

Themed Section: Science and Technology

### Guidelines for Conducting Child Forensic Interviews in Sri Lanka Buddhiprabha D D Pathirana

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#### **ABSTRACT**

Child protection investigations can be described as a right based approach which is crucial in bringing relief to the child victims and their families. However, the process of bringing relief and punishing/ removing offenders require complex skills, infrastructure, and effective interagency working.

As a key partner in this process, Children's and Women's desks in the Sri Lankan police play an important role. However, due to resource and attitudinal constraints in the past, there has been recognized difficulties in providing child protection investigations in the Sri Lankan milieu. The paper provides an overview of issues which restraints investigative officers from conducting effective Child Forensic Investigations (CFIs). It also provides guidelines to improve child forensic interviews within the Sri Lankan milieu; in the domains of eight guidelines such as pre-recruitment criteria, physical environment, and interview protocol, recording evidence, and networking/coordinating...

**Keywords:** child protection, guidelines, child forensic interviews, training, qualifications, Sri Lanka

#### I. INTRODUCTION

Child Maltreatment: The Sri Lankan profile -Globally as well as locally, a large number of children becomes victims and witnesses of physical, sexual and emotional violence (WHO, 2002). Thus, maltreatment is a universal concern, being recognized as a phenomenon requiring urgent attention (WHO, 2002; UNICEF, 2012). Hence, varied negative impacts of child maltreatment are recognized as a critical problem by international (WHO, 2002; WHO, 2008) as well as national bodies providing care and protection services to children (National Child Protection Authority, 2016; Department of Probation & Child Care, 2015). Due to its sophisticated complexity, requiring multiple interventions for the child victims, their families, and the community; WHO (2002) recognize child maltreatment as a phenomenon worse than death and or/injury. The profound and complex nature of child maltreatment impacting the wellbeing of the child victims and his/her micro and meso-structures also calls for short and long term prevention/intervention strategies.

Therefore, the importance of child-friendly/ sensitive forensic assessments when incidents of child maltreatment are reported to relevant authorities looms large. The assessment becomes a mandatory requirement if the case has a probability of being heard in the court. However, the law enforcement sector in Sri Lanka pause many challenges when Child Forensic Interviews (CFIs) are conducted (UNICEF, 2012) snowballing further distress within the child victims of abuse.

Even though legal framework for conducting CFIs are in the process of evolving in the best interest of the Sri Lankan children; inadequate facilities, shortage of trained individuals, multiple interviews/interviewers and delay in court cases (UNICEF, 2012) has created an abject situation for purported victims/victims of child maltreatment. For instance, the average time taken for a case on child abuse to reach the court is considered to be 6 years with only one child court for 74 magistrate courts (UNCEF, 2012). When considering the rapid developmental trajectories (Berk, 2010) of childhood and the psychosocial needs of the children, these can be

considered as detrimental factors which create profound damage to the lives of child victims in Sri Lanka.

and child friendly spaces in some police stations (Sri Lanka Police, 2014).

#### Women's and Children's Desks: An Overview

In Sri Lanka, incidents of child maltreatment require being reported to the Children and Women's desks. They were established in 1998 at police stations by Inspector General of Police Circular No. 1416/9817 (De Silva & Punchihewa, 2010). There are 36 Children & Women Desks (Sri Lanka Police, 2014) within Sri Lanka Police. They are located within the police stations in different geographical areas of Sri Lanka operated by the Women's and Children's Bureaus which come under the preview of Sri Lankan police service also referred to as the Sri Lanka Police.

The CWD's share the majority of the limitations inherent to Sri Lankan police stations, such as shortage of space, trained staff, and funds (De Silva at al, 2010). Therefore, very few police stations have child-friendly spaces (UNICEF, 2006), or places of privacy where children feel comfortable to talk to the police officers. Moreover, it has also been reported that children convey a reluctance to speak to the police officers in uniforms, especially vulnerable children like street children, or children on the move (De Silva et al, 2010) who do not have legal guardians. As a result, many child abuse cases may go unreported and offenders go free (De Silva et al, 2010). Moreover, vulnerable groups of children are unaware of the role of the CWD's and/ or how they could get the support if and when there is an issue pertaining to child maltreatment (De Silva et al, 2010). Literature also conveys instances in which street children or children on the move have been abused during the forensic reporting (De Silva et al, 2010), while being transported to court and back by adult offenders as well as investigative officers (UNICEF, 2012).

However, in spite of these limitations Children and Women's Bureau (CWB) of the Sri Lankan police have taken proactive initiatives in the past, striving to achieve the maximum investigations/ protection for Sri Lankan children with the financial/technical assistance of international partners (UNCEF, 2012) by introducing several proactive interventions such as video interviews

#### II. Guidelines

The aim of the present paper is to provide guidelines for conducting CFIs. The paper considers guidelines as suggestions, recommendations, and statements aspirational in intent. The primary purpose of the guidelines is to promote consistency in the quality of care provided to Sri Lankan children who are interviewed for possible abuse. The author developed the guidelines after literature review, a thorough research, her experience of training investigative officers in Sri Lanka as a consultant and a psychologist who coordinated CFI's. The guidelines also aim to help facilitate the continued systematic development, and a high level of practice of the investigative officers providing investigative services to possible child victims/child victims in Sri Lanka.

Though this paper recognizes that these guidelines may not be possible to apply immediately, continuously or incessantly; it stresses the importance of them as being crucial to the well-being of the Sri Lankan children, especially those who belong to vulnerable groups (e.g. street children, children on the move, and children living in economically deprived circumstances).

Moreover, the paper also recognizes that these guidelines are not intended to be mandatory. They may also not be definitive, exhaustive or applicable to every professional situation. The main objective of the guidelines is to help promote the provision of effective and efficient forensic child protection services to children when required.

- 1. Establish pre-recruitment guidelines for investigative officers conducting child forensic interviews
- 2. Create an optimum physical environment for child forensic interviews in the best interest of the Sri Lankan children
- 3. Develop and implement culture sensitive/ child-friendly forensic interview protocol
- 4. Develop and implement use of child friendly/ sensitive questioning
- Set up guidelines and good practices for recording

- 6. Conduct CFI's in the best interest of the child adhering to international best practices
- 7. Creating effective and efficient child protection system which strengthens the CFIs
- 8. Utilize the services of trained child forensic investigative officers attached to WCD's exclusively for conducting CFIs

The guidelines presented in this paper are as follows: Guidelines 01: Establish pre-recruitment guidelines for investigative officers conducting child forensic interviews

**Present Situation** – **Pre-**recruitment guidelines are not available within the Sri Lankan milieu of forensic interviewing. Investigative officers who conduct forensic interviews are usually randomly assigned to their posts without giving due consideration to their aptitude, educational qualifications or professional training pertaining to CFIs.

**Proposed suggestions/Recommendations** – The paper suggests that pre-recruitment criteria should be established and implemented when recruiting investigative officers in charge of the CWD's. It presents following pre-recruitment criteria in keeping with the main role of the investigative officers (i.e. conducting forensic interviews and providing child protection services to a multi-ethnic/ multi-religious group of Sri Lankan children belonging to many and varied economic/social groups).

When presenting guidelines for pre-recruitment the paper is aware of the challenges which Sri Lankan investigative officers experience when extracting information out of distressed and often inarticulate children. Therefore, the paper stresses the importance of considering several factors when recruiting investigative officers to CWD's by the CWB They are: 1. Having a child-friendly perspective with a sensitivity to the needs of children in distress, 2. Ability to meticulously and accurately document the narratives of the children, 3. Network with many and varied professional groups (i.e. judges, lawyers, teachers, medical and psychosocial professionals), 4. Aptitude to listen to children and adults, 5. Display non-discriminative and sensitive outlook towards gender, sex, disability 6. Display nondiscriminative and sensitive outlook towards children belonging to vulnerable groups (i.e. children belonging

to different ethnic/ religious minority groups and casts, street children...).

The paper also recommends a range of *pre-recruitment educational qualifications* for investigative officers with the minimum being GCE (A/L) and the optimum being a degree in psychology or sociology with special training in child psychology. It also recommends the authorities responsible for recruitment of investigative officers to consider additional qualifications and achievements such as Post Graduate Diplomas in child psychology. In order to attract the individuals with the optimum educational qualifications, the paper also requests the salary and cadre commission to consider the appropriate alterations to the current salary of the investigative officers.

Considering the fact the Sri Lanka is the multi-cultural country with a large number of individuals speaking Sinhalese and Tamil languages, the paper recommends the investigative officers to be bilingual. However, the paper conveys that these pre-recruitment guidelines are not mandatory, but viewed as factors enhancing the quality of the child forensic service provision.

# Guidelines 02: Create an optimum physical environment for child forensic interviews in the best interest of the Sri Lankan children

Present Situation - A major limitation pertaining to physical environment of forensic interview venues is insufficient physical space. Large number of Sri Lankan police stations does not have sufficient or child-friendly spaces for recording/investigations. As a result, non CWD officers and even alleged offenders may hear the narratives of the purported child victims. Hence, it has been repeatedly argued by the child welfare agencies and members of the civil society organizations that children are re-victimized from the time they enter the police stations to report the incident of abuse. The situation may get detrimental when the interviews have to be carried out in the presence of non-CWD police officers who may also question the children in a detailed and abusive manner due to their lack of training and ignorance. Thus, the space allocated for CFI's within many police stations are not child friendly requiring immediate interventions.

**Proposed Suggestions/Recommendation** – In order to overcome these obstacles which are reported to revictimize the children; the paper presents long and short term recommendations/suggestions. They are presented with the intent of creating optimum, child friendly physical environment within the CWD's of the Sri Lankan police stations.

Short term interventions – The paper proposes that if investigative officers conducting the forensic interview do not have access to spacious and child-friendly interviewing spaces, they could arrange the available physical setting as follows. First, select the most neutral location possible within the police station. For example, a covered area in the police station with minimum disturbances might be a better choice than the OIC's office or complaint reception desk. Further, children may also feel uncomfortable in a place where many police officers are in uniforms and/or many individuals are listening to their stories.

Second, explain the purpose and procedure of forensic interviewing to the child victims. The paper argues that children may worry about being interviewed in a police station, and might benefit from an explanation about why they are being interviewed there. Hence, it is of the opinion that investigative officer requires initiating the interview by stating to the children that "children have come to talk with me in this room before...'

Third, remove the distractive items from the interview venue when the interview is being carried out. Since, young children may pay more attention to attractive items such as presence of computers, fax machines, photocopiers and typewriters, the paper suggest that such items and equipment at least be temporarily removed/ unplugged during the CFIs.

Fourth, select a noise minimum or noise free location for the interview venue within the police station (e.g. room within the police station that is away from traffic, noise and other disruptions).

Fifth, the interview room should be as simple and uncluttered as possible (avoiding play areas or other locations with visible toys and books that may distract children).

Sixth, remove decorations and other distractive items from the interview room as children sometimes pay more attention to attractive items than the contents of the questions.

However, the paper is of the opinion that these short-term interventions for physical location should only be followed on the temporary basis. Considering the importance that the CFI's in the lives of child victims, it urgently recommends the concerned authorities to set up optimum physical spaces for CFIs.

Long-term intervention: Consider changing the venue in the best interest of the children -Considering the complexity and the significance of the investigative interviews the paper recommends optimum infrastructure to be established in CFIs venues. Based on the experiences of the author and feedback provided by the police officers who conduct child forensic interviews the paper also recommends against the CFIs to be carried out in the police stations. For instance, literature convey that interviews at police stations are reported to be frightening and stressful to the children, and may reinforce their belief that they have done something wrong (Simone, Cross, Jones, & Walsh, 2005). This fear may escalate if the alleged perpetrator is also being interviewed in the same venue. Children may also be afraid that they would be separated from their families, or placed in children's homes (De Silva et al, 2010). Due to one or all of these factors, they may hide important and essential information from the interviewers during the CFI.

Considering the stigma that children and their caregivers may experience the paper recommends the responsible authorities to consider the location of the CWD's to be based in the district hospitals in lieu of police stations. The paper is also of the opinion compared to the police stations Sri Lankan hospitals would comparatively be better option for a CFI venue due to the fact that child victims and their families would feel less vulnerable, stigmatized, or uncomfortable when visiting them (i.e. as many children enter hospitals for medical treatments). While acknowledging the initial protocols and difficulties which may arise due to technical constraints of the proposed venue, the paper argues that the responsible authorities to contemplate this issue from the best interest of the child victims and their families.

The paper also proposes following venues to be considered as future locations for the CFIs in the best interests of the Sri Lankan children.

Interviews to be carried out in venues where children feel comfortable (i.e. schools and homes), especially for very young children. If the interview must be conducted in the home, it proposes to select a private location away from parents or siblings that appear to be the most neutral spot at home. In support, it argues that a child may be intimidated by having his or her parents in the home if neglect or abuse is taking place there.

# Long term recommendations for physical environment for CFI's

The paper provides detailed recommendations for physical environment of the CFI venues.

They are 1. Set up child-friendly comfortable **waiting area** for children containing an inside waiting area/ play room with age appropriate neutral toys, books, separate washroom/ toilet facilities, and an outside play area (containing swings...) for younger children.

2. Interviewing rooms with one-way mirrors and sound hook-up equipment to adjoining observation rooms. The paper recommends that the interview room should be equipped with a table, chairs, and a cupboard for keeping supplies out of view. It also recommends using child-friendly furniture, neutral to age and gender. The child should be seated at the same level as the interviewer. Further, the room should not contain decorative or distractive items which may draw the children's attention away from the interviews.

The goal of designing an interview room is to provide a relaxing environment that is not unnecessarily distracting to young children. Research suggests that stress interferes with the recall (Buchanan & Tranel, 2008). It also suggests the walls of the interview room to be plain painted with cheerful colors which do not invite inspection by the child. The paper further recommends the interview staff to be in plainclothes (including the investigative officers) as it would help the children to relax and open up to recall & provide detailed information. The paper further suggest that interviews should be held in relatively smaller space that does not contain extra furniture, due to the fact that young children sometimes tend to be distracted by large spaces (e.g. run around the room, bounce on sofas...).

The paper also proposes following long term physical spaces within CFI venues. They are:

- 1. Additional physical spaces be available for sleeping/eating for children and their caregivers who come from geographically challenged areas which may cause (e.g. infrequent buses, elephant passes) traveling difficulties.
- 2. Separate entrance for the children/caregivers to enter when they arrive to report the incident of child maltreatment if the CFI is to take place in police stations. Rational for this recommendation is based on the experiences of the author as well the feedback of the CWD's investigative officers during trainings which reports that children and their caregivers often have to narrate their very sensitive stories to the polices officers manning the entrance.

# Guideline 03: Develop and implement culture sensitive/ child-friendly forensic interview protocol

**Present Situation** – Though in great demand a child-friendly forensic interview protocol for investigative officers' remains absent to this date within the Sri Lankan milieu. Hence, the paper recognizes such a provision to be a necessary structure and provides suggestions/recommendations for one.

Literature conveys that all child interview protocols models share several core elements since they have evolved from the same underlying principles of memory and social cognition (Powell, 2008). Thus, each model contains, 1.an initial greeting, 2. A brief rapport-building period and 3. Establish the proper social role of the witness, 4. Introduce the topic of concern, 5. Eliciting a narrative account of the entire crime event, 6. ask more focused or specific questions regarding critical details not previously provided and 7. Closure of the interview promoting further communication (Powell, 2008).

Hence, the paper also argues in support of developing a culture sensitive, and child friendly model containing above elements for Sri Lankan child forensic interviews milieu. It further recommends to develop child-friendly and feasible investigative procedure geared towards children's cognitive and linguistic abilities document the developed protocol and circulate it among the

investigative officers conducting CFIs. It also argues to consider children's vulnerability regarding suggestibility (Memon, Vrij, & Bull, 2003), and design the protocol in a manner which does not intimidate children. In sum, the paper recommends the importance giving due considerations to a culture-sensitive, child friendly model of CFI.

# Guideline 04: Develop and implement use of child friendly/ sensitive questioning

**Present Situation** – The training programs which train Sri Lankan investigative officers do not often stress the importance child friendly/ sensitive questioning strategies using open ended questions.

### Proposed suggestions/recommendations -

Hence, the paper recognizes child friendly/ sensitive questioning strategies using open ended questions as a necessary and essential element based on research. The literature on CFI reports the importance of child friendly/ sensitive questioning strategies which are effective in maximizing the accuracy of the information provided by the child victim/s (Wright & Powell, 2007; Powell & Snow, 2007).

Literature also conveys the following in the context of questioning and language competencies of child victims/ purported child victims. They are: 1. different questioning strategies may impact the accuracy and quantity of information a child provides (Hershkowitz, 2001; Orbach & Lamb, 2001), 2. linguistic complexity and vocabulary of questions posed to purported child victims/ child victims may often be beyond the children's developmental trajectory of language acquisition (Perry, McAuliff, Tam, & Claycomb, 1995), 3. vocabulary of younger children are often limited and less descriptive in comparison to older children and adults (Child Abuse & Neglect, 2000).

Thus, there is the clear international consensus regarding the effective ways of conducting an investigative interview with child victims (Wright & Powell, 2007). The most important and core element in it is to obtain an account of the alleged offense in the child's own words, with minimum specific prompting from the investigative interviewers (Poole & Lamb, 1998, Wilson & Powell, 2001).

This core and essential element of questioning is often referred to as a "free-narrative". Free narratives using open-ended questions are reported to allow the child/children the flexibility to provide information they remember (Wright et al., 2007). In contrast, literature state that specific close ended questions may inevitably increase error rates (compared to when witnesses volunteer accounts in their own words) (Roberts & Powell, 2001) in comparison to free recall due to response biases (i.e. witness' tendencies to provide answers without reflection).

Moreover, the best predictor of a successful interview is reported to be the interviewer's skill in maintaining open-ended questions (Milne & Bull, 1999). Therefore, the paper argues in the favour of well-framed openended prompts. Literature further convey (Orbach et al., 2000) that questions which elicit details provided by the child as cues generate narrative accounts from children of all ages and generally enhances rapport. This in turn would establish a mutual trust between the interviewer and the child (Wright & Powell, 2007). Further, responses to open-ended questions come from free recall memory and are more likely to be accurate as conveyed by scientific research (Kuehnle & Connell, 2009; Lamb, Hershkowitz, Orbach & Esplin, 2008, Lamb, La Rooy, Malloy & Katz, 2011). Open-ended questions are also reported to have encouraged even very young children and children with cognitive and language limitations to provide elaborate, accurate and coherent details (Agnew & Powell, 2004; Feltis, Powell, Snow, & Hughes-Scholes, 2010; Orbach et al., 2007; Sternberg et al., 1996). Hence, the present paper proposes to include child friendly questioning through the use of open-ended questions which encourage free narratives from child victims.

# Guideline 05: Set up guidelines and good practices for recording

Literature stridently convey the importance of electronically recording data as the best way of preserving evidence (Lamb, Sternberg, Orbach, Hershkowitz, Horowitz, & Esplin, 2000; Scottish Executive, 2003).

**Present situation:** Often, limitations associated with Sri Lankan courts such as resource (i.e. absences of video players or other airing devices in the court) and attitudinal (i.e. recognition of video interviews as

credible evidence) constrains; restricts the use of modern technology for CFI. As a result, children may be revictimized by having forced to repeat their stories on multiple occasions. Moreover, this, in turn, may also contaminate the evidence due to limitations associated with the child's memory and other cognitive faculties (Johnson, & Foley, 1984).

**Proposed suggestions/recommendations** - The paper strongly recommends the use of modern technology (i.e. video camera and other recording equipment) as sources of evidence to improve the quality of CFIs. It also highlights the importance of capacity development and creating altitudinal changes to promote the use of electronic recording of CFI.

# Guideline 06: Conduct CFI's in the best interest of the child adhering to international best practices

**Present Situation** – In the present Sri Lankan milieu; the investigation activities and decision-making processes are not coordinated across the multiple agencies involved. This creates a situation of multiple, superfluous and frequent interviews carried out with the child victims by a multitude of multiple interviewers. Some of these interviewers are professionals working on separate, uncoordinated investigations, including police, paediatricians, forensic medical officers, probation & child care, psychosocial personnel of National Child Protection Authority..., Others (i.e. gate keepers in hospitals/ police stations, orderlies in hospitals and non CWD investigative officers in police stations) maybe questioning children without a purpose as they go through these formal procedures.

This places the child victims in a stressful and traumatic situation of having to repeat and re-repeat their 'stories'. The paper recalls an incident in which a child victim, who having told the story many times refused to do so when his case was actually being heard before the court, stating that since he told the story many times that he does not want to narrate it again. Literature vociferously argues against multiple interviewers (Ceci & Bruck, 1995; Fivush, Peterson, & Schwarzmueller, 2002; Malloy & Quas, 2009; Poole & Lamb, 1998; Poole & Lindsay, 2002; Newlin, Cordisco Steele, Chamberlin, Anderson, Kenniston, Russell, Stewart, & Vaughan-Eden, 2015) and states that the number of interviews also could be detrimental even when the same

interviewer recurrently meets the child victim/s (Ceci et al., 1993).

As mentioned above, present Sri Lankan milieu on child forensic investigation requires the child victims of abuse to be obliged to meet up with many and varied professional groups as part of their investigation and treatment protocol. Though, the frequency, the count or the number of professionals that the child victims meet has not been documented or evidenced on empirical data in the Sri Lankan milieu; the author, based on her past experience as psychologist coordinating forensic interviews in the NCPA, is of the opinion that it would amount to about 20 to 30 times over 20 professionals. The global profile of this is equally grim with U.S. children having 11 or 12 interviews (Whitcomb, 1992; Wyatt, 1999). When Tedesco and Schnell's (1987) surveyed 49 child victims, they found the model number of interviews was three, with a range of 1-40. Other research carried out on the topic had come up with the estimate from 2 to 4 interviewers to 16 interviews (Jaudes & Marton, 1992; Gray, 1993; Santtila, Korkman, & Sandnabba, 2004).

The limited research studies on repeated interviews convey that increased child distress is associated with each preceding interview (Berliner & Conte, 1995; Henry, 1997; Jaudes & Martone, 1992; Tedesco & Schnell, 1987), frustration and distrust (Ceci et al., 1993).

Literature also report that multiple interviewers have altered the responses of the purported child victims/ child victim due to the belief that they have provided the wrong answers, adults do not believe in them and/or are unwilling to help (Ceci et al., 1993). However, other studies indicated that repeated open-ended interviews are not necessarily harmful and may have advantages such as the ability to recall more central details (Hershkowitz, & Terner, 2007).

**Proposed Suggestions/ Recommendations** - The paper recommends the CWD's to prevent repeated/multiple interviews by many and varied individuals (professionals as well as non- professionals) as they have been associated with more suggestive questioning (Santtila et al, 2004). Multiple interviews by multiple interviewers may also provide the space and time for the perpetrators and their sympathizers to influence the child, obstruct the investigation, or flee. Hence, multiple

interviews are not considered as the ideal condition, considering its repetition, and redundant questioning which creates distress within the children (The American Professional Society on the Abuse of Children, 2002).

Thus, the paper recommends one interview with the child in line with the international best practices (American Professional Society on the Abuse of Children, 2002) or limited number of multiple interviews preferably with a single interviewer (Carnes, Nelson-Gardell, Wilson, & Orgassa, 2001; Sorenson & Snow, 1991). It further recommends in researching into the optimum number of interview sessions as well as child friendly/ culturally sensitive ways of conducting CFI's.

# Guideline 07: Creating effective and efficient child protection system which strengthens the CFIs

Present situation - Gaps in the child protection system in Sri Lanka such as anomalies associated with conducting/ reporting of CFI's, transporting child victims with perpetrators, and delays in court hearings seem to re-victimize the Sri Lankan children in need of protection. As mentioned above, children seem to serve as the link which connects varied child protection agencies, serving as mainframes for their incidents of abuse. This in turn may also create unhealthy work ethics and practices; in the provision of child protection services among professional and para-professionals, jeopardizing the wellbeing of the child victims and their caregivers before, during and after conducting the CFIs.

The paper views child protection services as complex adaptive system, offering potentially fruitful ways of reducing risk to children. Such a system would prevent inaccurate assessments and ineffective interventions through improved structural changes to organizations. Thus, the paper opinions that child protection system in Sri Lanka requires a multi-disciplinary and multisectorial approach (linking closely, for example, with work in education, health and criminal justice). Moreover, the effective protection of children also involves working with a wide range of formal and organizations, including governments, informal multilateral agencies, donors, communities, carers, and families.

Further, the government of Sri Lanka requires shouldering responsibility for the fulfilment of children's protection rights; ideally, striving to establish a national and community-based child protection system with a coordinated and holistic approach, integrating the contributions of the different sectors and actors. For instance, it suggests that CWD's investigative officer and a probation officer could work as a dyad per child providing child investigation/intervention. The paper also opinions that this dyad, in turn, should keep the other professionals (health care, legal & psychosocial professionals) informed preventing minimizing the child serving as the main frame of information. The paper also believes such practices would promote detailed, in-depth reporting while preventing the child victims/ possible victims being re-victimized due to the inefficiency and structural gaps of the child protection system in Sri Lanka.

### Guideline 08: Utilize the services of trained child forensic investigative officers attached to WCD's exclusively for conducting CFIs

**Present situation** - There have been records of investigative officers attached to WCD's is being assigned to other duties such as overseeing traffic. As a result, when children and their caregivers come to police stations to report the possible incident of abuse, the officer concerned has been absent. Such practices inarguably would prevent timely reporting.

Hence, the paper argues that such practices should be prevented at all costs to ensure the provision of efficient child protection services to Sri Lankan children. Moreover, the paper recognizes the importance of Officer in Charge (OIC) of the police stations cherishing the specialist knowledge and skills of the child forensic investigative officers employed in the CWD's. The paper opinions that such practices requires to be prevented and concerned authorities should ensure efficiency of the investigative officers by adding value to their special skills through the permission granted to attend training, refresher programs, recognition through incentives (i.e. promotions, verbal reinforcement...).

#### IV. Conclusion

Though needs of the children should be given priority in the forensic investigations, inadequate facilities, shortage of trained individuals and delay in court cases (UNICEF/ Sri Lanka, 2012) has created an abject situation for possible victims/victims of child maltreatment. Moreover, in order to prevent further victimization of the child through multiple interviews and interviewers, it is extremely important that the medical/ forensic examinations and the forensic interviews be coordinated and conducted by professionals specially trained to work with child victims of abuse (WHO, 2002). In addition, structural changes to the child protection system and organizations are suggested to prevent child victims/ purported child victims being main frames for their incidents of abuse.

In sum, the paper recommends the concerned authorities to change the current practice of forensic child interviewing by coordinating multiple investigations, and multiple interviews. Instead, it suggests conducting a professional evaluation to find ways of implementing positive changes in the investigation protocol, ideally limiting it to one interview.

Finally, the paper opinions that the recommended guidelines constitutes a directions for navigating varied levels of knowledge, practical application, and decision making involved in child forensic interviewing. Although interviewing children about possible abuse should always be grounded in the scientific method, the practice of interviewing involves human interaction. Hence, the paper is of the opinion that interviewers should keep in mind that there is no "perfect" interview and that there should be no presumed conclusions.

#### V. References

- [1] Agnew, S. E., & Powell, M. B. (2004). The effect of intellectual disability on children's recall of an event across different question types. *Law and Human Behavior*, 28, 273-294.
- [2] American Professional Society on the Abuse of Children. (2002). *Investigative interviewing in cases of*

- alleged child abuse. Charleston, SC: APSAC. Practice Guidelines Series.
- [3] Berliner, L.,& Conte, J. R. (1995). The effects of disclosure and intervention on sexually abused children. Child Abuse & Neglect, 19(3), 371–384.
- [4] Buchanan T.W., & Tranel D. (2008) Stress and emotional memory retrieval: effects of sex and cortisol response. Neurobiol Learn Mem 89(2), 134–141.
- [5] Carnes, C. N., Wilson, C., & Nelson-Gardell, D. (1999). Extended forensic evaluation when sexual abuse is suspected: A model and preliminary data. Child Maltreatment, 4(3), 242-254.
- [6] Ceci, S., & Bruck, M. (1995). Jeopardy in the Courtroom: A Scientific Analysis of Children's Testimony. Washington, DC: American Psychological Association.
- [7] De Silva, N., & Punchihewa, A. (2010) Protecting children on the move: A study based in the probation district of Hambanthota, Sri Lanka. Available on line at <a href="http://www.savethechildren.lk/resourcecenter/Books-0-0-SCiSL.html">http://www.savethechildren.lk/resourcecenter/Books-0-0-SCiSL.html</a>. Down loaded on 05th of July, 2016.
- [8] Department of Probation and Child Care (2015), Retrieved on 3<sup>rd</sup> of October, 2016 from, http://www.probation.wp.gov.lk/services/
- [9] Feltis, B. B., Powell, M. B., Snow, P. C., & Hughes-Scholes, C. H. (2010). An examination of the association between interviewer question type and story-grammar detail in child witness interviews about abuse. *Child Abuse & Neglect*, *34*, 407-413.
- [10] Fivush, R., Peterson, C., & Schwarzmueller, A. (2002). Questions and answers: The credibility of child witnesses in the context of specific questioning techniques.
- In *Memory and Suggestibility in the Forensic Interview*, edited by M. Eisen, J. Quas, and G. Goodman. Mahwah, NJ: Lawrence Erlbaum Associates, pp. 331–354.
- [11] Gray, E. (1993). *Unequal justice: The prosecution of child sexual abuse*. New York: The Free Press.

- [12] Henry, J. (1997). System intervention trauma to child sexual abuse victims following disclosure. *Journal of Interpersonal Violence*, *12*(4), 499–513.
- [13] Hershkowitz, I. (2001) 'Children's responses to open-ended utterances in investigative interviews', *Legal and Criminological Psychology*, *6*, 49-63.
- [14] Hershkowitz, I. and Terner, A. (2007), The Effects of repeated interviewing on children's forensic statements of sexual abuse. Appl. Cognit. Psychol., 21: 1131–1143. doi: 10.1002/acp.1319
- [15] Jaudes, P. K., & Martone, M. (1992). Interdisciplinary evaluations of alleged sexual abuse cases. Pediatrics, 89(6), 1164–1168
- [16] Johnson, M. K., & Foley, M. A. (1984). Differentiating fact from fantasy: The reliability of children's memory. Journal of Social Issues, 40, 33–50
- [17] Kuehnle, K & Connell, M (Eds), (2009). The evaluation of child sexual abuse allegations: A comprehensive guide to assessment and testimony. Hoboken,NJ:Wiley.
- [18] Lamb, M. E, Hershkowitz, I, Orbach, Y & Esplin, P W (2008). Tell me what happened: Structured investigative interviews of child victims and witnesses. Chichester, UK and Hoboken, NJ: Wiley.
- [19] Lamb,M E, La Rooy, D,Malloy, LC & Katz, C (Eds)(2011). Children s testimony: A handbook of psychological research and forensic practice. Chichester,UK:Wiley-Blackwell.
- [20] Lamb, M. E., Sternberg, K. J., Orbach, Y., Hershkowitz, I., Horowitz, D., & Esplin, P.W. (2000). The effects of intensive training and ongoing supervision on the quality of investigative interviews with alleged sex abuse victims. Applied Developmental Science, 6, 114–125.
- [21] Malloy, L.C., & Quas, J.A. (2009). Children's suggestibility: Areas of consensus and controversy. In *The Evaluation of Child Sexual Abuse Allegations: A Comprehensive Guide to Assessment and Testimony*,

- edited by K. Kuehnle and M. Connell. Hoboken, NJ: Wiley, pp. 267–297
- [22] Memon, A., Vrij, A., & Bull, A. (2003). Psychology and Law: Truthfulness, Accuracy and Credibility, Retrieved on 2<sup>nd</sup> of October, 2016 from,

http://legalportal.am/download/library/p16v8u5m3k144 01s9sk2p1jr1g063.pdf

- [23] Milne, R. & Bull, R. (1999). Investigative interviewing: Psychology and practice, Chichester, New York: Wiley.
- [24] National Child Protection Authority (2016), Retrieved on 3<sup>rd</sup> of October, 2016 from, http://www.childprotection.gov.lk/
- [25] Newlin, C., Cordisco Steele, L., Chamberlin, A., Anderson, J., Kenniston, J., Russell, A., Stewart, H., & Vaughan-Eden, V. (2015). Child Forensic Interviewing: Best Practices, In. Juvenile Justice Bulletin, Retrieved on 2<sup>nd</sup> of October, 2016, from, http://www.ojjdp.gov/pubs/248749.pdf
- [26] Orbach, Y., & Lamb, M. E. (2007). Young children's references to temporal attributes of allegedly experienced events in the course of forensic interviews. *Child Development*, 78, 1100-20.
- [27] Orbach, Y., and Lamb, M. E. (2001) 'The relationship between within-interview contradictions and eliciting interviewer utterances', Child Abuse and Neglect, 25, 323-333.
- [28] Perry, N. W., McAuliff, B. D., Tam, P., Claycomb, L., Dostol, C., and Flanagan, C. (1995)'When lawyers question children: Is justice served?', Law and Human Behavior, 19, 609-629.
- [29] Poole, D. A., & Lamb, M. E. (1998). Investigative interviews of children: A guide for helping professionals. American Psychological Association: Washington, DC.
- [30] Poole, D.A., & Lindsay, D.S. (2002). Children's suggestibility in the forensic context. In *Memory and Suggestibility in the Forensic Interview*, edited by M.L. Eisen, J.A. Quas, and G.S. Goodman. Mahwah, NJ: Lawrence Erlbaum Associates, pp. 355–382.

- [31] Powell, M. (2008).Designing Effective Training Programs for Investigative Interviewers of Children. Current Issues in Criminal Justice, 20 (20). 189 208.
- [32] Powell, M. B., & Snow, P. C. (2007). A guide to questioning children during the free-narrative phase of an interview about abuse. Australian Psychologist, 42, 57–65.
- [33] Roberts, K., & Powell, M. (2001). 'Describing Individual Incidents of Sexual Abuse: A Review of Research on the Effects of Multiple Sources of Information on Children's Reports' Child Abuse and Neglect, 25, 1643-1659.
- [34] Santtila, P., Korkman, J., & Sandnabba, N. K. (2004). Effects of interview phase, repeated interviewing, presence of a support person, and anatomically detailed dolls on child sexual abuse interviews. *Psychology, Crime, and Law, 10*, 21–35.
- [35]Scottish Executive. (2003).Guidanceon Interviewing Child Witnesses and Victims in Scotland. Edinburgh: Author.
- [36] Simone, M., Cross, T., Jones, L., & Walsh, W. (2005). Children's advocacy centers: Understanding the impact of a phenomenon. In. K. Kendall-Tackett & S. Giacomoni (Eds.), Victimization of children and youth: Patterns of abuse, response strategies (pp.22-1–22-24). Kingston, NJ: Civic Research Institute, Inc.
- [37] Sorenson, T., & Snow, B. (1991). How children tell: The process of disclosure in child sexual abuse. *Child Welfare*, 70, 3–15.
- [38] Sternberg, K. J., Lamb, M. E., Hershkowitz, I., Esplin, P. W., Redlich, A., & Sunshine, N. (1996). The relation between investigative utterance types and the informativeness of child witnesses. *Journal of Applied Developmental Psychology*, 17, 439-451.
- [39] Sri Lanka Police (2014). Retrieved from <a href="http://www.police.lk/index.php/child-a-women-bureau">http://www.police.lk/index.php/child-a-women-bureau</a> [40] Tedesco, J. F., & Schnell, S. (1987). Children's reaction to sex abuse investigation and litigation. *Child Abuse & Neglect*, 11, 267–272.

- [41] UNICEF (2006), Juvenile Justice in South Asia: Improving Protection for Children with the Law, Retrieved on 1<sup>st</sup> of October, 2012, from <a href="http://www.unicef.org/rosa/Juvenile\_Justice\_in\_South\_Asia.pdf">http://www.unicef.org/rosa/Juvenile\_Justice\_in\_South\_Asia.pdf</a>
- [42] UNICEF, Sri Lanka (2012). Briefing sheet: Child protection, Retrieved on 25<sup>th</sup> of March, 2013 from, <a href="http://www.unicef.org/srilanka/2012\_SL\_Fast\_facts\_CP.pdf">http://www.unicef.org/srilanka/2012\_SL\_Fast\_facts\_CP.pdf</a>
- [43] Wilson, C. J. and Powell, M. B. (2001). A guide to interviewing children: Essential skills for counsellors, police, lawyers and social workers, New South Wales, Australia: Allen & Unwin.
- [44] Whitcomb, D. (1992). When the victim is a child (2nd ed.). Washington, DC: US Department of Justice, Office of Justice Programs, National Institute of Justice.
- [45] Wright, D. B., and Powell, M. B. (2007) 'What makes a good investigative interviewer of children? A comparison of police officers' and experts' perceptions', Policing: An International Journal of Police Strategies and Management, 30, 21-31.
- [46] World Health Organization (2002). World report on violence and health. Krug, E.G., Dahlberg, L.L., Mercy, J.A., Zwi, A.B., and Lozano, R. (Eds.). Geneva: World Health Organization Publication.
- [47] WHO (2008). National Report on Violence and Health Sri Lanka, Retrieved on 1<sup>st</sup> of October, 2012, from http://www.who.or.jp/publications/2004-
- [48] Wyatt, W. J. (1999). Assessment of child sexual abuse: Research and proposal for a bias-free interview: Part II. *The Forensic Examiner*, 8(7–8), 24–27.