In another way, it can help provide a respectful end to a conversation. The interviewers can follow:

Ask the child if there is something else the interviewer needs to know;

Inform the child of what will happen next, and what to do if the offender or any other party attempts to contact the child or the child's family;

- > Ask the child if there is something he or she wants to tell or ask the interviewer;
- > Speak briefly about a neutral topic again in order to end the interview on a calmer, more relaxed note; and
- > Thank the child for his or her effort rather than for specific content. \

If the interviewer ends the conversation too quickly or abruptly, the child may leave the interview in a highly vulnerable state. Thus, provides some time for the child to leave the deep processing of memory and return to his/her normal state.

Explain what will happen next to the child and his/her parents/guardian. If the child has not been in touch with any support services, provide the child/child's family or guardian with a name and contact information for the social welfare officer at the district and direct the child to suitable support services. When making positive comments to a child, ensure that they relate only to the process and not the content of the interview. For example: "You did really well listening to my questions" or "Thank you for speaking to me today". NOT "Thank you for telling me about Uncle Bora" or "Good" – said just after the child discloses.

Invite the child to participate in making decisions, such as any preferences for where he or she might stay if going home is not an option, recognising that the social welfare officer will be taking this decision, or about when the next interview will take place if it was not completed. Where possible, heed the child's preferences.

c. Evaluation of an interview

The purpose of the evaluation is to review the needs of the investigation and interviewer's performance. In order to do so, the interviewers shall ask:

- Did he/she achieve his/her objectives?
- Reflect on the child's evidence. Does it make sense? Does he/she have any concerns about the privacy and completeness?
- What information did he/she obtain? How does it fit with the information he/ she had prior to the interview? What other information or evidence is required?
- Seek feedbacks from the supervisors, and the VARE monitor regarding comments on his/her performance.
- What other sources of information do he/she need to follow up on? Are there any sources of corroboration?
- ▶ Use of open questions vs specific questions.
- > Use of open questions early in the interview and specific questions later
- > Check if there is use of leading questions.
- Did he/she set expectations well at the start of and during the interview? Did the child's performance during the interview highlight any misunderstanding of his/her instructions or any lack of instructions on his/her behalf?

YOU CAN DO



These are things you can do during the interview. Remember the list is not exhaustive.



- > The interview should be carried out by specially trained professionals.
- If video recording is to be done, check that all technical equipment is working properly before the interview is started.
- ▶ Inform the child about the interview and how the video record is to be used.
- Always use a five-staged structure for the interview.
- Seek the consent of the child and the child's guardian to conduct the interview.
- > Explain that the interview is not an interrogation.
- Create a safe and non-threatening environment.
- ▶ The interview room should be made as child-sensitive as possible.
- > The content of the interview should be strictly confidential.
- The purpose of interview is to gather facts and evidence, not to counsel the child, but the atmosphere of the interview must be child-friendly.
- Bear in mind all important considerations when asking questions.
- If you have an information that the child told somebody else something different, it is alright to ask the child to clarify your confusion.
- Be patient and allow the child to take all the time he or she needs to tell you what you want to know. All the break. Use pause and silence.
- ▶ Give the child the opportunity to express in a way they feel comfortable with.
- Be honest with the child.

YOU CAN'T DO



These are things you cannot do during the interview. Remember the list is not exhaustive.



- Do not frequently interrupt the child.
- Do not lecture during the interview.
- > Do not judge any of the answers, given by the child.
- ▶ Do not correct the "wrong answer", ask for clarification.
- Do not repeat the same question.
- Do not force the child to speak.
- Do not show the annoyance when you did not manage to get the information you wanted to hear, better stop and take a short break.
- Do not coerce the answer, even if you know that the child is lying or is not disclosing a piece of information it must know.
- > Do not threaten that something bad will happen if the child refuses to speak.
- > Do not ask the child why the offender hurt him.
- > Do not promise an award for giving information.
- Do not make any promises that cannot be kept.
- Never promise the child that you are not going tell anybody about things you will hear from him. It might be that this case has to be reported.
- Do not hurry the child, which is not ready to talk.

2.3.4 Follow-up

Keep the victims informed

Keeping the victims informed about their case is not only good for the victim's emotional recovery, but also helps develop rapport with the investigator and increases the likelihood of the victim's continuous participation in the process. Victims should be informed about the progress of their case, detectives should return phone calls in a timely manner, and any decision not to arrest the suspect or further pursue the case should be carefully explained to the victim.

Refer the victims and their families to support services

Each Unit should maintain a contact list of government agencies, church groups, legal aid, NGOs, and personnel from Department of Social Development/Welfare. While it is the responsibility of the Department of Social Development/Welfare to make decisions about support, care and shelter for a child in need, there may be emergencies requiring police action when a social welfare office is not available. Police officers shall provide information and make the cases referred to a counselor, for health care, psychological intervention, legal representation, and rehabilitation shall be available for the child victims and their families.

Implement protection measures

A victim protection plan should be developed by police officers in charge of the case to ensure for the safety and security of the victim and the family during the prosecution process of the perpetrator. This can include:

▶ The provision of contact detail and phone number of police officer in charge of the case to the victim and the family for emergency contact or inquiry

The schedule of visit of the police officer in charge of the case to the victim's family who know how to



respond to the threats (on the victim and the family) if any.

2.4

DEALING WITH SPECIAL CASES

2.4.1 Child victims at very young age

Young children may find the unfamiliar surroundings of an interview intimidating. Adequate time should be allowed for rapport and age appropriate toys and coloring materials. It may not be possible to conduct a conventional interview: such children may say very little in the free narrative phase and not respond well to open-ended questions. However, the use of purely focused questions carries with it the risk that the child will say what they believes the interviewer wants to hear. This may require interviewers to seek social support from an independent adult known to the child.

The interviewer can conduct the interview over a number of short sessions conducted by the same interviewer spread over a number of days. When this occurs, care must be taken to avoid repetition of the same focused questions over time, which could lead to unreliable or inconsistent responding in some children. Rapport and Closure should be included in each session.

2.4.2 Child victims with disabilities

The interview should take place in a suitable setting – i.e. one able to accommodate any equipment (e.g. a wheelchair), free from distractions and noise, have good lighting, suitable seating arrangement, etc. to accommodate the specific needs of the child. If a need for a facilitator is identified, additional time will have to be set aside to ensure they are clearly briefed about their role and remit for the interview.

COPING STRATEGIES

- Identify and obtain information from the child's caregiver (a person that the child seems to know and trust).
- Communicate care and comfort to the child using non-verbal communication techniques (for example, smiling).
- Use dolls, toys and other art materials to allow the child to communicate freely.

2.4.3 Child victims who deny sexual abuse

If sexual abuse has been disclosed by a third party, a child may be more likely to initially deny the instance of abuse. Or children deny abuse because—fear of stigma, shame, or retaliation.

Sometimes a parent refers an older child or adolescent for services because they are concerned the child is sexually active before marriage. The child however, may not view the sexual activity as abusive and/or may be embarrassed and unwilling to admit to premarital sexual relations.

Note: In these situations, the role of law enforcement official is not to determine whether or not abuse has occurred, but to establish a relationship where the child feels safe enough to disclose abuse.

COPING STRATEGIES

Stay neutral: Do not confirm or deny what the child is saying. Let the child know that you are not there to judge but to listen, understand and help.

• Get more facts: Talk with the child and the person who has referred the child separately. Ask questions that provide a bigger picture of what may be happening: What is the age of the child and the alleged perpetrator? What is their relationship? What is the relationship between the person who reported the case and the child?

Be patient: Children may not be willing or able to talk about sexual abuse because of the associated shame or stigma. Do not force children to talk about sexual abuse. Service providers need to meet children at their current capacity to share and communicates.

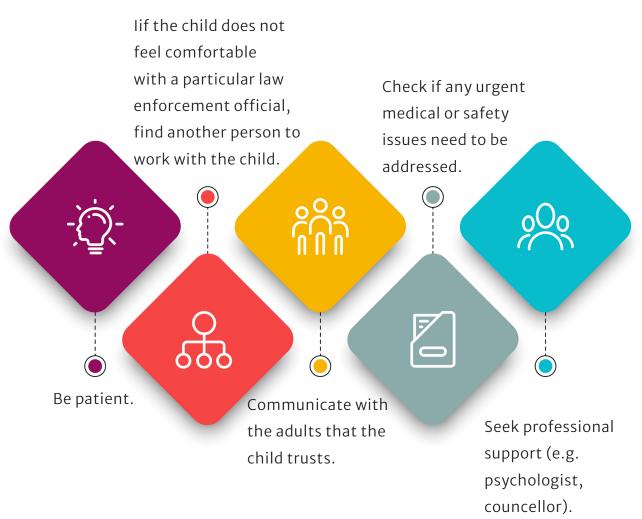
2.4.4 Child victims who refuse to speak

Things to be considered:

Is there someone in the room who seems to make the child reluctant to speak? Does the child stop speaking when left alone with the law enforcement officials, indicating he or she is afraid to talk without another trusted adult present?

Are they not speaking because the environment around them is not safe or private, or because they are not ready to trust the law enforcement officials? If a child does not want to build trust with a particular law enforcement officials, it is not that person's fault. Find other ways to help the child through referrals, talking with family members, etc.

Strategies to deal with the case



When working with child victims and their families, law enforcement officials ensure to follow those principles: upholding holding children's rights; adopting childfriendly procedures; integrating multi-disciplinary services; addressing gender-bias; and strengthening children's resilience.

Characteristics of a child-friendly SOP: child's well-being comes first, create a childfriendly environment, have a support person present, have a social welfare officer present, minimise contact with the alleged suspect, modify language to the child's age and level of development, be reassuring and non-judgmental, use of interview aids/media, be mindful of child's physical and emotional needs, documentation, and ask the child to participate in decision-making process. Considerations for working with child-victims: Nature of the abuse, children's response to the trauma, child's age and developmental abilities, gender, ethnicity, and cultural considerations.

There are five stages in an interview:

(1) Introduction/Establishing the rules: introduce yourself to the child;
introduce other people and their role; explain what are you doing here and what will happen in the interview;

 (2) Rapport-building: Start asking questions pertaining to the child's life e.g.
"Where are you going to school or nursery?" to put them at ease and understand their way of communicating and level of understanding;

> (3) Obtaining relevant information - free-recall: Allow the child to talk about the events in their own words;

(4) Obtaining relevant information – questioning: Explain that you will now ask the child some questions; move from open questions to more specific questions; and

▷ (5) Closure: regardless of how useful it was, ensure the ending is positive; praise the child for coming to the interview (not for what they said in it); address any questions they may have; explain what will happen next.

SECTION 3

CHILD FRIENDLY POLICES ~ POLICING SKILLS

3.1 CHILD-SENSITIVE COMMUNICATION

Effective communication is fundamental in developing a trust and helping relationship. It is through the dynamic process of communication (verbal and nonverbal) that trust is established and children feel cared, respected, and empowered by the police officers and other service providers.

3.1.1 Verbal communication



The police officers shall always use simple language, taking into consideration the age, apparent maturity, and intellectual development of the child. He/she can check if the child really understands every word you use.

√ USE

- Short sentences
- ✓ Simple sentences
- ✓ The active voice ('Did the man hit him?')
- ✓ Positive sentences ('Did you tell her?')
- ✓ Questions with only one meaning
- ✓ Single negatives ("Did your mother tell you not to go out?")
- ✓ Direct approach ('Are you tired?')
- ✓ peak at a reasonable rate. Check whether:
- Sentences should be on average about 10 words long. If you have sentences over 20 words long, reformulate them into multiple sentences, all under 20 words.
- J Did you use simple language, and avoid jargon?
- ✓ Did your sentences include a single idea (¥"),or multiple ideas (x)
- Did your use of language "fit" with the person's development or other communication needs

× AVOID

×	Long sentences
×	Complicated sentences
×	The passive voice ('Was he hit by the man?')
×	Negative sentences ('Didn't you tell her?')
×	Questions with more than one meaning
×	Double negatives ('Didn't your mother tell you not to go
×	Hypothetical situations ('If you are tired, tell me')

3.1.2 Non-verbal communication

Body language and tone of voice: Always make sure the child feels comfortable while being interviewed. For example, in some situations, it may help to make the child feel less intimidated through: Making eye contact, but do not stare; Using a soft, friendly voice; or Sitting at the same level as the child.

Active listening: If normal listening is to get general information, or a fact, "getting the gist", active listening is about "getting the details'. In active listening, unlike normal listening, the listener takes on additional level of responsibilities for receiving the message. These details will be used later to elicit further information leading. Tips for active listening:

- Do not interrupt;
- Use the child's words;
- Beware of yourself (automatic interpretations, assumptions, open mind);
- Show interests, be genuine, and warm;
- Make sure to avoid frowning which shows negative judgment;
- Use pauses to encourage the child to speak (and keep speaking)
- > Don't overtly reward the child. For example, using phrases like "good boy"

Appearance: Be aware of how the child may perceive the interviewer and reduce as much as possible the factors that might block contact with the child through clothes, jewelery, hairstyle and make-up. For example:

- Do not wear a uniform or a judge's robe;
- Do not wear a gun or handcuffs;
- > Do not wear a dress with a low neckline (for female professionals).

3.1.3 Using communication aids

"Communication aids" refer to devices that enable questions to be communicated effectively to the child and the child's answers to be understood. The tools can accommodate factors such as the child's age, level of maturity and development, but also any disability, disorder or other impairment. Communication aids may include pictures, books, maps, plans, photographs, ect.

Why communication aids?

- Children may feel less threatened using non-verbal methods than sitting in a room talking;
- > Children may find it easier to express emotions through drawings or stories;
- Children express emotions, thoughts, ideas and experiences both during and after the non-verbal communication activity; and
- For children at a very young age or children with disability, this can be an effective tool to communicate with children and gain more information.

When to use communication aids?

- When children have difficulties in communicating through verbal languages;
- When children are at a very young age;
- ▶ To begin a conversation; and
- To extract more information about the stories/events/feelings/personal life of the child.

How to use communication aids?

While these techniques help the child explain what is happening, there are potentials in leading nature of the interview.

- Puppets: Many children are comfortable with puppets and will talk to a puppet when they would otherwise remain silent to the direct questions of an adult. The puppet can be used for ice-breaker in the beginning of the interview.
- Bodygrams or Anatomically Detailed Drawings: These outline drawings of the human form allow the child to show where on the body he/she was touched and by what part of the perpetrator. The drawings are available in male and female, child and adult forms.
- The investigator should allow the child to select and name the dolls. Avoid using terms like, "Let's pretend this is Uncle Akra." Dolls that are not detailed anatomically can be used by the child to act out the story, such as vehicles, buildings, or instruments, dollhouses, play telephones, toy cars, etc.

- Toys unrelated to the case, such as teddy bears, may also comfort the child or set him/her at ease. Use of toys unrelated to the case should be limited to avoid distracting the child from the interviewer's questions.
- Anatomically Detailed Dolls: These are among the most commonly used tools. The investigator should receive training on how to use these dolls and review the manufacturer's instructions prior to use.
- Dolls should only be used if the child has difficulty or is embarrassed about describing the sexual abuse that has occurred. Not all children need the aid of the dolls. Investigators should not insist on using them if it is not necessary.
- Introduce the dolls fully clothed. Investigators should tell the child that the dolls help when talking with children.
- Let the child explore the dolls. Investigators must remember that it is not necessarily indicative of abuse for children to engage in exploratory behavior with the dolls. Some children stick their fingers in various holes, pull on the penis, see if the penis fits into the vagina, anus, or mouth. Officers should not consider this evidence of sexual abuse. Investigators should listen to what the child says during this time. Some children may start to share details about previous sexual activity.
- Pick a doll to name the body parts with the child. This method can be used to find a common language since children use many different names for private parts, and many of them do not know which parts of the body are considered private.

Investigators should point and say "What do you call this?" Investigators should begin with nonsexual body parts, then move back and forth between sexual and nonsexual. They should repeat what the child says and use the child's terms. If the child uses slang terms for some body parts, the investigator should ask who suggested that name. Officers should cover each doll that will be used during the interview in the same way. Ask the child to choose a doll to represent him/herself. Investigators should not use the word "pretend" or "let's play like this is you." Investigators should have the child choose a doll to represent the person the child has named as the perpetrator.

▶ By using the dolls, a child can show where or how he or she was touched. The law enforcement official could ask the child to show where on the doll he or she was touched or hurt. However, the law enforcement official should not lead the child by pointing to the doll's breast, vagina, penis or other body part and asking, "Did he touch you here?". This is a leading question and children may want to please the person asking and could answer "yes" when, in fact, the answer is "no."

> Dolls/Dolls houses/Small toy people: Preschool children may prefer small dolls

Drawings: Using drawings in forensic interview at a professional level can be categorized as Forensic art therapy. It is an investigative technique that applies art therapy principles and practices on standard forensic procedure and protocol. Drawings are utilized to support the investigation of a legal or polemical matter.

Methods

Non-directive techniques - free drawing

The child can draw anything without directions from the instructors. The instructors can see what the child may be thinking or feeling.



This can be also a good way to engage the children at the beginning of an interview, allowing the child to relax and engage in a fun and creative way. If the drawings are directly related to the abuse events, the instructors can ask additional questions.

3.2 QUALITIES OF CHILD-FRIENDLY POLICE OFFICERS

An interview is an interaction. Building effective relationships with children is not about getting the child victims to like the police officers or becoming their friends, but rather build a connection with the child that facilitates the flow of cooperation and information. The following is a list of useful behaviors when building a relationship with a child prior to and during an investigative interview:

a. Respect

Respect must be demonstrated regardless of your personal thoughts or feelings about a person and regardless of their appearance or behaviors.

b. Supportiveness

By saying supportive statements such as "it is fine to take your time", the law enforcement official is supporting the child to complete the task and relieving some of the stress or discomfort they may experience.

DIRECTIVE TECHNIQUES

These techniques can be used to gather information about specific areas of a child's life. Some of the tests include: Family drawings, Face drawings, Safety circle drawings, or Daily activities drawings. This can be an effective way to find out:

- Feelings of the child (anger, anxiety, sadness, guilt, shame, etc.)
- Who are family members in the house? To whom the child feels closest?
- Who is he/she scared of? What makes he/she scared?
- Does the child go to school? What does he do in school?

Other ways are to be responsive to the child's needs: drinks, breaks, pauses etc. If the child begins to become distressed, slow the rate of questioning or allow the child some space to recover themselves before pursuing more difficult topics. Many interviewers struggle to appropriately support the children. Some law enforcement officials cope with by avoiding any emotionality at all, while others go overboard saying things like "I know that was hard", "You were very brave". Actions often speak louder than words, be respectful, genuine and warm.

c. Openness

Openness fosters trust in the child and will encourage a fuller disclosure. It also encourages openness in response. The best way to be open with a child or other witness I victim is to be prepared. Think (and where appropriate - note to yourself) about what you can and can't tell a child or their parent. Think about why you can't be open regarding some things, and prepare the best way to tell children and parents why you can't tell them.

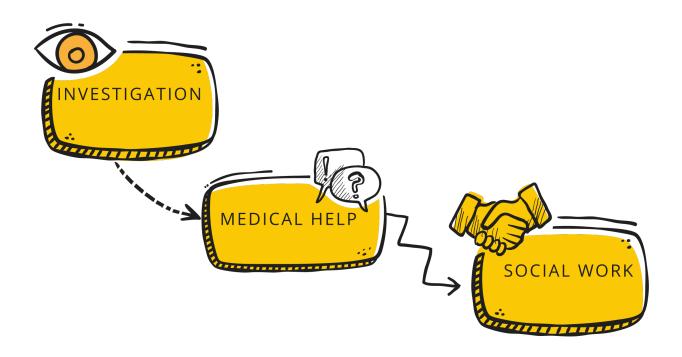
d. Non-judgmental

Since the law enforcement officials should be maintaining an open mind until the conclusion of the investigation, showing any preliminary judgment to a victim is clearly inappropriate. Not only is it inappropriate, its unhelpful to the investigation. Children and indeed all victims will be constantly alert to signs that the law enforcement officials are judging them or their account of their experiences. They will be looking for signs of disbelief, doubt, affirmation and even acceptance. Any signs the law enforcement officials show will be responded to. Disbelief will result in either an attempt to convince the law enforcement officials (which may result in "tailoring" the account to maximise its impact) or a decline in willingness to work hard to give the information needed.

e. Equality

Although you are the professional within the interview, and you are the one with the expertise in eliciting information, the child is the expert in their experiences. This means that the most effective interviewers use their expertise to manage the interview, but allow the child to exert their expertise regarding the information they have. Doing this will support your efforts to set the child at ease, demonstrate respect and motivate the child to work hard to retrieve their memories.

3.3 WORKING EFFECTIVELY WITH STAKEHOLDERS



3.3.1 Parents of child-victims

For non-offending parents/caregivers

The child is affected by how the people closest to them treat them after sexual abuse. Many parents have strong reactions when learning their child has been sexually abused. They may feel: anger, disbelief, shock, worry, deep sadness, and fear. They want the problem to "go away" or not even realise that sexual abuse can cause harm and their child need care.

Parents may also have misinformation about sexual abuse which causes them to blame or become angry with their child. If this happens, the law enforcement officials shall provide counselling to the family. Counseling should focus on allowing the parents/non-offending to openly (and not in front of the child) share their feelings about the abuse and how this is affecting them, and provide caregivers with information, support, and education on how to care for themselves and their children.

What is your understanding of the abuse/what happened? This question helps the police officers understand how much the caregiver knows and understands about what happened. The police officers should watch out for statements of blame directed toward the child.

- What are your feelings about the abuse/situation? This question explicitly asks caregivers what their feelings are about the sexual abuse.
- Here the police officers should attempt to evaluate the caregivers' own level of emotional distress and their feelings toward their child. Caseworkers should ask whether the police officers' feelings have changed toward their child since the abuse.
- What changes have you noticed in your child since the abuse? Oftentimes, reports of children's emotional distress come from adults in the child's life who notice behavior changes. This question also provides the police officers with more information about the caregivers' perspectives on their child.
- What do you think will help your child right now? Identifying what caregivers think is useful and important to help their children heal and recover. Supportive caregivers know their children well and their ideas about how to support their children's healing should be asked and integrated into psychosocial care plans.
- What are your main worries and needs right now? This question provides an opportunity for the police officers to share their personal worries and fears while alerting the caseworker to additional needs that may impact the child.

Assessing caregiver's perceptions require special precautions to ensure child victims are not inadvertently exposed to negative feelings or perceptions. Understanding the caregiver's perspectives provides insight into the support (or lack of support) they are providing and/or can provide to the child. Caregivers also need support in coping after a disclosures of child sexual abuse, and as the child needs the caregiver's support and attention to facilitate their own healing. It is an important part of the overall child and family treatment planning.

For offending parents/caregivers

The law enforcement official shall not involve a parent/caregiver in the child's care and treatment if: the caregiver is the suspected/actual child abuser; the child does not want the caregiver included in the interview; and the caseworker feels that the child cannot or will not speak freely. With the growing role of social media, it is important for the police officers to recognize the pros and cons of using social media. Social media can play an aiding role in the work of police officers:

(1) Investigative use: How police officers use social media platforms to help resolve crimes, especially online sexual abuse and exploitation;

(2) Community development use: How departments reach out and interact with the community, partly to build a relationship and partly to gather information; and

(3) Code of conduct: How police officers should properly interact with social media platforms to protect the confidentiality of the child victims and their families. This section will mainly focus on section (3) on Code of conduct.

Maintaining confidentiality requires that service providers protect information gathered about clients and agree only to share information about a client's case with their explicit permission. This means ensuring:

- > The confidential collection of information during interviews; and
- That sharing information happens on a need-to-know basis, and only after obtaining permission from the child and/or caregiver.

COPING TECHNIQUES

- Do not further stigmatize any child; avoid categorizations or descriptions that expose a child to negative reprisals;
- Always provide an accurate context for the child's story or image;
- Always change the name and obscure the visual identity of the child;
- In certain cases, using a child's identity (their name and/or recognizable image) is in the child's best interests. However, when the child's identity is used, they must still be protected against harm and supported in the event of any stigmatization or reprisals.

3.3.3 Medical professionals



Doctors can serve as family counselors and educators, influential child advocates, and key members of the multidisciplinary team. They can also manage health problems, provide child-rearing advice, and discuss family planning alternatives.

However, some physicians are reluctant to get involved in cases of child abuse because it may be impossible to determine the cause of child's abuse, and it may

be apprehensive about testifying in court because of time constraints, or fear of cross-examination, interrogation, or possible litigation. The police officers can help assuage physician's reluctance by involving them fully in the multidisciplinary team and reinforcing the importance of medical evidence in preparing the case for court. The police officers can also play critical role to make the medical examination process child-friendly for the children by:

- If a sexual assault occurred within the previous 72-hours, a physician and/ or sexual assault nurse examiner should perform a medical examination as soon as possible to maximize the recovery of certain forensic evidence, such as blood, semen, saliva, and trace fibers. If the assault occurred more than 72 hours earlier, the probability of this evidence recovery is reduced.
- The medical examination should be minimally intrusive and only a single examination should be made.
- Requiring the consent of the child or, where the child is deemed unfit to understand his or her right to decline such an examination, the consent of his or her parents or legal guardian.
- The presence of the child's parents or guardian or his or her support person, i.e. unless the child himself or herself decides otherwise.
- The parents' involvement should be denied where the best interests of the child so requires; for instance, where one or both of the parents may be the perpetrators.

- A written authorization provided by the court, a senior law enforcement official or the prosecutor.
- The gender of the medical staff member could be the same as the child, and some jurisdictions also provide for this in their laws.
- Prior to the examination, children, parents and/or support persons may get a preview of the medical facility and should receive a full explanation of what is going to happen before the examination starts.



3.3.4 Social workers



The police officers can collaborate closely with the NGOs workers in approaching the child, building rapport with the child, and gaining understanding of his/her family conditions or background. The NGOs workers can also provide more information of the context, of the surrounding environment (for example, school, community, etc.) – where the child live and stay, where the perpetrators come in contact with the child. Although investigation is the main work of the

police officers, having connection with NGOs workers or community members can help the police officers get more information on the ground.

The NGOs workers/social workers also play important role in the treatment and integration process of the child victims and their families. Support offered can be listed as shelter, foster care, psychological support, treatment, or vocational training, sustainable livelihoods, or financial support for the families. It is advised that the police officers shall have a contact list of NGOs or community centers in the area to mobilize support whenever it is possible.Once there is a reasonable cause to suspect a child is suffering or is likely to suffer significant harm there should be a strategy discussion including social care, the police, health, the referring agency and any other professional as appropriate. The purpose of the initial Strategy Discussion or Strategy Meeting is to ensure an early exchange of information, and to clarify what action needs to be taken jointly or separately in the investigation.

An initial strategy meeting is to address:

- Whether urgent action is needed to protect the child, children in the family or any other child and who will be responsible for such action?
- > Whether there are any adults at risk that may require intervention?
- What other information is needed to further the investigation and who will seek it? How information will be shared, when, and by whom, with those with parental responsibility in respect of each child, and the child themselves.
- What other roles need to be performed and by whom?

SECTION 4 ADDRESSING COMMON ISSUES

4.1 TRUTH-LIE DISTINCTION

All children should be told that they need to tell the truth. Even if the law enforcement officials do not use the interview rules, they do need to stress the importance of telling the truth. Ask the child what telling the truth means, what telling a lie means and what happens when people tell lies.

If a child is not able to differentiate the truth and falsehood, give the child an example of a true statement and a false one, asking the child to tell you whether the statement is the truth or a lie.

"If I said your shirt was red, would that be the truth or a lie?" If the child has a blue shirt, it is obviously a lie. If a child has black trousers, ask, "If I said your trousers were black, would that be the truth or a lie?" This will help you to know if the child can distinguish between the two. If a child does not understand the concepts of truth and falsehood, the interview can proceed, but with caution and recognition that the child may be highly suggestible.

4.2 APPLYING TECHNOLOGY IN FORENSIC INTERVIEW, USING VISUAL AND AUDIO RECORDED EVIDENCE (VARE)

Visual and Audio Recorded Evidence (VARE) is the digital recording of a person's evidence in chief. In all circumstances where the legislative criteria are met, police should first consider the use of VARE. Prior to an interview, investigators should discuss the interview (VARE) process with the prosecutors to ensure that the victim is well supported and the integrity of the interview is not jeopardized.

Any video recorded interview is used for (1) the examination in chief of the child victims; and (2) evidence gathering for use in criminal proceedings. The children have the choice to opt out of giving their evidence by either a video-recorded interview as evidence-in-chief and/or by means of live link or both. This may include that the child has been involved in abuse involving video recording or photography. If they do wish to opt out then the alternative special measure of giving evidence in the court room behind a screen should be considered and should they not wish to use a screen, then consideration should be given to alternative special measures.

One of the key factors in responding to complex, organised or multiple abuse situations is the scale or potential scale of the investigation. Investigations can be demanding and time consuming and may have considerable resource implications. It is crucial to determine the size and complexity of the enquiry as soon as possible in order to consider the options that are available. The need to assess the short, medium and long-term impact of the enquiry and its potential 'mushroom' effect is essential. It also requires thorough planning, good inter-agency working and attention to the welfare need of the child victims or adult survivors involved.

In determining whether a complex, organised or multiple abuse enquiry is necessary the following elements will be beneficial in determining the nature of the enquiry. This is not an exhaustive, or prescriptive, list and is not a substitute for professional judgment: Multiple alleged victims; Multiple alleged offenders; Volume of alleged offences; Alleged institutional abuse; Duration of alleged abuse; Significant crossboundary or other geographical considerations; and Public interest issues. The principles for the investigation of complex, organised or multiple abuse cases are:

Both the police and social services will need to work for a planned, co-ordinated and properly resourced response and recognise that this commitment will be much greater than usual;

Safety and well-being of the child or children will be the paramount consideration, when their identity is known or can be identified;

All parties are alert to the possibility of adults at risk in the abusive network and respond accordingly;

All parties ensure the protection of individual children, the need to protect other children, the need to gather evidence and the effects of the investigation on other individuals and the community;

> The need for strict confidentiality will be assessed at the outset of the enquiry and reviewed in order to prevent the alerting of suspected offenders; and

Parties agree to consult and share information subject to confidentiality

Monitoring VARE

If taping is used, procedures should be built into the investigative protocol for when it is used, by whom, and in what cases. The protocol should also include the disposition of the tapes, i.e., who gets the copies. The team needs to be sure that it adequately attends to the technical aspects of recordings, so that the product is clear and one can see and hear what is happening during the interview.

In the case where the police officers have another member monitoring their VARE, discuss with them beforehand what to expect from them. Some monitors will write an almost verbatim account in the VARE log, which leaves very little opportunity for them to do anything else. A more helpful approach can be if you ask the monitor to only write significant points and non-verbal language, which leaves them free to act as a second interviewer. They can then support the interviewer by highlighting potential lines of further enquiry for the interviewer to pursue which can be communicated at the break.

4.3 **RESPONDING TO COMPLEX ABUSE INVOLVES MULTIPLE CHILD VICTIMS**

Complex, organised or multiple abuse, whether sexual, physical, emotional or by neglect occurs as part of a network of abuse across a family or community, within residential homes or schools and within an 'on or off line' networked groups of sexual offenders. Such abuse is sometimes reported a long time after the offending took place.

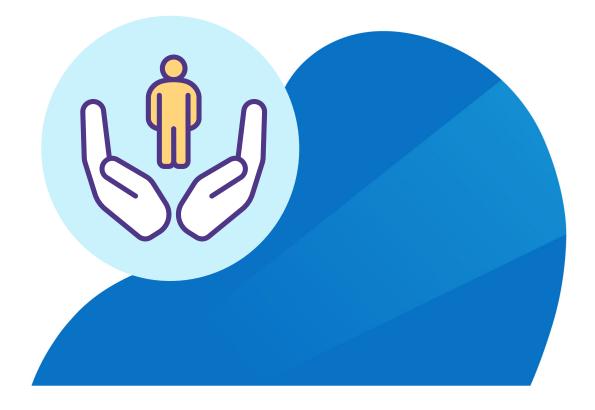
4.4 ADDRESSING GENDER-BIAS IN POLICE RESPONSE

Biases should not prevent officers from taking a report or detectives from conducting a full investigation. The following factors may undermine the victim's credibility: delayed reporting; the victim's history of making similar reports, sexual history, emotional state, lack of resistance, criminal history or history of prostitution, mental illness, history of abusing alcohol or drugs; what the victim was wearing at the time of victimization occurred; lack of any obvious signs of physical harm; or the victim's sexual orientation or gender identity. Acting on biases can constitute unlawful discrimination and undermine effective response to these crimes.

For example, if an officer believes a sexual assault to be less severe because the victim who is a gay or lesbian children assaulted by adults, that is gender bias and may constitute unlawful discrimination. Another case, a girl whose mother is known as a prostitute, comes to the police station to report that she was sexual assaulted by one of her mother's customer. The police officer writes down her statement, but takes no further action because of the sexual and criminal history of the family.

Male and (L)GBT identified survivors may be reluctant to disclose a sexual assault for reasons: fear that law enforcement may not consider them worthy of concern; fear that they will be subjected to ridicule and further humiliation; fear that disclosure will release overwhelming emotions; and concerns that rape crisis center resources, with an historic emphasis on serving female survivors and possible political orientation, are not really designed to meet their needs. Here are some suggestions for the police officers to address effectively biases toward the child sexual abuse cases:

- Firstly, to recognize and address biases, assumptions, and stereotypes about victims;
- Treat all victims with respect and dignity;
- Investigate all the cases thoroughly and effectively;
- Appropriately classify reports of sexual abuse;
- Refer victims to appropriate services according to their needs;
- ▶ Hold offenders accountable regardless of the nature of the case; and
- > Maintain, review and act upon data regarding to sexual abuse case.



SECTION 5

TOURING - BEST PRACTICES IN CHILD PROTECTION AGAINST SEXUAL CRIME

5.1 MODEL OF BARNAHUS (CHILDREN'S HOUSE)

What is Barnahus?

Barnahus (which literally means Children's House) is a child-friendly, interdisciplinary and multi-agency centre for child victims and witnesses where children could be interviewed and medically examined for forensic purposes, comprehensively assessed and receive all relevant therapeutic services from appropriate professionals under one roof. The activities are based on a partnership between the Police, the Prosecution, the Hospital and the local child protection services as well as the Government Agency for Child Protection which is responsible for its operation.

Barnahus originates from the Child Advocacy Model adopted in the US in the 1980s. It was firstly implemented in 1998 by Iceland followed by other Nordic countries (Sweden in 2005, Norway in 2007, Greenland in 2011, Denmark in 2013) under the name Barnahus or Children's House.

The basic concept of Barnahus is to avoid subjecting the child to repeated interviews by many agencies in different locations. This «re-victimization» can even have more harmful effects on the child than the abuse itself. Furthermore, repeated interviews carried out by people that are not specifically trained in forensic interviewing are likely to distort the child accounts of events by suggestive questioning with detrimental effect on the criminal investigation. Another aim of the house is to provide a child friendly environment for investigative interviews which reduces the level of anxiety of the child which in turn is crucial for eliciting the child's disclosure.

Target group

Children about whom there is a suspicion of sexual abuse (Iceland);

- Children who are suspected or had been subjected to violent crimes (crimes against life and health), unlawful deprivation of personal freedom, trafficking, unlawful duress, unlawful threat, harassment and other crimes (crimes against freedom and peace) (Sweden);
- Children who have witnessed violence against a relative (Sweden);
- Women subjected to female genital mutilation (Sweden); and
- > Adults with developmental disabilities (Norway).

Environment

The premises are located in residential areas and the interior is child friend. Most of the Children`s Houses have no operations for adult perpetrators on their premises.

Services provided

Forensic interviews – Medical examination – Therapeutic services – Family counselling/support.

How it functions

▶ Interview: The child is interviewed in a special room by a trained investigative interviewer according to evidence based protocol, and it is adapted to the child's developmental age.

Listening-in: The interview is observed in a different room by a judge, a social worker, the police, the prosecution, the defence attorney and the child's advocate. As referred to above, the interview is videotaped for multiple purposes.

Medical examination: After the interview, the child may have the medical examination in the medical room of the house. The job of healthcare personnel at a Barnahus is to investigate the child's somatic status, assess the presence of injuries, and investigate, assess and meet the child's need for somatic treatment. The purpose of the medical investigation is to document injuries and issue a forensic certificate on the basis of the examination results.

Crisis support and treatment: Crisis support for children, parents and other family members may be offered on site by specially appointed personnel or team members, as long as the investigation and the legal process are ongoing or they may be referred to other care providers at another site.

The House also provides treatment services for child victims of sexual abuse and their families. The child is assessed for therapeutic purposes and an individual treatment plan is designed and executed either at the facilities or, if the child lives outside of the capital area, as near to the home environment as possible.

Please refer to Operating standards: European Barnahus Quality Standards for the standards developed by EU-funded PROMISE Project which embodies the operational and organizational framework for the organization.

The key purpose is to promote practice, which prevent re-traumatization while securing valid testimonies for Court, and complies with children's rights to protection, assistance, and child-friendly justice.

EVIDENCE OF SUCCESS

After 15 years of operation, over 3.500 children have been referred to Barnahus Iceland by the Police and Child Protection Agencies from the onset in 1998; approximately 250 – 300 annually in recent years. The number of cases investigated have more than doubled, indictment per year have more than tripled, and convictions per year have more than doubled. Evaluations shows that significantly better outcomes for child victims and their families.

5.2 MODEL OF CHILD-FRIENDLY POLICE STATION, NEW DELHI, INDIA

India has adopted a number of laws and formulated a range of policies to ensure children's

protection and improvement of their situation. Amongst all these laws, Juvenile Justice (Care and Protection of Children) Act, 2015 is a comprehensive legislation concerning children in need of care and protection and children in conflict with law. Child friendly implies physical space provided, language used, accessibility of Child Welfare Police Officers, quality of intervention, procedures followed, access to legal aid and respecting the wishes of the child.

Setup of child friendly room in India

Official setup

- There should be a 'Child Welfare Police Officer' (CWPO) designated at every police station.
- The CWPO in particular and all police personnel in general should be given regular orientation and training in child related laws.
- The CWPO and data entry operator of the Police Station should also be given training on making and updating regular entries in the 'Track the Missing Child' portal.
- ▶ The CWPO should attend all the meetings of the Special Juvenile Police Unit and maintain records of the same.
- The CWPO should be provided adequate resources like computer, printer, internet connection, transport facilities for immediate response to child's need.
- Funds should be provided to the CWPO or case worker for the safety and protection of children and provision of food and basic amenities including travel cost and emergency medical care.

Environment and physical infrastructure

There should be a separate child friendly corner/room in the police station for interactions with children, with space and furniture available for children to sit comfortably.

There should be women police officers/female social worker for talking to girl children.

There should be a notice board displaying the name and contact number of the CWPO, the District Child Protection Officer, the Child line number (1098), NCPCR POCSO e-box number (9868235077), the numbers of Members of Juvenile Justice Board, the Child Welfare Committee, the names and numbers of the Chairperson and Members of the State Commission for Protection of Child Rights as well as the sitting schedules of the JJB and the CWC.

The child friendly corner/room should be distinguished from other parts of the police station by means of colorful posters, age appropriate toys and separately maintained furniture, so as to make the child feel as comfortable as possible.

The child friendly room/corner should have a separate entrance, if possible so that child does not come into contact with the accused.

If possible, the room/corner should be kept under CCTV surveillance to ensure the child is treated properly. There should be provision for audio/video recording of the child's statement.

Facilities like clean drinking water, a separate toilet for use by children and refreshment for children should be provided.

NGOs/Civil Society organisations working on Child Protection in the area/district should provide IEC material in the local language to be kept at the child friendly corner/room, with easy to understand information on the rights of children and the various services that children and their families can access for protection, legal aid, medical assistance and any other support that they might require.

Attitude

- There should be no bias or pre-conceived notion about the children based on their current situation or socio-economic status
- Police personnel should not blame the child or the child's family for the child's circumstances.
- There should be no discrimination against the child on the basis of sex, caste, religion, region, language and economic or social status.
- Police personnel should behave politely with children, keeping their psychological condition in mind.
- Police personnel should listen alternatively to the child and not treat the child like a criminal.

The station has a sign board bearing the name Child-friendly police station, with a series of posters and signboards providing information about juvenile justice and laws formulated to protect children from atrocities, Telephone numbers of the District Child Protection Unit Darjeeling, members of the District Child Welfare Committee members and Juvenile Justice Board have been provided in the room.



5.3 MODEL OF CHILD-FRIENDLY ROOM, SIEM RIEP, CAMBODIA

5.3.1 Setting up the child-friendly room

The setup of the room is of vital importance. It shall allow a comfortable environment which ensures the feeling of privacy and meets children's needs, make children feel physically and psychologically secure during the interview.

Room Size

Any interview room does not have a one-size-fits-all standard. Variances can be great depending on a department/unit's size, budget, and interview volume.

Room environment and privacy

The room should have window(s) and curtain and be equipped with air-conditioning. In order to protect the confidentiality of the children and families receiving forensic interview services, the inside of the room shall be invisible from the outside and avoid distracting sound from outside. Consider the possibility of having one entrance and waiting area for the children and families, and a separate entrance for officers and others.

Recording equipment

Audio recording tool and CCTV camera shall be equipped within the room but shall not be connected to internet. The CCTV's DVR shall be connected to screen/monitor via wire connection. Cameras and audio equipment will be high quality to ensure the integrity of the interview and the best possible sound capture, especially in the case of a softly spoken child. The camera and audio will be fixed and out of reach of children to ensure that it remains secure and lessens the chance of damage or misuse.

Cameras should also be of a high quality to ensure the tender age of the child is identified and any visible injuries. The child must be informed that she/he is being videoed and recorded. Authorized access only to the child friendly interview rooms is to ensure the integrity of the room and the evidence collection area.

Toys

A reasonable number of toys and drawing materials in the child friendly interview room.

Soud proof

The room should be quiet or equipped with sound proofing material where possible to reduce distractions as much as possible.

First Aid Kit

This will help minimize injury and future disability. In serious cases, first aid may be necessary to keep the victim alive. Per practice, first aid kit shall include alcohol or non-alcohol antiseptic wipes, band-aids, cotton balls, cotton swabs, iodine, bandages, hydrogen peroxide, gauze, saline, dressings, eye wash, etc.

Furniture

This will be child-friendly furniture, neutral to age and gender (child-sized). The child should be seated at the same level as the interviewer. Furniture and paraphernalia arranged for children to play and relax help engage them in the interview process from the moment they enter the building.

Lighting

It will be positioned to ensure optimal visual image is captured via the camera equipment.

Walls

Some paint child-friendly images on the walls or hang pictures or quilts. It is important to have as few distractions as possible; limit the number of stuffed animals, toys, and signs.

Safety

The room should be safe. Do not include any breakable items, sharp edges, or toys with small parts that could pose a choking hazard to very young children.

Tools for the interview

Interview tools can include writing utensils, blank paper, pictures for coloring, and anatomically detailed drawings and dolls. Any items used should be child-friendly and limited so as not to overwhelm or distract the child. Any materials obtained or produced during the interview could be potential evidence and should be preserved.

5.3.2 Usage of child-friendly interview room

Security and access

Access is for designated authorized personnel according to the chief of the unit. Other requests for usage of the room and equipment are to be made to the same person. In all instances, a log is to be completed at the commencement of the use of the room, with the following data:

- Name of officers/persons using the room
- Date and time commencement
- Date and time completed
- Notification of any issues and service requirements (a written notification to the chief of the unit or assigned person is to be made for any servicing)

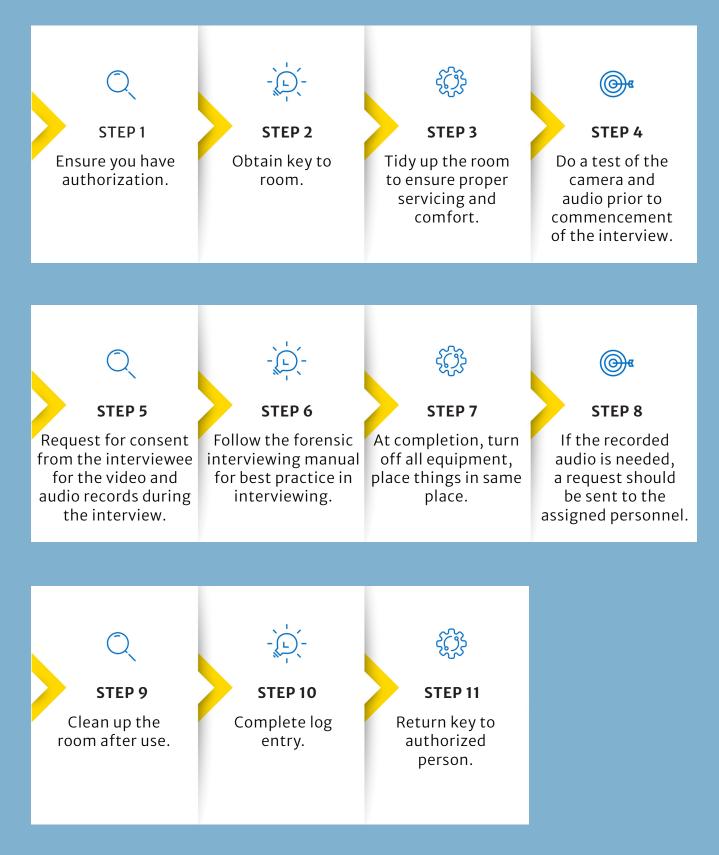
5.3.3 Maintenance

The child friendly forensic interview room should be checked at least once a month by the chief of the unit or the assigned person to make sure that all the equipment remains at the same place and are usable.

The chief of the unit or assigned officer should put in place a clear maintenance procedure to ensure good cleanliness, order and function of the room and all the equipment supplied. The chief or assigned officer should conduct regular inspection to detect any loss, malfunction, breakage, deterioration or replenishment.

STEPS TO CONSIDER

Child friendly interview room is set up to ease the process of forensic interview with possible child victims allegedly suffered by sexual abuse and exploitation. This will ease the process of police investigation to ascertain whether the abuse indeed did occur and whether the alleged victim needs protection. To ensure effective and correct use of the child friendly interview room, the police who carry out the interview shall maintain and follow the following steps:



CHILD CENTRED LEADING PRACTICE GUIDELINE

SUMMARY OF SECTION 5

The law enforcement officials can learn from good practices model from other places. Barnahus's house (Children's house) is a good example. Under one roof, child victims receive (1) medical examination, (2) forensic interviews, (3) assessment, therapy and support, and (4) child protection. This does not only protect the child from further victimization, but also offer the services for the recovery and integration of the child.

Child-friendly interview room is an important component of a child-friendly SOP. The law enforcement officials shall be familiar with the steps of usage child-friendly interviews room, as well as plan toward establishing or improving a child-friendly interview room at their Unit.

Guiding principles in working with child victims in responding to CSAE cases: Upholding children's rights, adopting child-friendly procedures, multi-disciplinary approach, gender-sensitive approach, protecting privacy and confidentiality, holistic care, and strengthening children's resilience.

▶ Characteristics of a child-friendly SOP: the child's well-being comes first, create a child-friendly environment, have a support person present, have a social welfare present, minimise the contact with the alleged suspect, modify language to the child's age and level of development, be reassuring and non-judgmental, use of interview aids/media, be mindful of the child's physical and emotional needs, documentation, and asking the child to participate in decision-making process.

▶ There are five stages in a forensic interview that the police officers shall follow: introduction/establishing the rules, rapport-building, free call, questioning, and closure. There are five types of questions used in an interview: open questions, specific questions, leading and non-leading questions. Throughout the interview, interviewers should move from open-ended to more focused questions to gather clarifying information and then move back to open-ended questions. Leading and coercive questions should be avoided in general. Communication aids can aid the police officers in the interview/investigation process, however, the police officers shall use those with caution, and only trained police officers are advised to use those tools with children.

The police officers shall be aware of any gender biases, assumptions, and stereotypes that he/she hold against the child victims and/or their families. All child victims, irrespective of his/her gender, ethnicity, family background, disabilities, etc. shall be treated equally, and with dignity and respect.

There are certain techniques to minimise the possibility that the child tells lies during the interview. Establishing ground rules and truth-lie distinction are examples of techniques the police officers can take in the beginning of the interview process.

▶ Responding to complex abuse which involves multiple child victims require the police officers to take into considerations the potential scale of investigation, the amount of time and resources required, and time and efforts invested in. When working with parents of child victims, police officers shall bear in mind that parents/ carers also need psychological support or care, treatment or education from the agencies in order to provide the best protection/care for their child. For offending parents/carers, it is up to the best interests of the child that the police officers make the decisions to separate the child from the family or not.

Working with different stakeholders such as social media, medical professionals, and NGOs/social workers also require the police officers to demonstrate specific skills and right attitude. Collaboration in multi-disciplinary team assist greatly in the investigation and interview process, and in the treatment and integration for the child victims and their families.

▶ There are some good models of child-friendly practices that the police officers can refer: Barnahus house in Europe, child-friendly police station in India, and child-friendly room in Cambodia.



