

A structured forensic interview protocol improves the quality and informativeness of investigative interviews with children: A review of research using the NICHD Investigative Interview Protocol

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Abstract

Objective: To show how the results of research on children's memory, communicative skills, social knowledge, and social tendencies can be translated into guidelines that improve the quality of forensic interviews of children.

Method: We review studies designed to evaluate children's capacities as witnesses, explain the development of the structured NICHD Investigative Interview Protocol, and discuss studies designed to assess whether use of the Protocol enhances the quality of investigative interviews.

Results: Controlled studies have repeatedly shown that the quality of interviewing reliably and dramatically improves when interviewers employ the NICHD Protocol. No other technique has been proven to be similarly effective.

Conclusions: Use of the structured NICHD Protocol improves the quality of information obtained from alleged victims by investigators, thereby increasing the likelihood that interventions will be appropriate.

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Introduction

Whereas Kempe, Silverman, Steele, Droegemueller, and Silver (1962) helped launch scholarly interest in physical child abuse with their landmark paper nearly 50 years ago, professional (and popular) interest in child sexual abuse came much later. It was prompted in part by dramatic increases in the numbers of reported cases, and by awareness that many cases of abuse might go unrecognized because the victims were the only possible sources of information and were seldom given the appropriate opportunities to describe their experiences to those who might have been able to help them. Indeed, because alleged victims are often the only available sources of information, considerable efforts have been made to understand how children's testimony can be made as useful and accurate as possible. Since 1990, furthermore, highly publicized cases in the United States (California, Massachusetts, New Jersey, North Carolina, and Florida), Norway (Bergen), New Zealand (Christchurch), and the UK (Cleveland, Newcastle), among others, have drawn attention to the counterproductive ways in which alleged victims of sexual abuse are sometimes interviewed. In many such cases, inappropriate interview techniques appear to have compromised and contaminated the children's testimony, rendering it flawed and inaccurate (Bruck, 1999; Ceci & Bruck, 1995). The goals of this paper are (1) to summarize research designed to translate findings regarding children's memory, communicative skills, and social understanding and tendencies into specific interview strategies and techniques that should help prevent such notorious errors and problems in the future, and (2) to review studies demonstrating that the use of such techniques in over 40,000 interviews has dramatically improved the quality of investigative interviewing in a number of locations already.

The background: Basic research on interviewing and child development

Prompted in part by widespread publicity about the infamous cases mentioned earlier, many researchers have studied children's capacities to provide accurate information about their past experiences, while others have paid special attention to their suggestibility (see reviews in the last decade by Jones, 2003; Lamb, Orbach, Warren, Esplin, & Hershkowitz, 2006; Memon & Bull, 1999; Pipe, Lamb, Orbach, & Esplin, 2004; Poole & Lamb, 1998). Initially, most researchers conducted controlled studies in the laboratory, but their ecological validity was often questioned (Doris, 1991; Lamb & Thierry, 2005). Later studies conducted in both field and laboratory circumstances focused more narrowly on issues of particular relevance to forensic application and helped generate a remarkable consensus about children's limitations and competencies.

In brief, the research showed that, although children clearly can remember incidents they have experienced, the relationship between age and memory is complex, with a variety of factors influencing the quality of information provided. For our present purposes, perhaps the most important of these factors pertains to the interviewer's ability to elicit information and the child's willingness and ability to express it, rather than the child's ability to remember it. Like adults, children can be informative witnesses, and a variety of professional groups and experts have recognized this, offering recommendations regarding the most effective ways of conducting forensic or investigative interviews with children (e.g., American Professional Society on the Abuse of Children (APSAC), 1990, 1997; Home Office, 1992, 2002; Jones, 2003; Lamb, 1994; Lamb, Sternberg, & Esplin, 1998; Orbach et al., 2000; Poole & Lamb, 1998; Sattler, 1998; Warren & McGough, 1996). As Poole and Lamb (1998) pointed out, these books and articles reveal a substantial degree of consensus regarding the ways in which investigative interviews should

be conducted, and a remarkable convergence with the conclusions suggested by a close review of the experimental and empirical literature. Clearly, it is often possible to obtain valuable information from children, but doing so requires careful investigative procedures, as well as a realistic awareness of their capacities and tendencies.

Expert professional groups agree that children should be interviewed as soon as possible after the alleged offences by interviewers who themselves introduce as little information as possible while encouraging children to provide as much information as possible in the form of narratives elicited using open-ended prompts ("Tell me what happened.") before substantive issues are discussed, interviewers are typically urged to explain their roles, the purpose of the interview, and the ground rules (for example, ask children to limit themselves to descriptions of events "that really happened" to them and to correct the interviewer, request explanations or clarification, and acknowledge ignorance, as necessary). Investigators are consistently urged to give priority to open-ended recall prompts and use recognition prompts ("Did he touch you?") as late in the interview as possible and only when needed to elicit undisclosed forensically relevant information.

The universal emphasis on the value of narrative responses elicited using open-ended prompts is rooted in the oft-replicated results of laboratory analogue studies demonstrating that information elicited using such prompts is much more likely to be accurate than information elicited using more focused recognition prompts (Dale, Loftus, & Rathbun, 1978; Dent, 1982, 1986; Dent & Stephenson, 1979; Goodman & Aman, 1990; Goodman, Bottoms, Schwartz-Kenney, & Rudy, 1991; Hutchesson, Baxter, Telfer, & Warden, 1995; Oates & Shrimpton, 1991; Ornstein, Gordon, & Larus, 1992) probably because open-ended questions force the respondent to recall information from memory, whereas more focused prompts often require the respondent to recognize one or more options suggested by the interviewer. Accuracy is much more difficult to establish in the field than in laboratory analog contexts, of course, because forensic interviewers seldom know what really happened, but the results of field studies in which accuracy was assessed confirm that, as in the laboratory, responses to open-ended questions posed by forensic interviewers are more likely to be accurate than responses to more focused prompts which are, in turn, more likely to be erroneous (Lamb, Orbach, Hershkowitz, Horowitz, & Abbott, 2007; Lamb & Fanchier, 2001; Orbach & Lamb, 1999, 2001). Interviewers are also routinely advised to avoid the yes/no questions which are especially likely to elicit erroneous information from young children, the misleading questions that may lead children to respond affirmatively to questions about non-experienced events (e.g., "Did it hurt when he forced himself on you?"), or the suggestive questions to which children often acquiesce (e.g., Brady, Poole, Warren, & Jones, 1999; Bruck, Ceci, Francouer, & Renick, 1995; Cassel, Roebbers, & Bjorklund, 1996; Ceci & Bruck, 1995; Ceci & Huffman, 1997; Dent & Stephenson, 1979; Goodman & Aman, 1990; Oates & Shrimpton, 1991; Poole & Lindsay, 1998; Robinson & Briggs, 1997; Walker, Lunning, & Eilts, 1996). The cited studies showed that the risky recognition questions were even riskier when addressed to children aged 6 and under, and thus that forensic investigators needed to make special efforts to maximize the amounts of information elicited from such children using open-ended prompts. The emphasis on the value of open-ended prompts was also supported by evidence that, in forensic contexts, responses to individual free-recall prompts are three to five times more informative than responses to more focused prompts (e.g., Lamb, Hershkowitz, Sternberg, Esplin, et al., 2006; Sternberg et al., 1996; Sternberg, Lamb, Davies, & Westcott, 2001).

Unfortunately, researchers have repeatedly shown that these research-based and expert-endorsed recommendations are widely proclaimed but seldom followed. Descriptive studies of forensic interviews in various parts of the United States, United Kingdom, Canada, Sweden, Finland, and Israel consis-

tently show that forensic interviewers use open-ended prompts quite rarely, even though such prompts reliably elicit more information than more focused prompts do (e.g., Cederborg, Orbach, Sternberg, & Lamb, 2000; Craig, Sheibè, Kircher, Raskin, & Dodd, 1999; Cyr, Lamb, Pelletier, Leduc, & Perron, 2006; Davies, Westcott, & Horan, 2000; Korkman, Santtila, & Sandnabba, 2006; Lamb, Hershkowitz, Sternberg, Esplin, et al., 2006; Lamb, Sternberg, & Esplin, 2000; Lamb, Sternberg, et al., 2006; Sternberg, Lamb, Davies, et al., 2001; Thoresen, Lønnum, Melinder, Stridbeck, & Magnusson, 2006; Walker & Hunt, 1998; Walker & Warren, 1995). To the distress of trainers and administrators, furthermore, such deviations from 'best practice' were evident even when the interviewers had been trained extensively, were well-aware of the recommended practices, and often believed that they were adhering to those recommendations!

The latter findings were consistent with the results of studies showing that both intensive and brief training programs for investigative interviewers may impart knowledge about desirable practices but have little if any effect on the actual behavior of forensic investigators (Aldridge, 1992; Aldridge & Cameron, 1999; Freeman & Morris, 1999; Stevenson, Leung, & Cheung, 1992; Warren et al., 1999).

Because forensic interviewers often have difficulty adhering to recommended interview practices in the field, our group of researchers at the National Institute of Child Health and Human Development (NICHD) developed a structured interview protocol designed to translate professional recommendations into operational guidelines (Orbach et al., 2000). The structured NICHD Protocol, the 2007 version of which is included in the appendix, guides interviewers through all phases of the investigative interview, illustrating free-recall prompts and techniques to maximize the amount of information elicited from free-recall memory.

The NICHD Investigative Protocol

The NICHD Protocol covers all phases of the investigative interview. In the introductory phase, the interviewer introduces him/herself, clarifies the child's task (the need to describe events in detail and to tell the truth), and explains the ground rules and expectations (i.e., that the child can and should say "I don't remember," "I don't know," "I don't understand," or correct the interviewer when appropriate). In many jurisdictions, law enforcement agencies requested the inclusion of several questions designed to establish that children understood the difference between true and false statements.

The rapport-building phase that follows the introductory phase comprises two sections. The first is designed to create a relaxed, supportive environment for children and to establish rapport between children and interviewers. In the second section, children are prompted to describe a recently experienced neutral event in detail. This "training" is designed to familiarize children with the open-ended investigative strategies and techniques used in the substantive phase while demonstrating the specific level of detail expected of them.

In a transitional part between the pre-substantive and the substantive phases of the interview, a series of prompts are used to identify the target event/s under investigation non-suggestively and with prompts that are as open as possible. The interviewer only moves on to some carefully worded and increasingly focused prompts (in sequence) if the child fails to identify the target event/s.

If the child makes an allegation, the free-recall phase begins with an invitation ("Tell me everything...") and other free-recall prompts or invitations are recommended. As soon as the first narrative is completed, the interviewer prompts the child to indicate whether the incident occurred "one time or more than one time" and then proceeds to secure incident-specific information using follow-up ("Then

what happened.”) and cued (e.g., “Earlier you mentioned a [person/object/action] invitations. Tell me everything about that”) making reference to details mentioned by the child to elicit uncontaminated free-recall accounts of the alleged incident/s.

Only after exhaustive free-recall prompting do interviewers proceed to directive questions (focused recall questions that address details previously mentioned by the child and request information within specific categories (e.g., time, appearance) such as “When did it happen?” or “What color was that [mentioned] car?” If crucial details are still missing, interviewers then ask limited option-posing questions (mostly yes/no or forced-choice questions referencing new issues that the child failed to address previously). Suggestive utterances, which communicate to the child what response is expected are strongly discouraged. Table 1 provides a taxonomy of the types of utterances or prompts used by the interviewers—both those recommended and those discouraged.

Evaluating the structured NICHD Protocol in the real-world

When we developed the structured Protocol, we expected that its implementation would improve the organization and quality of interviews with children of all ages so that interviewers using the protocol would use more open-ended utterances and fewer option-posing and suggestive utterances and would postpone option-posing questions until later stages of the interview. Because children in the protocol condition practiced responding to open-ended questions in the pre-substantive phase of the interview, furthermore, the results of previous field studies (Sternberg, Lamb, Esplin, & Baradaran, 1999; Sternberg et al., 1997) led us to believe that children would provide absolutely and proportionally more details in response to the first free-recall open-ended substantive prompt and more details per open-ended utterances than children in the standard condition would. Because interviewers in the protocol condition should offer more open-ended prompts, we also predicted that children in that condition would provide absolutely and proportionally more details about the alleged abuse in response to the open-ended questions and fewer in response to option-posing and suggestive questions than children in the standard condition would.

The findings obtained in independent field studies in four different countries (Cyr et al., 2006; Lamb, Orbach, et al., 2006; Lamb, Sternberg, et al., 2006; Orbach et al., 2000; Sternberg, Lamb, Orbach, Esplin, & Mitchell, 2001) demonstrate convincingly that when forensic investigators employ recommended interview procedures by following the structured NICHD Protocol, they enhance the quality of information elicited from alleged victims. Interviewers using the Protocol use at least three times more open-ended and approximately half as many option-posing and suggestive prompts as they do when exploring comparable incidents, involving children of the same age, without the protocol. In each study, about half of the informative and forensically relevant details and more than 80% of the initial disclosures of sexual abuse were provided by preschoolers in response to free-recall prompts (see Table 1 for definitions and examples of the most common investigative utterance types). Such findings suggest that the likely accuracy of information provided by alleged victims is enhanced when interviewers use free-recall prompts exhaustively before turning to more focused prompts. These findings also indicate that cued-invitations should be exhausted before ‘wh’ prompts are introduced because cued-invitations are input-free and thus foster retrieval of free-recall information without limiting responses to investigator-specified categories. Non-suggestive yes/no and forced-choice questions (i.e., option-posing prompts), in which interviewers by definition introduce information, should be used only if essential information is still missing after

Table 1
Taxonomy of investigative utterance types

Utterance type	Definition	Examples
Facilitator	Non-suggestive prompt to continue with an ongoing response.	"Ok" "Yes" "Uh-huh" "So he hit you" (Immediately after child said "and then he hit me.")
Invitation	An open-ended request that the child recall information about the incident. Can be formulated as a statement, question, or imperative.	"Tell me everything that happened." "Tell me more about that."
Cued invitation	A type of invitation which refocuses the child's attention on details s/he mentioned and uses them as cues to prompt further free-recall of information.	"You mentioned [event, action, object]. Tell me more about that." "You mentioned [action]; then what happened?"
Directive	A cued-recall prompt that focuses the child's attention on information already mentioned and requests additional information of a specific sort, typically using wh-questions (who, what, when, where, how).	"What colour was that shirt?" (When the shirt had been mentioned). "Where/when did that happen?" "Where did he touch you?" (When the child has described been touched by a male).
Option-posing	A prompt that focuses the child's attention on aspects or details not previously mentioned, requiring confirmation, negation, or selection of an interviewer-given option.	"Did it hurt?" "Were your clothes on when that happened?" "Did he touch you over or under your clothes?"
Suggestive	An utterance that assumes information not disclosed by the child or implies that a particular response is expected.	"Did it hurt when he put his finger in you?" (When the child has not mentioned digital penetration) "He wanted you to kiss him, didn't he?"

Note: Most but not all utterances fit into one of these categories. The research focused only on substantive prompts—those focused on the incident under investigation. Thus, for example, questions during rapport-building would not be counted when describing the interviewers' behavior.

free-recall and directive prompts have been exhausted, because these riskier alternatives are more likely to elicit inaccurate information and their introduction may contaminate subsequent information.

The findings obtained in these field implementation studies are important because, as noted earlier, details elicited using recall or open-ended prompts are more likely to be accurate than details elicited using more focused prompts in both field and laboratory analog contexts (Dale et al., 1978; Dent, 1982, 1986; Dent & Stephenson, 1979; Goodman et al., 1991; Hutcheson et al., 1995; Lamb & Fauchier, 2001; Lamb et al., 2007; Orbach & Lamb, 2001).

Interviewers using the protocol also introduce option-posing and suggestive questions later in the interview process than do peers not using the protocol. Because option-posing and suggestive questions by definition involve the introduction of information by the investigator, they have the potential to contaminate later phases of the child's report, especially when younger children are involved (Bjorklund, Bjorklund, Brown, & Cassel, 1998; Ceci & Bruck, 1995; Memon, Wark, Holley, Bull, & Köhnen, 1996), and thus their delayed utilization is forensically important. Clearly, forensic interviewers should provide children with opportunities to recall information in response to open-ended prompts before assuming that special (i.e., more risky) interview techniques are needed.

When priority was given to open-ended strategies and techniques in protocol interviews, there were also significant increases in the number of facilitators and other supportive comments addressed to child witnesses (Hershkowitz, Orbach, Lamb, Sternberg, & Horowitz, 2006); this further enhanced the recall and reporting of information by encouraging children to be more cooperative.

Although implementation of the protocol fostered substantial reductions in the number of details elicited using option-posing and suggestive prompts, such information still amounted to approximately one quarter of the total elicited even when the protocol was used. Because these types of questions are significantly more likely to elicit erroneous information than are open-ended questions, concerns about the accuracy of children's responses to these questions is warranted, and it is clear that more needs to be done to reduce reliance on these sorts of risky prompts further.

All of the findings reported here have been replicated in the U.S., the U.K., Israel, and Canada, without differences in the proportions of prompts that are open-ended, the proportions of details elicited using open-ended prompts, age differences, or in the proportion of the interviews completed before the first use of option-posing questions. Interestingly, however, there have been some impressive differences among the research sites, especially with respect to the total numbers of details obtained by the interviewers. The reasons for these differences are unclear, but we think that they reflect differences in the types of cases that tend to be investigated in the countries and specific jurisdictions where we have worked rather than cultural differences between investigators, children, or languages. Clear evidence that the NICHD protocol can be used productively in a variety of cultural settings should not, however, obscure the possible value of careful cross-cultural research in the future.

Is the protocol suitable for interviews with young children?

Clearly, there are important differences between the autobiographical memory retrieval strategies and capacities of preschoolers and older children (Schneider & Bjorklund, 1998). Younger children tend to remember less information and to provide briefer accounts of their experiences than older children do (Baker-Ward, Gordon, Ornstein, Larus, & Clubb, 1993; Lamb, Hershkowitz, Sternberg, Boat, & Everson, 1996; Lamb, Hershkowitz, Sternberg, Esplin, et al., 2006; Lamb et al., 2000; Ornstein et al.,

1992; Sternberg et al., 1996). In addition, as noted earlier, young children are more likely than older children both to respond erroneously to suggestive questions about their experiences as well as to select erroneous options when responding to forced-choice questions (Ceci & Bruck, 1995; Bruck et al., 1995; Goodman & Aman, 1990; Oates & Shrimpton, 1991; Poole & Lindsay, 1998; Walker et al., 1996). On the other hand, although young children tend to remember less information and provide briefer accounts of their experiences than older children do (Baker-Ward et al., 1993; Lamb, Hershkowitz, Sternberg, Boat, et al., 1996; Lamb, Hershkowitz, Sternberg, Esplin, et al., 2006; Ornstein et al., 1992; Sternberg et al., 1996) ~~xx~~ their reports are no less accurate (Goodman & Reed, 1986; Johnson & Foley, 1984; Marin, Holmes, Guth, & Kovac, 1979; Oates & Shrimpton, 1991). Despite this, some practitioners (e.g., Bourg et al., 1999; Hewitt, 1999; Lyon, 1999; Saywitz & Goodman, 1996) have claimed that open-ended questions usually fail to elicit forensically valuable information from young children, especially 4–6-year-olds, even though the inadequacies and capacities of preschoolers had not been examined closely in forensic contexts. In training contexts, furthermore, many professionals have expressed to us their concerns that the Protocol would not be appropriate when used with young children. It was thus important to examine its effectiveness in interviews with 4–6-year-old children.

We expected that older children would provide more details than younger children, but that use of the NICHD Protocol would increase the amount of information retrieved by recall from all alleged victims, including the youngest children. Indeed, because interviewers guided by the Protocol should use more open-ended prompts regardless of the children's ages, we predicted that use of the Protocol would especially enhance the performance of the younger children, ensuring smaller differences between preschoolers and older children than would otherwise be the case.

Recognizing that younger children might have greater difficulty than older children responding informatively to more general invitations (e.g., "Tell me what happened." or "Tell me more about it.") than to narrower, refocusing cued-invitations (e.g., "You said he kissed you on your lips. Tell me about the kissing."), our study of younger children focused closely on differences in responses to different types of invitations. "Cued invitations" use pre-disclosed details, including references to temporal cues, to prompt further free-recall elaboration. Saywitz and her colleagues (Camparo, Wagner, & Saywitz, 2001; Dorado & Saywitz, 2001; Saywitz, Nathanson, Snyder, & Lamphear, 1993; Saywitz & Snyder, 1996) had shown earlier that young children's narrative recollections of staged events could be enhanced by using a "Narrative Elaboration Technique" (NET) procedure that involved visual cues, representing four retrieval categories (i.e., participants, settings, actions, and conversations).

Our results (Lamb, Sternberg, Orbach, Esplin, et al., 2003) clearly demonstrated that children as young as 4 years of age can indeed provide substantial amounts of forensically important information about alleged abuse in response to free-recall prompts. On average, almost one-half of the information provided by the children came in response to free-recall prompts, regardless of age. As expected, older children reported more details in total and in their average responses to invitations than the younger children did, but the proportion of details elicited using free-recall prompts did not increase with age. Moreover, our study showed that very young children are capable of providing most of the information (Who? What? When?) needed by forensic investigators in response to free-recall prompts, thereby reducing reliance on the more risky (potentially contaminating) yes/no and forced-choice questions.

Cued invitations, particularly those that remind children of actions they have previously mentioned, constitute effective ways of triggering the recall of information that is more likely to be accurate than information elicited using risky forced-choice and yes/no questions from alleged victims as young as 4 years of age. By structuring recall of experienced events, associating them with actions that have

been mentioned, and breaking them into smaller units or segments of time, cued invitations enhance the capacity of young children to reconstruct past events and to elaborate upon their narrative accounts, avoiding interviewer contamination during the recall. Interestingly, action-based cues (e.g., “Tell me more about the touching.”) were consistently more effective than all other types of cues (such as those referring to objects or people) regardless of age, whereas time-segmenting cues only became effective when addressed to 8-year-olds and were even more effective with 9- and 10-year-olds, probably reflecting major changes at this age in the comprehension of temporal concepts (Orbach & Lamb, 2007).

Our compelling findings regarding the value of ‘cued invitations’ indicated that forensic interviewers need to provide children of all ages with opportunities to recall information in response to free-recall prompts before assuming that more risky interview techniques are needed. This admonition is especially important in light of repeated demonstrations that risky questions are even riskier when addressed to children aged 6 and under, and thus that forensic investigators need to make special efforts to maximize the amounts of information elicited from 4- to 6-year-olds using less risky, free-recall prompts. Unfortunately, many interviewers feel that young children need to be asked option-posing, leading or suggestive questions in order to ensure answers; interviewers need to remember that the information elicited in this way is often inaccurate and that well-trained interviewers *can* (as we have shown) elicit more accurate and thus more useful information even from young children using recall prompts.

Importance of training

As mentioned earlier, interviewer training depressingly often yields improvement in trainees’ knowledge but no meaningful changes in the ways in which they actually interview alleged victims. Recognizing this, training in use of the NICHD Protocol has always been accompanied by efforts to provide continued support, guidance, and feedback on interviewer behavior in interviews conducted after starting to use the Protocol. The incremental value of verbal and written feedback during the course of training had been experimentally demonstrated previously in individual (Adams, Field, & Verhave, 1999; Clark, 1971; Frayer & Klausmeier, 1971; Sweet, 1966) and group (Gully, 1998) contexts, but only the NICHD training model includes feedback beyond the training period (i.e., in post-training investigative interviews as well).

The importance of continuing quality control and feedback was assessed in one study by comparing the effectiveness of four different training models designed to help interviewers implement recommended interviewing practices (Lamb, Sternberg, Orbach, Hershkowitz, et al., 2002). In all training conditions, interviewers were first provided with a theoretical framework to help them understand how the recommended practices were consistent with basic research on children’s memory, linguistic, communicative, and social development. The first training condition only involved such conceptual training. Interviewers in the second training condition were not only introduced to scientific principles, but were also urged to employ structured modules in the pre-substantive rapport building phase of their investigative interviews, and practiced using these modules. Interviewers in the third and fourth training conditions were introduced to the scientific principles and were also given copies of the fully structured NICHD Interview Protocol and practiced using it under close supervision. The third and fourth conditions differed with respect to the amount and type of supervision provided. Interviewers in the third training condition attended intensive training courses, followed by monthly day-long group meetings in which their actual field interviews were analyzed (using video recordings and transcripts of their recent interviews) and desirable and unde-

Conclusion

The research briefly reviewed in this article demonstrates both (1) how much researchers and interviewers have collectively learned about children's communicative and memory retrieval capacities and (2) that this information can be used by interviewers to maximize the value of their investigative interviews with alleged victims of abuse. In other studies, we have also shown that a version of the Protocol can be used when interviewing witnesses who are not victims (Lamb, Sternberg, Orbach, Hershkowitz, & Horowitz, 2003) and another version has been developed and used to interview youthful suspects (Hershkowitz, Horowitz, Lamb, Orbach, & Sternberg, 2004). The NICHD Protocol operationalizes the principles about which there has been clear expert professional consensus and has been shown to improve the behavior of investigative interviewers by helping them to elicit information that is more likely to be accurate because it is recalled by the child freely rather than in response to information and probes provided by the interviewer. In addition, interviewers are better able to judge whether victims are telling the truth when the interviews are conducted using the Protocol, perhaps because the children are thereby encouraged to provide more information in the narrative form which is more amenable to credibility assessment (Hershkowitz, Fisher, Lamb, & Horowitz, 2007; Hershkowitz, Lamb, Sternberg, & Esplin, 1997). We hope that the Protocol also helps investigators to elicit more clues that may guide their search for corroborative evidence, although this effect has not yet been assessed empirically.

Of course, the Protocol is not a panacea. The Protocol emphasizes techniques that help children to report information about experienced events; although it shows interviewers how to build rapport with alleged victims, it does not really address motivational factors that make some children reluctant to disclose abuse (Pipe, Lamb, Orbach, & Cederborg, 2007). This is an important issue, because more than a third of suspected victims do not report abuse when formally interviewed in forensic contexts (Hershkowitz, Horowitz, & Lamb, 2005, 2007), even when there is clear evidence that they were in fact abused (Hershkowitz et al., 2006). We are currently developing and assessing, in the field, variants of the Protocol that address the special circumstances that arise when interviewing reluctant witnesses. Similarly, special techniques may be needed when interviewing children and adults with learning, mental, or intellectual difficulties and these, too, are of current concern to us, not least because such individuals are at increased risk of maltreatment (Crosse, Kaye, & Ratnofsky, 1993; Hershkowitz, Horowitz, & Lamb, in press; Sullivan & Knutson, 2000). In all, although we believe that development of the Protocol has permitted considerable progress in the way in which children are interviewed forensically, considerably more work is needed before professionals can feel confident that they are collectively doing everything possible to protect vulnerable children from further abuse and to ensure that innocent adults are not wrongly accused of crimes they did not commit.

Of course, many other interview techniques have been developed. In the United States, the Finding Words technique, otherwise known as CornerHouse's RATAAC (Rapport, Anatomy Identification, Touch Inquiry, Abuse, and Closure) protocol (Walters, Holmes, Bauer, & Vieth, 2003), has been officially adopted by many jurisdictions and states and their training courses have been very popular. Unfortunately, however, no research on what RATAAC-trained interviewers actually do when interviewing children has been published (CornerHouse's Jennifer Anderson, personal communication, February 9, 2007), and there is thus an urgent need for evaluation of this popular technique particularly because, as noted above, researchers have repeatedly found that training programs of this sort do not generalize to practice in the field. Because the Finding Words approach includes aids such as drawings and anatomical dolls that can

adversely affect accurate retrieval, furthermore, researchers need to evaluate the use of these potentially risky tools by interviewers following the Finding Words guidelines.

The Cognitive Interview (Fisher, Brennan, & McCauley, 2002), which has also been popular, especially in the United Kingdom, draws on many of the same cognitive principles as the NICHD Protocol, and it has been shown to help interviewers elicit more detailed and accurate information from children about staged events than 'standard' interview procedures do (Köhnken, Milne, Memon, & Bull, 1999). Although the Cognitive Interview has not been evaluated systematically in the field, some components, like Mental Context Reinstatement, have been shown to enhance the effectiveness of the Protocol (Hershkowitz, Orbach, Lamb, Sternberg, & Horowitz, 2001), and it is possible that other components might be similarly useful. In addition, extensive practice and supervision in field conditions have played a key role in ensuring that the Protocol is effective (Lamb, Sternberg, Orbach, Esplin, et al., 2002; Lamb, Sternberg, Orbach, Hershkowitz, et al., 2002) and the same training conditions might be effective in association with other interview techniques. Obviously, the Protocol remains a 'work-in-progress' and is likely to continue developing to accommodate the results of new research. Nevertheless, it is already well-established that the Protocol comprises a useful and usable set of guidelines that allow trained interviewers to conduct investigative interviews that hew more closely than they otherwise would to universally endorsed professional guidelines, and therefore elicit accounts that are more likely to be accurate and less likely to be challenged in court. Unfortunately, it is also clear that it is difficult, even for experienced interviewers, to conduct forensic interviews well unless they follow guidelines like the structured Protocol and continue to review their interviews with other experienced interviewers even after they have been trained. When they are interviewed in this way, however, even children as young as 4 years of age can provide accurate and forensically usable information about their experiences when well interviewed:

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Appendix A. The NICHD Investigative Interview Protocol (2007 Revision)

I. Introduction

1. "Hello, my name is _____ and I am a police officer. [Introduce anyone else in the room; ideally, nobody else will be present.] Today is _____ and it is now _____ o'clock. I am interviewing _____ at _____."

"As you can see, we have a video-camera and microphones here. They will record our conversation so I can remember everything you tell me. Sometimes I forget things and the recorder allows me to listen to you without having to write everything down."

"Part of my job is to talk to children [teenagers] about things that have happened to them. I meet with lots of children [teenagers] so that they can tell me the truth about things that have happened to them. So, before we begin, I want to make sure that you understand how important it is to tell the truth." [For younger children, explain: "What is true and what is not true"].

"If I say that my shoes are red (or green) is that true or not true?"

[Wait for an answer, then say:]

2. "That would not be true, because my shoes are really [black/blue/etc.]. And if I say that I am sitting down now, would that be true or not true [right or not right]?"

[Wait for an answer.]

3. "It would be [true/right], because you can see I am really sitting down."

"I see that you understand what telling the truth means. It is very important that you only tell me the truth today. You should only tell me about things that really happened to you."

[Pause.]

4. "If I ask a question that you don't understand, just say, 'I don't understand.' Okay?"

[Pause]

"If I don't understand what you say, I'll ask you to explain."

[Pause.]

5. "If I ask a question, and you don't know the answer, just tell me, 'I don't know.'"

“So, if I ask you, ‘What is my dog’s name?’ [Or “my son’s name”] what would you say?”

[Wait for an answer.]

[If the child says, “I don’t know,” say:]

6. **“Right. You don’t know, do you?”**

[If the child offers a GUESS, say:]

“No, you don’t know because you don’t know me. When you don’t know the answer, don’t guess -- say that you don’t know.”

[Pause.]

7. **“And if I say things that are wrong, you should tell me. Okay?”**

[Wait for an answer.]

8. **“So if I said that you are a 2-year-old girl [when interviewing a 5-year-old boy, etc.], what would you say?”**

[If the child denies and does not correct you, say:]

“What would you say if I made a mistake and called you a 2-year-old girl [when interviewing a 5-year-old boy, etc.]?”

[Wait for an answer.]

9. **“That’s right. Now you know you should tell me if I make a mistake or say something that is not right.”**

[Pause.]

10. **“So if I said you were standing up, what would you say?”**

[Wait for an answer.]

“OK”

II. Rapport Building

“Now I want to get to know you better.”

1. **“Tell me about things you like to do.”**

[Wait for child to respond.]

[If the child gives a fairly detailed response, skip to question 3.]

[If the child does not answer, gives a short answer, or gets stuck, you can ask:]

2. “I really want to know you better. I need you to tell me about the things you like to do.”

[Wait for an answer.]

3. “Tell me more about [activity the child has mentioned in his/her account. AVOID FOCUSING ON TV, VIDEOS, AND FANTASY].”

[Wait for an answer.]

III. Training in Episodic Memory

Special Event

[NOTE: THIS SECTION CHANGES DEPENDING ON THE INCIDENT.]

[BEFORE THE INTERVIEW, IDENTIFY A RECENT EVENT THE CHILD EXPERIENCED -- FIRST DAY OF SCHOOL, BIRTHDAY PARTY, HOLIDAY CELEBRATION, ETC. -- THEN ASK THESE QUESTIONS ABOUT THAT EVENT. IF POSSIBLE, CHOOSE AN EVENT THAT TOOK PLACE AT ABOUT THE SAME TIME AS THE ALLEGED OR SUSPECTED ABUSE. IF THE ALLEGED ABUSE TOOK PLACE DURING A SPECIFIC DAY OR EVENT, ASK ABOUT A DIFFERENT EVENT]

“I want to know more about you and the things you do.”

1. “A few [days/weeks] ago was [holiday/ birthday party/ the first day of school/ other event]. Tell me everything that happened on [your birthday, Easter, etc.]”

[Wait for an answer.]

1a. “Think hard about [activity or event] and tell me what happened on that day from the time you got up that morning until [some portion of the event mentioned by the child in response to the previous question].”

[Wait for an answer.]

[Note: Use this question as often as needed throughout this section.]

1b. “And then what happened?”

[Wait for an answer.]

[Note: Use this question as often as needed throughout this section.]

1c. "Tell me everything that happened after [some portion of the event mentioned by the child] until you went to bed that night."

[Wait for an answer.]

[Note: Use this question as often as needed throughout this section.]

1d. "Tell me more about activity mentioned by the child."

[Wait for an answer.]

[Note: Use this question as often as needed throughout this section.]

1e. "Earlier you mentioned activity mentioned by the child. Tell me everything about that."

[Wait for an answer.]

[Note: Use this question as often as needed throughout this section.]

[If the child gives a poor description of the event, continue with questions 2-2e.]

[Note: If the child gives a detailed description of the event, say:

"It is very important that you tell me everything you remember about things that have happened to you. You can tell me both good things and bad things."

Yesterday

2. "I really want to know about things that happen to you. Tell me everything that happened yesterday, from the time you woke up until you went to bed."

[Wait for an answer.]

2a. "I don't want you to leave anything out. Tell me everything that happened from the time you woke up until [some activity or portion of the event mentioned by the child in response to the previous question]."

[Wait for an answer.]

2b. "Then what happened?"

[Wait for an answer.]

[Note: Use this question as often as needed throughout this section.]

2c. "Tell me everything that happened after [some activity or portion of the event mentioned by the child] until you went to bed."

[Wait for an answer.]

2d. "Tell me more about activity mentioned by the child."

[Wait for an answer. Note: Use this question as often as needed throughout this section.]

2e. “Earlier you mentioned [activity mentioned by the child]. Tell me everything about that.”

[Wait for an answer.]

[Note: Use this question as often as needed throughout this section.]

Today

IF THE CHILD DOES NOT PROVIDE AN ADEQUATELY DETAILED NARRATIVE ABOUT YESTERDAY, REPEAT QUESTIONS 2 TO 2E ABOUT TODAY, USING “THE TIME YOU CAME HERE” AS THE CLOSING EVENT.

“It is very important that you tell me everything about things that have really happened to you.”

The Substantive Part of the Interview

IV. Transition to Substantive Issues

“Now that I know you a little better, I want to talk about why [you are here / I am here] today.”

[If the child starts to answer, wait.]

[If the child gives a summary of the allegation (Example: ‘David touched my wee-pee’, or ‘Daddy hit me’), go to question 10.]

[[If the child gives a detailed description, go to question 10a.]

[If the child doesn’t make an allegation, continue with question 1.]

1. “I understand that something may have happened to you. Tell me everything that happened from the beginning to the end.”

[Wait for an answer.]

[If the child makes an allegation, go to question 10.]

[If the child gives a detailed description go to question 10a.]

[If the child does not make an allegation, continue with question 2.]

2. “As I told you, my job is to talk to kids about things that might have happened to them. It is very important that you tell me why [you are here/ you came here/ I am here]. Tell me why you think [your mum, your dad, your grandmother] brought you here today [or ‘why you think I came to talk to you today’].”

[Wait for an answer.]

[If the child makes an allegation, go to question 10.]

[If the child gives a detailed description, go to question 10a.]

[If the child does not make an allegation and you don’t know that there was previous contact with the authorities, go to question 4 or 5.]

[If the child does not make an allegation and you know that there was previous contact with the authorities, go to question 3.]

3. "I've heard that you talked to [a doctor/ a teacher/ a social worker/ any other professional] at [time/location]. Tell me what you talked about."

[Wait for an answer.]

[If the child makes an allegation, go to question 10.]

[If the child gives a detailed description, go to question 10a.]

[If the child does not make an allegation and there are no visible marks, proceed to question 5.]

[When marks are visible, the investigator has been shown pictures of or told of marks, or the interview takes place in the hospital or right after the medical examination say:]

4. "I see [I heard] that you have [marks/ injuries/ bruises] on your _____. Tell me everything about that."

[Wait for an answer.]

[If the child makes an allegation, go to question 10.]

[If the child gives a detailed description, go to question 10a.]

[If the child does not make an allegation, proceed with question 5.]

5. "Has anybody been bothering you?"

[Wait for an answer.]

[If the child confirms or makes an allegation, go to question 10.]

[If the child gives a detailed description, go to question 10a.]

[If the child does not confirm, and does not make an allegation, proceed with question 6.]

6. "Has anything happened to you at [location/time of alleged incident]?"

[Note: Don't mention the name of the suspect or any details of the allegation.]

[Wait for an answer.]

[If the child gives a detailed description, go to question 10a.]

[If the child confirms or makes an allegation, go to question 10.]

[If the child does not confirm or does not make an allegation, continue with question 7.]

7. "Did someone do something to you that you don't think was right?"

[Wait for an answer.]

[If the child confirms, or makes an allegation, go to question 10.]

[If the child gives a detailed description, go to question 10a.]

[If the child does not confirm or does not make an allegation, proceed to question 8.]

PAUSE. ARE YOU READY TO GO ON? WOULD IT BE BETTER TO TAKE A BREAK BEFORE GOING FURTHER?

IN CASE YOU DECIDE TO GO AHEAD, YOU SHOULD HAVE FORMULATED SPECIFIC VERSIONS OF QUESTIONS 8 AND 9, USING THE FACTS AVAILABLE TO YOU, BEFORE THE INTERVIEW. BE SURE THAT THEY SUGGEST AS FEW DETAILS AS POSSIBLE TO THE CHILD. IF YOU HAVEN'T FORMULATED THESE QUESTIONS, TAKE A BREAK NOW TO FORMULATE THEM CAREFULLY BEFORE YOU PROCEED.

8. "Did somebody [briefly summarize allegations or suspicions without specifying names of alleged perpetrator or providing too many details]." (For example, "Did somebody hit you?" or "Did somebody touch your wee pee private parts of your body?")

[Wait for an answer.]

[If the child confirms or makes an allegation, go to question 10.]

[If the child gives a detailed description, go to question 10a.]

[If the child does not confirm or does not make an allegation, proceed to question 9.]

9. "Your teacher [the doctor/psychologist/neighbour] told me /showed me ["that you touched other children's wee-pee"/ "a picture that you drew"], and I want to find out if something may have happened to you. Did anybody [briefly summarize allegations or suspicions without specifying the name of the alleged perpetrator or providing too many details]." [For example: "Did somebody in your family hit you?" or "Did somebody touch your wee-pee or other private parts of your body?"]

[Wait for an answer]

[If the child confirms or makes an allegation, go to question 10.]

[If the child gives a detailed description, go to question 10a.]

[If the child does not confirm or does not make an allegation, go to section XI.]

V. Investigating the Incidents

Open Ended Questions

10. [If the child is under the age of 6, REPEAT THE ALLEGATION IN THE CHILD'S OWN WORDS without providing details or names that the child hasn't mentioned.]

[then say:]

"Tell me everything about that."

[Wait for an answer.]

[If the child is over the age of 6 simply say:]

"Tell me everything about that."

[Wait for an answer.]

10a. "Then what happened?" or "Tell me more about that."

[Wait for an answer.]

[Use this question as often as needed until you have a complete description of the alleged incident.]

[NOTE: IF THE CHILD'S DESCRIPTION IS GENERIC, GO TO QUESTION 12 (SEPARATION OF INCIDENTS). IF THE CHILD DESCRIBES A SPECIFIC INCIDENT, CONTINUE WITH QUESTION 10b]

10b. "Think back to that [day/ night] and tell me everything that happened from [some preceding event mentioned by the child] until [alleged abusive incident as described by the child]."

[Wait for an answer.]

[Note: Use this question as often as needed to ensure that all parts of the incident are elaborated.]

10c. "Tell me more about [person/object/ activity mentioned by the child]."

[Wait for an answer.]

[Note: Use this question as often as needed throughout this section.]

10d. "You mentioned [person/ object/ activity mentioned by the child], tell me everything about that."

[Wait for an answer.]

[Note: Use this question as often as needed throughout this section.]

[If you are confused about certain details (for example, about the sequence of events), it may help to say:]

"You've told me a lot, and that's really helpful, but I'm a little confused. To be sure I understand, please start at the beginning and tell me [how it all started/ exactly what happened/ how it all ended/ etc]."

Focused questions relating to information mentioned by the child.

[If some central details of the allegation are still missing or unclear after exhausting the open-ended questions, use direct questions. It is important to pair open 'invitations' with direct questions whenever appropriate.]

[Note: First focus the child's attention on the detail mentioned, and then ask the direct question.]

Following is the General Format of Direct Questions:

11. "You mentioned [person/object/activity], [Completion of the direct question.]

Examples

1. "You mentioned you were at the shops. Where exactly were you?" [Pause for a response] "Tell me about that shop."

Focused questions relating to information mentioned by the child.

[If some central details of the allegation are still missing or unclear after exhausting the open-ended questions, use direct questions. It is important to pair open 'invitations' with direct questions, whenever appropriate.]

[Note: First focus the child's attention on the detail mentioned, and then ask the direct question.]

Following is the general format of direct questions:

14. "You mentioned [person/object/activity],
[How/when/where/who/which/what] [Completion of the direct question.]"

Examples

1. "You mentioned you were watching TV. Where exactly were you?"

[Wait for a response]

"Tell me everything about that."

2. "Earlier you mentioned that your father 'whacked you'. Tell me exactly what he did."

3. "You mentioned a friend was there. What is her/his name?"

[Wait for a response]

"Tell me what s/he was doing."

4. "Earlier you said that your uncle 'fingered you' ['French kissed'/'had sex with you'/'etc]. Tell me exactly what he did."

REPEAT THE ENTIRE SECTION FOR AS MANY OF THE INCIDENTS MENTIONED BY THE CHILD AS YOU WANT DESCRIBED. UNLESS THE CHILD HAS SPECIFIED ONLY TWO INCIDENTS, ASK ABOUT "THE LAST," THEN "THE FIRST," THEN "ANOTHER TIME YOU REMEMBER WELL."

VI. Break

[Tell the child:]

“Now I want to make sure I understood everything and see if there’s anything else I need to ask. I will just [think about what you told me/go over my notes/go and check with?]”

[During the break time, review the information you received, fill out the Forensic Checklist, see if there is any missing information, and plan the rest of the interview. **BE SURE TO FORMULATE FOCUSED QUESTIONS IN WRITING.**]

After the Break

[To elicit additional important information that has not been mentioned by the child, ask additional direct and open-ended questions, as described above. Go back to open-ended questions (“Tell me more about that”) after asking each direct question. After finishing these questions, proceed to section VII.]

VII. Eliciting information that has not been mentioned by the child

[You should ask these focused questions only if you have already tried other approaches and you still feel that some forensically important information is missing. It is very important to pair open invitations (“Tell me all about that”) whenever possible.]

[Note: In case of multiple incidents, you should direct the child to the relevant incidents in the child’s own words, asking focused questions only after giving the child an opportunity to elaborate on central details.]

[BEFORE YOU MOVE TO THE NEXT INCIDENT, MAKE SURE YOU HAVE OBTAINED ALL THE MISSING DETAILS ABOUT EACH SPECIFIC INCIDENT.]

The general format of questions focused on information that has NOT been mentioned by the child

“When you told me about [specific incident identified by time or location] you mentioned [person/object/activity]. Did/was [focused questions]?”

[Wait for an answer.]

[Whenever appropriate, follow with an invitation: say:]

“Tell me all about that.”

Examples

1. “When you told me about the time in the basement, you mentioned that he took off his trousers. Did something happen to your clothes?”

[Wait for an answer.]

[After the child responds, say:]

“Tell me all about that.”

[Wait for an answer.]

2. “When you told me about the last time, you mentioned that he touched you. Did he touch you over your clothes?”

[Wait for an answer.]

[After the child responds, say:]

“Tell me all about that.”

[Wait for an answer.]

3. “Did he touch you under your clothes?”

[Wait for an answer.]

[After the child responds, say:]

“Tell me all about that.”

4. “You told me about something that happened on the playground. Did somebody see what happened?”

[Wait for an answer.]

[When appropriate, say:]

“Tell me all about that.”

5. “Do you know whether something like that happened to other children?”

[Wait for an answer.]

[When appropriate, say:]

“Tell me all about that.”

6. “You told me about something that happened in the barn. Do you know when that happened?”

VIII. If Child Fails To Mention Information You Expected.

Use only the prompts that are relevant.

If you know of conversations in which the information was mentioned say:

1. “I heard that you talked to [] at [time/place]. Tell me what you talked about.”

[If child doesn't provide more information, ask question 2; If child does give some more information, say:]

"Tell me everything about that."

[Follow up with other open-ended prompts, such as **"Tell me about that."** If necessary.]

If you know details about prior disclosures and the information has not been disclosed to you, say:

2. **"I heard [s/he told me] you said [summarize allegation, specifically but without mentioning incriminating details if possible]. Tell me everything about that."**

[Follow up with other open-ended prompts, such as **"Tell me about that."** If necessary.]

3. If something was observed, say:

a. **"I heard that someone saw []. Tell me everything about that."**

[Follow up with other open-ended prompts, such as **"Tell me about that."** If necessary.]

If child denies, go to 3b.

b. **"Has anything happened to you at [place/time]? Tell me everything about that."**

[Follow up with other open-ended prompts, such as **"Tell me about that."** If necessary.]

If child has/had injuries or marks say:

4. **"I see [I heard] that you have [marks/bruises] on your [].
Tell me everything about that."**

[Follow up with other open-ended prompts, such as **"Tell me about that."** If necessary.]

5. **"Did somebody [summarize without naming the perpetrator (unless child already named her/him) or providing most incriminating details]?"**

If child denies, go to next section.

If child acknowledges something say:

"Tell me everything about that."

[Follow up with other open-ended prompts, such as **"Tell me about that"** if necessary.]

IX. Information about the Disclosure

“You’ve told me why you came to talk to me today. You’ve given me lots of information and that really helps me to understand what happened.”

[If child has mentioned telling someone about the incident(s), go to question 6. If child hasn’t mentioned telling anyone, probe about possible immediate disclosure by saying:]

1. **“Tell me what happened after [the last incident].”**

[Wait for an answer.]

2. **“And then what happened?”**

[Note: Use this question as often as needed throughout this section.]

[If the child mentions a disclosure, go to question 6. If not, ask the following questions.]

3. **“Does anybody else know what happened?”**

[Wait for an answer. If the child identifies someone, go to Question 6.]
[If the child confirms but doesn’t mention the name, ask:]

“Who?”

[Wait for an answer. If the child identifies someone, go to Question 6.]

4. **“Now I want to understand how other people found out about [the last incident].”**

[Wait for an answer. If the child identifies someone, go to Question 6.]
[If there is missing information, ask the following questions.]

5. **“Who was the first person besides you and [the perpetrator] to find out about [alleged abuse as described by the child]?”**

[Wait for an answer.]

6. **“Tell me everything you can about how [“the first person mentioned by the child”] found out.”**

[Wait for an answer.]
[Then say:]

“Tell me more about that.”

[Wait for an answer.]
[If the child describes a conversation, say:]

“Tell me everything you talked about.”

[Wait for an answer.]

7. **“Does anyone else know about [alleged abuse as described by the child]?”**

[Wait for an answer.]

[Then say:]

“Tell me more about that.”

[If the child described a conversation, say:]

“Tell me everything you talked about.”

[Wait for an answer.]

[if the child does not mention that he/she told somebody ask:]

REPEAT ENTIRE SECTION AS NECESSARY FOR EACH OF THE INCIDENTS DESCRIBED BY THE CHILD.

X. Closing

[Say:]

“You have told me lots of things today, and I want to thank you for helping me.”

1. **“Is there anything else you think I should know?”**

[Wait for an answer.]

2. **“Is there anything you want to tell me?”**

[Wait for an answer.]

3. **“Are there any questions you want to ask me?”**

[Wait for an answer.]

4. **“If you want to talk to me again, you can call me at this phone number.”** [Hand the child a card with your name and phone number.]

XII. Neutral Topic

“What are you going to do today after you leave here?”

[Talk to the child for a couple of minutes about a neutral topic.]

“It’s [specify time] and this interview is now complete.”