



Specialist Child Witness Interview Guide

Version : 1.0

Detailed table of contents

This chapter contains these topics:

[Executive summary](#)

- [Key things to note are:](#)

[Overview](#)

- [Contact for enquiries](#)
- [Introduction](#)
- [When and why should specialist child witness interviews be used?](#)
- [Joint Child, Youth and Family/Police SCWI Policy](#)
- [Definitions](#)

[Roles and responsibilities](#)

- [The specialist child witness interviewer](#)
- [The monitor](#)
- [Child, Youth and Family and Police Managers](#)

[Purpose and conduct of the interview](#)

- [Purpose of the SCWI](#)
- [Interviewing Number and Duration of Interviews](#)
- [Structure of interview](#)
- [Interviewing tools](#)
- [Breaks, including monitor breaks](#)
- [Support person](#)
- [Interpreters](#)

[Before the SCWI](#)

- [Preparation and planning](#)
- [Consultation with the parent and social worker](#)
- [Consent](#)
- [Pre-interview with the child](#)

[After the SCWI](#)

- [Debriefing](#)
- [SCWI Report](#)
- [Role of the interviewer in court](#)
- [Transcripts](#)

[Video recordings](#)

- [Security and access to video records](#)
- [Video record retention and destruction](#)

[Facilities and equipment](#)

- [Recording equipment](#)
- [Interview rooms](#)

[Training and development](#)

- [Policy](#)
- [Guidelines](#)
- [Peer review](#)
- [Accreditation](#)
- [Professional development opportunities](#)

[Supervision](#)

- [Policy](#)
- [Guidelines](#)

[Confidentiality statements and consent forms](#)

This is an uncontrolled document printed for reference only.

The controlled document can be found in the Police Instructions site which is accessible via the New Zealand Police Intranet.



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

Executive summary

Child, Youth and Family and the New Zealand Police have a joint commitment to providing specialist child witness interviewing services.

This document details policy and guidelines relating to specialist child witness interviews (SCWI):

- agreed jointly by Child, Youth and Family and the New Zealand Police
- for trained specialist child witness interviewers of Child, Youth and Family and the Police, and their supervisors and managers.

The policy and guidelines ensure specialist child witness interviews (SCWI) are conducted and recorded in accordance with the Evidence Act 2006 and the Evidence Regulations 2007 and that best practice is maintained.

Key things to note are:

- [SCWI](#) must be conducted according to the rules of evidence and the [Evidence Act 2006](#) and [Evidence Regulations 2007](#).
- A [SCWI](#) of a child who has, or may have, been abused or witnessed a serious crime must be video recorded.
- All interviewers must have completed the nationally recognised SCWI training course, and be on the SCWI register before undertaking video interviews of a child.
- Every [SCWI](#) must be monitored.
- The interview must take place in a child friendly environment – never in a suspect interviewing room.
- Police supply the medium on which the [SCWI](#) is recorded and prepare the transcripts where criminal charges follow.
- Depending on the child's age and level of maturity, the interviewer or monitor should try to explain to them the interview procedure, its recording and use.
- The interviewer must:
 - inform the social worker and Police of the interview outcome and, in every case where allegations have been made, provide a 'Summary Report'
 - discuss the child's immediate safety needs with the social worker and family when a child has made an allegation of abuse in the interview.
- The interviewer must secure every outline, drawing, monitor's message and note made during the interview as these may be used as evidence.
- The decision to allow others, such as family or support people, access to the video record must be guided by the child's best interests and the Evidence Regulations 2007. Police should consult with Child, Youth and Family to assess this.



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

Overview

This section contains these topics:

- [Contact for enquiries](#)
- [Introduction](#)
- [When and why should specialist child witness interviews be used?](#)
- [Joint Child, Youth and Family/Police SCWI Policy](#)
- [Definitions](#)

Contact for enquiries

Any questions in relation to these policies and guidelines should be addressed to the [Investigative Interviewing Team](#), NCIG at Police National Headquarters.

Introduction

Specialist child witness interviewing is a skilled task which requires specific training and supervised practice. A [SCWI](#) cannot be conducted competently just by following the policy and guidelines in this document.

This document should be read in conjunction with:

- sections [103](#), [104](#), [105](#), [106](#) and [107](#) of the Evidence Act 2006
- the [Evidence Regulations 2007](#)
- the [Child Protection Protocol](#) (CPP) between New Zealand Police and Child, Youth and Family (a schedule to the MOU between the two agencies), for the reporting and investigation of serious child abuse. This is available from the respective agency's intranet.

Child, Youth and Family and the New Zealand Police recognise that some interviewing situations may call for procedures not specifically referred to within this document. Where this occurs the interviewer should exercise their discretion with care, taking into account the welfare of the child being interviewed while also considering the legal implications of such action. These situations require consultation and agreement between the interviewer and the monitor and/or other experienced person, for example the SCWI Coordinator / Trainer based at Police National Headquarters.

The practice guidelines within this document are current at point of publication. Practice changes may have occurred since publication as a result of court precedent, research and literature.

When and why should specialist child witness interviews be used?

A [SCWI](#) may be used as part of an investigation where a child has, or may have, been abused or witnessed a serious crime. It may later be used as part of court evidence.

A SCWI is conducted in a manner that complies with the Evidence Regulations 2007.

A SCWI can be used:

- as the basis of prosecution to present all or part of the evidence-in-chief in court under sections [103](#), [104](#), [105](#), [106](#) and [107](#) of the Evidence Act 2006
- as evidence in proceedings for a declaration in the Family Court under regulation [22](#) of the Evidence Regulations 2007
- for those purposes outlined in regulation [20](#) of the Evidence Regulations 2007.

Video recording of SCWI is considered the best way to meet both the child's needs and interests, and the interests of justice. It meets the child's needs in that:

This is an uncontrolled document printed for reference only.

The controlled document can be found in the Police Instructions site which is accessible via the New Zealand Police Intranet.



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

- the interview process is focused on the child and allows them to state clearly and freely what (if anything) has happened while also capturing the information according to the rules of evidence
- the SCWI can be used for investigations, criminal prosecution and care and protection purposes. This lessens the number of times that a child needs to recount their statement.

This serves the interests of justice in that:

- the interview process is conducted according to the rules of evidence in order to meet the standards necessary for criminal prosecution
- SCWI are a transparent method of interviewing and therefore have the greatest level of accountability
- it allows the Family Court in Children, Young Persons, and Their Families Act (1989) proceedings, the best opportunity to view the child's evidence, while limiting the impact on the child.

Joint Child, Youth and Family/Police SCWI Policy Policy

A [SCWI](#) of a child who has, or may have, been abused or witnessed a serious crime must be video recorded.

SCWI must be conducted according to the rules of evidence and the [Evidence Act 2006](#) and [Evidence Regulations 2007](#).

If there is more than one suspect, separate SCWI should be conducted to discuss the incident(s) relating to each alleged offender, unless the alleged offences were jointly committed.

A SCWI must be carried out by an interviewer with specialist training in the interviewing of children and the requirements of the Evidence Regulations 2007. This specialist training course is run at the Royal New Zealand Police College (RNZPC) and includes e-learning as well as a week-long face-to-face course.

Every SCWI must be monitored. The monitor must be a Child, Youth and Family Specialist Child Witness Interviewer or a police officer trained in interviewing and/or the requirements of the [Evidence Regulations 2007](#).

The interview must take place in a child friendly environment. It must not take place in a suspect interviewing room.

Police must supply the medium on which the SCWI is recorded.

Guidelines for referrals

Referral for a [SCWI](#) is indicated when:

- a child has disclosed [sexual abuse](#), [serious physical abuse](#), serious neglect, or serious family violence where the child is a witness, and / or:
- medical findings indicate possible abuse or neglect
- there are extreme and persistent patterns of sexual behaviour
- there has been unsupervised contact with a known suspect
- abuse is witnessed by a third party
- abuse is admitted by a suspect
- a serious crime has been witnessed
- there is a [disclosure witness](#).

Definitions



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

The following definitions identify the meaning of key terminology within this document.

Term	Definition
Child	Child or young person under the age of 17 years.
Child Protection Protocol (CPP)	<p>The Child Protection Protocol (CPP) sets out the way that Child, Youth and Family and Police work alongside each other in situations of serious child abuse. It clarifies the roles and responsibilities of each organisation, and the process to be followed, to ensure a prompt and effective response to cases of serious child abuse.</p> <p>The protocol is a schedule to the MOU between the two agencies and is available from the respective agency's intranet.</p>
Disclosure witness / Recent complaint	A disclosure witness is the first person to whom a child disclosed.
Emotional / psychological abuse	Emotional abuse is any act or omission that results in adverse or impaired psychological, social, intellectual and emotional functioning or development.
Interpreter	A suitably qualified interpreter who can assist the child, where their first or preferred language is other than English, or the child has a communication disability.
Interviewer	A person with specialist training in the skills associated with interviewing children, having successfully completed the SCWI Course at RNZPC.
Monitor	A Child, Youth and Family Specialist Child Witness Interviewer or a police officer trained in interviewing and/or monitoring.
Monitor break	A pause in the interview to allow the interviewer and monitor to confer.
Movement sheet	A form attached to the video record that records the location of the video record and forms a record for the chain of evidence.
Neglect	When a person intentionally ill-treats or neglects a child or causes or permits the child to be ill-treated in a manner likely to cause the child actual bodily harm, injury to health or any mental disorder or disability, and that ill-treatment or neglect is serious and avoidable. (Child Protection Protocol)
Parent	The usual fulltime caregiver or legal guardian of the child. This may include biological parent/s, step-parent/s, wider whānau or family or anyone with caregiver responsibilities (the parent or guardian or usual carer/custodian may arrange or ask for you to arrange another adult to fulfil the role of supporting the child).
Regulations	The Evidence Regulations 2007 .
Serious physical abuse	The actions of a perpetrator that result in or could potentially result in physical harm or injury being inflicted on a child. The test for seriousness is determined by considering the action, the injury and the circumstances and is set out in Appendix 1 of the Child Protection Protocol .
Sexual abuse	An act involving circumstances of indecency with, or sexual violation of, a child, or using a child in the making of sexual imaging. (Child Protection Protocol)
Specialist Child Witness Interview (SCWI)	A recorded interview that can be used as part of an investigation where a child has, or may have been, abused, or witnessed a serious crime. It may later be used as part of court evidence. (Child Protection Protocol).

This is an uncontrolled document printed for reference only.

The controlled document can be found in the Police Instructions site which is accessible via the New Zealand Police Intranet.



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

Support person	Any person (other than the suspect(s)) who supports the child throughout the interview process.
Vulnerable witness	Child witness to a serious crime.



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

Roles and responsibilities

This section contains these topics:

- [The specialist child witness interviewer](#)
- [The monitor](#)
- [Child, Youth and Family and Police Managers](#)

The specialist child witness interviewer

Policy

A [SCWI](#) must be carried out by a trained interviewer from Child, Youth and Family, or a Police interviewer trained in interviewing children (having successfully completed the NZ SCWI Course at RNZPC) and the requirements of the [Evidence Regulations 2007](#).

The interviewer must:

- ensure they are aware of the provisions of the Evidence Regulations 2007, in particular regulations [5](#), [6](#), [7](#), [8](#), [9](#), [10](#), [11](#), [12](#) and [13](#)
- cover the points listed in regulation [8](#) of the Evidence Regulations 2007
- provide a child friendly environment
- facilitate a process where a child can talk about what, if anything, has happened
- report key observations to the referring social worker and Police following the interview
- recommend any further action needed to the social worker
- provide evidence in court for criminal prosecution or other proceedings if required.

The interviewer must not:

- engage in therapy with the child, or their family members
- assess whether the suspect is guilty or not
- assume social work responsibility for the child's case
- conduct the wider investigation and assessment (except Police may conduct the wider investigation, in some circumstances).

The monitor

Policy

A [SCWI](#) must be monitored by a Child, Youth and Family Specialist Child Witness Interviewer or a police officer trained in interviewing and/or the requirements of the [Evidence Regulations 2007](#).

The monitor must:

- ensure video recording equipment is set up and functioning
- operate the equipment where required during the interview
- be present in the monitor's room throughout the interview
- take accurate, legible interview notes. Attempts should be made to use the child's own words in relation to the disclosure or details about the suspect but are not intended to be a transcript
- provide support to the interviewer by identifying areas that are missing from the interview or which need clarifying or expanding
- record the time at significant points throughout the interview – this must include beginning and end of interview and all breaks.

Guidelines

The monitor should:

- have knowledge of the referral information, this may mean sitting in on a [parent interview](#)



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

- be alone in the monitor's room unless other professional support is required due to the child's special needs or the needs of the investigation
- during breaks, keep discussion with the interviewer to a minimum
- only interrupt the interview if it is absolutely necessary, for example if a legal requirement is missed, or equipment failure
- take notes of any relevant pre- or post-interview discussion the interviewer has with the child
- assist the child, and monitor the child's interactions with other people, should they leave the room for any reason.

(See also [Breaks, including monitor breaks](#))

Child, Youth and Family and Police Managers Policy

Child, Youth and Family Managers and Police District Commanders (or their nominees) must ensure that children have access to [SCWI](#) services. This includes:

- trained and skilled interviewers
- adequate [interviewing facilities and resources](#) i.e. venue, video-recording and interview equipment
- access to these services as soon as practicable on receipt of [SCWI referrals](#).

In highly complex cases, such as mass allegations, it is important that there is a high level of consultation and co-ordination between the investigating team and the interviewer. It is the responsibility of the Child, Youth and Family Manager and the Police District Commander (or their nominees) to ensure this occurs.

Staff

Where Child, Youth and Family or Police staff are working as interviewers, their managers must ensure that they receive specialised training as well as regular and appropriate clinical supervision (refer [Training and development](#) and [Supervision](#)).

The Child, Youth and Family Manager and the Police District Commander (or nominees) must ensure that interviewers have opportunities to meet with one another to improve and standardise their practice.

All Child, Youth and Family and Police interviewers must achieve and maintain accreditation under the [Investigative Interviewing Accreditation Policy](#).



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

Purpose and conduct of the interview

This section contains these topics:

- [Purpose of the SCWI](#)
- [Interviewing Number and Duration of Interviews](#)
- [Structure of interview](#)
- [Interviewing tools](#)
- [Breaks, including monitor breaks](#)
- [Support person](#)
- [Interpreters](#)

Purpose of the SCWI

A [SCWI](#) usually takes place as a part of the investigation and assessment process. The SCWI is a tool to help Child, Youth and Family and Police to establish if:

- the child is in need of care or protection
- there is information that a criminal offence has been committed.

The interviewer is responsible for the SCWI and specific tasks relating to the interview. Child, Youth and Family and Police are responsible for the other tasks relating to the care and protection of the child.

The primary functions of Child, Youth and Family and Police are to assess the safety and wellbeing of children, provide care and protection where this is needed, investigate allegations and hold offenders to account wherever possible.

The [CPP](#) provides guidance on the investigation of allegations of sexual abuse, serious neglect, serious physical abuse or where a child has witness a serious crime.

Interviewing Number and Duration of Interviews Guidelines

In most cases one video interview will be sufficient. It may be appropriate to conduct subsequent interviews where:

- the child becomes tired or distressed and is unable or unwilling to complete the interview
- the child makes an allegation or further allegations late in the interview and is willing to undertake a further interview
- the child spontaneously reveals further information outside the interview
- the child has special considerations, for example, an [interpreter](#) or technical aid to communicate
- the child gives new information indicating a more serious offence
- the child gives information about a second suspect unconnected with the first interview
- equipment failure occurs
- other considerations arise following consultation with the investigation team.

Most interviews take 45-75 minutes.

Structure of interview

All [SCWI](#) must be conducted in accordance with the [Evidence Regulations 2007](#). The phases and steps within the SCWI are fully explained and practised within the SCWI training course that all interviewers attend before conducting interviews.

All SCWI are divided into three phases summarised below — Engage and Explain, the Account, and the Closure. All three phases are video recorded.

This is an uncontrolled document printed for reference only.

The controlled document can be found in the Police Instructions site which is accessible via the New Zealand Police Intranet.



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

Stage	Description
Engage and Explain	<ul style="list-style-type: none"> Cover regulation requirements Ground rules Practice narrative using SCWI questioning approaches
Account	<ul style="list-style-type: none"> Encourage the child to talk about any offences using a free narrative approach and SCWI questioning approaches
Closure	<ul style="list-style-type: none"> Seek further clarification of details if required Sign exhibits Explore a neutral topic to ensure the wellbeing of the child

Interviewing tools

Policy

Any piece of equipment in the interview room must be for the purpose of [SCWI](#).

The waiting room must not contain books, leaflets and toys that relate to child abuse / protection.

Guidelines

Suitable toys and equipment for SCWI include sketch plans, body diagrams, timelines, non-anatomical dolls, koosh balls, play dough and colouring in.

Care must be taken when using any tool. Research shows that interviewers' question types can become more focused when tools are introduced and so caution should always be used. It has also been demonstrated that while the introduction of tools during the account phase may elicit further information, the accuracy tends to be lower than for information elicited spontaneously through the use of invitations, especially with young children (Brown 2011¹).

Breaks, including monitor breaks

Policy

In [SCWI](#) the interviewer should break the interview and confer with the monitor to check that all key areas of questioning have been covered. This break should be taken when the interviewer believes that all topics have been covered.

Breaks may occur for other reasons, for example, if the child needs to use the toilet, the equipment malfunctions or there is a fire alarm.

There are no restrictions on the number of monitor breaks. However, they should be kept to a minimum as too many breaks become disruptive to the child.

There may be times where it may be preferable for the monitor to pass a written message to the interviewer to avoid the need for an additional monitor break. All written notes must be retained on the interview file.

Before leaving the interview room, the interviewer must state the time, purpose and expected length of the break. On return to the interview room, they should state the time. This is required by regulation [9](#) of the Evidence Regulations 2007.

The child must remain in the view of the camera during the break and the camera will continue recording. If interpreters or support people remain in the room during the break, they must not confer with the child — for this reason it is usually preferable that they leave the room for the duration of the break.

¹ Brown, D.A. (2011) The Use of Supplementary Techniques in Forensic Interviews with Children. In M.E. Lamb, D.J. La Rooy, L.C. Malloy and C. Katz (Eds), Children's Testimony – A Handbook of Psychological Research and Forensic Practice, 2nd ed. (pp.217-249). Chichester, England: John Wiley and Sons, Ltd.

This is an uncontrolled document printed for reference only.

The controlled document can be found in the Police Instructions site which is accessible via the New Zealand Police Intranet.



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

The monitor must supervise the child if they leave the room.

Support person

Allowed by law

The [Evidence Regulations 2007](#) allows for the presence of a support person under regulation [6](#).

Policy

The child must be interviewed alone unless there are exceptional circumstances — where it is in the best interests of the child and not likely to influence the narrative or responses of the child.

The interviewer must clearly inform the support person about their role and ask them to sign a [confidentiality statement](#) prior to the interview taking place. The support person must be clearly informed that they cannot participate in any way during the interview and must be clearly visible throughout the interview (regulation [11](#)).

Interpreters

Allowed by law

The [Evidence Regulations 2007](#) allow for the use of an interpreter under regulation [7](#).

Policy

The interviewer must clearly inform the [interpreter](#) about their role in the interview. They are to interpret the interviewer's questions for the child and to translate the answers back for the interviewer. The interpretation must be verbatim as much as possible.

The interpreter must be visible on video at all times (regulation 12) and should leave the room with the interviewer at any monitor breaks.

Guidelines

The interviewer should ask the interpreter to sign a [confidentiality statement](#) prior to the interview taking place.

The interviewer should spend time after the interview with the interpreter to answer any questions that the interpreter may have about the process of the interview.

If the child and the family of the child require interpreters, a different interpreter from the one used in the [SCWI](#) should interpret for the family.



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

Before the SCWI

This section contains these topics:

- [Preparation and planning](#)
- [Consultation with the parent and social worker](#)
- [Consent](#)
- [Pre-interview with the child](#)

Preparation and planning

Thorough preparation and planning are integral to the [SCWI](#). It is essential for the interviewer to have an interview plan which may or may not be written.

When planning the SCWI the interviewer must consider:

- if the child has any special considerations. If so, liaise with the social worker to identify the appropriate agency for preliminary assessments, advice and/or organising assistance. This could include an [interpreter](#) or [support person](#) present at the interview (regs [6](#) and [7](#))
- what information and support needs to be provided to the child
- whether the [referral](#) and background information are clear. The interviewer should be familiar with the information provided
- who will accompany the child to the interview. The child should be accompanied to the interview unit by their [parent](#) or a support person. The child's social worker should also be present, if one is allocated, and should wait with the parent/support person during the interview. They should also be available to debrief with the interviewer following the SCWI.

Consultation with the parent and social worker Policy

The interviewer must have:

- taken all steps to ensure that relevant information is known before the SCWI. This should include a meeting or telephone consultation with the child's social worker if they will not be present at the SCWI.
- informed the [parent](#) and social worker about the possibility that the interview with the child may not result in clarification of the referral concerns. Alternative explanations for the concerns may need to be considered.
- informed the [parent](#) and social worker about the recording and use of the interview
- obtained [informed consent](#) to video record the interview with the child.

The child must not be present at any consultation with the parent or social worker. Notes should be made during the consultation with the parent and these notes added to the investigation file as soon as practicable afterwards. Any issues of contention or concern should be declared, resolved and recorded.

At the discretion of the interviewer, the monitor may be present at the consultation with the parent or social worker.

Consent

Where appropriate, consent should be obtained from the child to be interviewed. Interviews with a child should not proceed if the child is unwilling to be interviewed. (Use the [Consent to Specialist Child Witness Interview](#) form))

Informed consent should also be obtained from the [parent](#) or guardian, wherever practicable and appropriate. It is preferable that this consent is written.



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

If parental or guardian consent is refused, the interview may proceed with written consent from the social worker or their supervisor, provided that the Chief Executive of the Ministry of Social Development (the Chief Executive) has custody of the child.

If a parent refuses consent and the child is not in the custody of the Chief Executive, legal advice should be sought with a view to seeking a warrant under sections [39](#) or [40](#) of the CYPFA 1989. Under [s40](#) of the Act, the reasonable beliefs listed under [40\(1\)\(a\)](#) must be specified as the allegation of an offence is not sufficient grounds in itself for the issue of a warrant.

In some cases a young person may be of sufficient capacity and understanding to consent to an interview, without the need for parental consent or custody. Extreme caution must be exercised and prior legal advice must be obtained in these situations. The use of a warrant may reduce any potential harm to the relationship between the parent/guardian and the young person and so should be considered, even if the child has sufficient capacity and understanding to consent.

The matter of consent, and an agreement on the action to be taken if consent cannot be gained from the parent/guardian should be considered within the [CPP](#) joint investigation plan.

Pre-interview with the child Policy

Depending on the child's age and level of maturity, the interviewer or monitor must endeavour to explain to them about the interview procedure, its recording and use.

Guidelines

Any discussion with the child should be recorded in writing and monitored. It is preferable that the interviewer explains the procedure to the child to build rapport and the SCWI monitor records any relevant details or spontaneous disclosures by the child during this time.

The child may need some time to settle and familiarise themselves with the surroundings before the interview begins. Depending on the needs of the child this may need to occur on a different day.

Be honest with the child. Do not make promises that cannot be kept. For example, the interviewer cannot promise:

- absolute confidentiality
- that the child will not have to appear in court
- who will see the transcript and video
- what the court outcome will be.



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

After the SCWI

This section contains these topics:

- [Debriefing](#)
- [SCWI Report](#)
- [Role of the interviewer in court](#)
- [Transcripts](#)

Debriefing

The role of the interviewer post interview is to provide the parent/support person and social worker, with appropriate information about what has been said in the interview.

Policy

The interviewer must inform the social worker and Police of the interview outcome.

The interviewer must talk to the parent (wherever possible with the social worker and/or the O/C Case present) to:

- give them feedback on the interview in appropriate detail
- explain what will happen to the video records and who may see them
- explain what will happen next regarding your role
- talk about how the child is feeling and check out how the adult is feeling.

Note: Discuss the child's immediate safety needs with the social worker and the family when a child has made an allegation of abuse in the interview. It may sometimes be necessary to talk to the social worker alone first.

Record significant points from these debriefings and date, sign and file this record. These significant points should also be included in the [SCWI Report](#).

Guidelines

With older children it may be appropriate to ask if they want to be present when you are talking to the parent.

The interviewer and monitor should, where possible, meet to debrief after the interview for the purpose of evaluation for the investigation and interviewer's performance

SCWI Report

Policy

The interviewer must secure every outline, drawing, monitor's message and note made during the interview as these may be used as evidence and will be retained by Police.

The interviewer must complete and send a 'Summary Report' to:

- the social worker
- Police in every case where allegations have been made.

The SCWI 'Summary Report' must be marked confidential and may only be used with the permission of Child, Youth and Family and Police, in consultation with the interviewer and according to legal guidelines.

Guidelines

The report is not a verbatim account. It should contain a factual summary of the interview and the allegations. State that full details of the child's statement are available on video record.

This is an uncontrolled document printed for reference only.

The controlled document can be found in the Police Instructions site which is accessible via the New Zealand Police Intranet.



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

The report must:

- state whether the child alleged abuse
- present factual notes about what they said or did.

The report may include recommendations for further social work follow up.

Role of the interviewer in court

Where the child's evidence is presented on video record in court, the interviewer can be called as witness. The interviewer can be cross examined on any aspect of the interview, including:

- preparation of the child
- obtaining the promise
- inconsistencies in the child's account
- questioning style
- any other aspect of the interview or general interviewing practices that may cast doubt on the child's or the interviewer's credibility as a witness e.g: supervision, training, current literature and their accreditation status.

Guidelines

When presenting evidence in court, preparation is crucial.

The interviewer should go through the transcript thoroughly with another interviewer or supervisor to identify areas where they are likely to be cross-examined and:

- where possible review the [SCWI](#)
- consult with, and seek advice from, a Child, Youth and Family solicitor or Police prosecutor as required.

The Crown Prosecutor is acting for Police in these matters. Child, Youth and Family staff should seek advice from the site solicitor to avoid any conflict of interest. If aspects of the criminal process are not within the immediate knowledge of the site solicitor, it is their role to find someone who can assist the interviewer.

Interviewers must not declare themselves as experts and should contact the SCWI Coordinator/Trainer if a request is made to provide a formal statement confirming themselves as an expert. If they are confirmed as expert witnesses they must then agree to comply with [Schedule Four of the Judicature \(High Court Rules\) Amendment Act 2008 - Code of Conduct for Expert Witnesses](#).

Transcripts

Legal requirements

A transcript is required where the video record is used as evidence in a criminal proceeding (Reg [28](#)).

Policy

Police are responsible for preparing the transcripts where criminal charges follow and may lead to court proceedings.

The transcript should be checked against the video record for accuracy. This is done by the most appropriate person which may be the interviewer or the O/C Case. If a transcript has been prepared, a copy must be kept on Police files.



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

Video recordings

This section contains these topics:

- [Security and access to video records](#)
- [Video record retention and destruction](#)

Security and access to video records

Legal requirements

Security and access to video records is governed by the [Evidence Regulations 2007](#).

Policy

Access to the video record must be in accordance with the Evidence Regulations 2007. The video record must be used in keeping with the principles of the [Children, Young Persons, and Their Families Act](#) (1989) and, where appropriate, the [Privacy Act](#) (1993) and the [Official Information Act](#) (1982).

Guidelines

The decision to allow access to the video record must be guided by the child's best interests. Police should consult with Child, Youth and Family to assess this.

Video record retention and destruction

Legal requirements

Video retention and destruction is guided by Regulations 36 to 48 of the [Evidence Regulations 2007](#).



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

Facilities and equipment

This section contains these topics:

- [Recording equipment](#)
- [Interview rooms](#)

Recording equipment

The recording equipment must:

- be high quality both for sound and picture
- be in stereo
- have a wide angle lens
- have the capacity to make two video records
- be compatible with court equipment.

Interview rooms

The interview room must have an analogue clock with a second hand, fixed in a position so that it is visible to the camera [Reg. [8\(g\)](#)].

Guidelines

Agencies can provide [SCWI](#) services by the following means:

- using established interviewing units where staff have been appropriately trained
- designating and training social workers or Police employees as interviewers.

Locations should have sufficient interviewers available to relieve and co-work.

It is ideal for an interviewing facility to have these areas:

- reception area
- waiting room
- playroom
- interview room
- monitor's room
- toilet
- tea/coffee facilities.

The interview and monitor's rooms should be located away from the public waiting room, and insulated from traffic and corridor noise in order that the noise does not rebound.

Evenly distributed fluorescent lighting must be adequate for the video camera. Windows require window coverings (curtains or blinds) to ensure optimum video production and privacy.

A range of appropriate interviewing tools should be available and in good condition. (Refer [Interviewing tools](#)).



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

Training and development

This section contains these topics:

- [Policy](#)
- [Guidelines](#)
- [Peer review](#)
- [Accreditation](#)
- [Professional development opportunities](#)

Policy

All interviewers must have completed the nationally recognised [SCWI](#) training course and be on the SCWI register before undertaking video interviews of a child. For those trained before 1 July 2012, they must have undertaken additional training in current best practice techniques in line with the [Investigative interviewing accreditation policy](#). The accreditation process aims to assist interviewers to maintain best practice techniques and all interviewers must gain and maintain accreditation after initial training.

Guidelines

Training should be:

- nationally consistent
- conducted by an experienced practitioner
- up-to-date with changing literature and court precedent
- available regularly, for new and existing interviewers.

A component of the training should include observing experienced interviewers.

Foundation training for [SCWI](#) must include:

- knowledge of:
 - Evidence Act 2006 and Evidence Regulations 2007 Children Young Persons, and Their Families Act 1989 (CYP&F Act) other relevant legislation
 - requirements for gathering evidence
 - components of specific offences relating to child abuse
 - sexual, physical and other forms of abuse
 - child development, including normative sexual development
 - family dynamics and cultural differences
 - memory, recall and suggestibility
 - relevant research
- skills in:
 - appropriate questioning and use of interviewing tools
 - exploratory questioning
 - relating to and communicating with children (adapting the interview to the child's needs, simplicity of language)
 - liaison and communication with other adults and professionals involved
 - handling challenging behaviours, e.g. aggression, silence, withdrawal, sexualised behaviour
 - understanding non-verbal communication and emotional states
 - recognising the child's cognitive competence and developmental level
 - giving evidence in court.

Interviewers have a responsibility to keep their skills and knowledge up-to-date. They should also keep up-to-date on case law decisions and current literature related to their area of work. Interviewers should seek legal advice regarding case law as appropriate.



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

Interviewers should have opportunities to share knowledge, understanding and practical experience with each other on these topics. This should include regular attendance at local and national peer reviews, as well as engagement in other professional development opportunities.

Peer review

Policy

All interviewers must attend a national peer review course annually. Peer review includes:

- peer reviewing interviews and providing structured feedback
- sessions with subject matter experts (SME) on a variety of topics
- the opportunity to learn from peers.

Accreditation

All Child, Youth and Family and Police interviewers must gain and maintain accreditation. The aim of this assessment process is to achieve national consistency and maintain best practice in [SCWI](#).

Child, Youth and Family and Police interviewers should refer to the [Investigative interviewing accreditation policy](#) for more detail.

Professional development opportunities

A range of professional development opportunities are available to all interviewers and the responsibility for accessing these lies with the interviewers. Opportunities include:

- Peer reviews
- E-learning
- SCWI newsletter
- Accreditation



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

Supervision

This section contains these topics:

- [Policy](#)
- [Guidelines](#)

Policy

Child, Youth and Family Site Managers and Police District Commanders (or their nominees) must ensure that interviewers receive supervision of the following nature:

- regular and frequent clinical supervision from a person with recognised professional training in clinical work with children and/or:
- personal supervision from a person with expertise in stress management and debriefing
- practice review by a person or people with sound up-to-date knowledge and experience in this area through the accreditation process.

Guidelines

It is likely that the components of supervision cannot be carried out by one person and within one agency. It may be necessary to contract-in some aspects of supervision from an external supervisor.

Supervision must cover review of video records, reports, court affidavits and processes.

The video record review component of supervision also serves to monitor and standardise interviewing practice, which is important as this area of work is continually evolving.

It is expected that supervision will also be accessed through the accreditation process, peer reviews and the [Wellcheck support policy](#) (for Police). Feedback on interviews by a Crown lawyer and Police are also complements to individual supervision.



Specialist Child Witness Interview Guide, Continued...

Version : 1.0

Confidentiality statements and consent forms

Download the [Consent to Specialist Child Witness Interview](#), [Interpreter Confidentiality Statement](#) and [Support Person Confidentiality Statement](#) used in Specialist Child Witness Interviews.