



# Child interviews in investigations of trafficking

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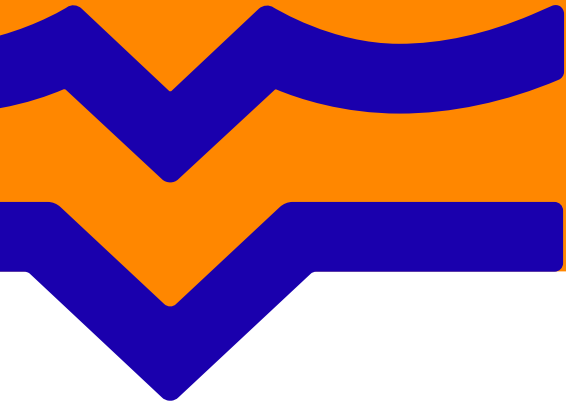


# Topics

- Interviewing children in criminal investigations: The golden standards in a nutshell
- A snapshot of the research on investigating trafficking in children and youth
- Examples of trafficking of children
- Particular vulnerabilities, psychological coercion & control
- Memory aspects of relevance when interviewing possible victims of trafficking
- Cultural aspects and working with interpreters
- Assessing credibility: Emotional expression and the perfect victim myth



# Child interviewing



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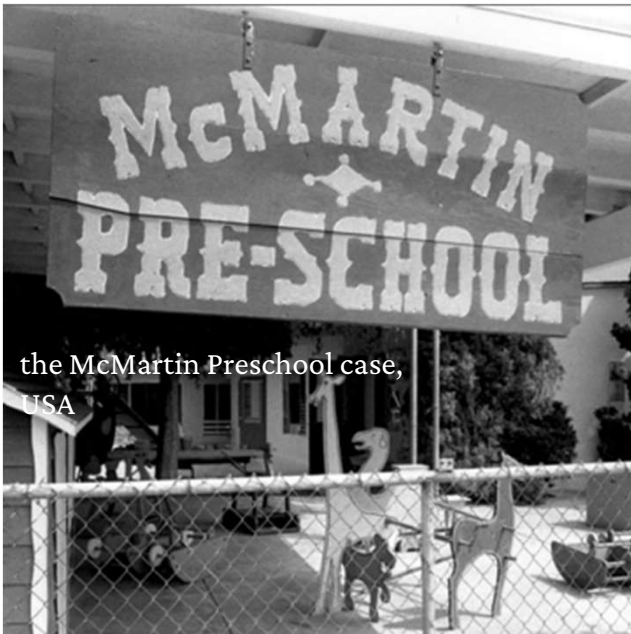


The Kevin case, Sweden

KEVINFALLET

Bröderna som unga. SVT Beväka ☆

## Rättspsykolog kritisk: Polisens förhör var tortyr



the McMartin Preschool case,  
USA

The Outreau case, France



Notorious cases of bad child  
interviewing in Europe and  
elsewhere



The Bjugn case, Norway

## Asilo Rignano. Dal 2007 tra arresti e colpi di scena ventuno bambini vittime

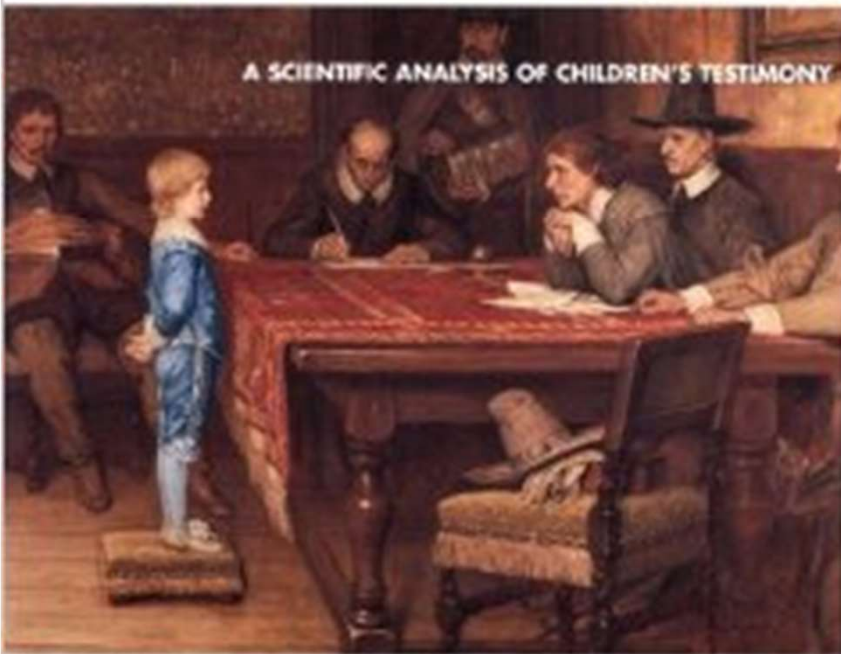


The Rignano case, Italy

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# Jeopardy *in the* Courtroom

A SCIENTIFIC ANALYSIS OF CHILDREN'S TESTIMONY



Stephen J. Ceci and Maggie Bruck

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## *The* *Evaluation* *of* Child Sexual Abuse Allegations

A Comprehensive  
Guide to Assessment  
and Testimony

*Edited by*  
Kathryn Kuehnle *and* Mary Connell





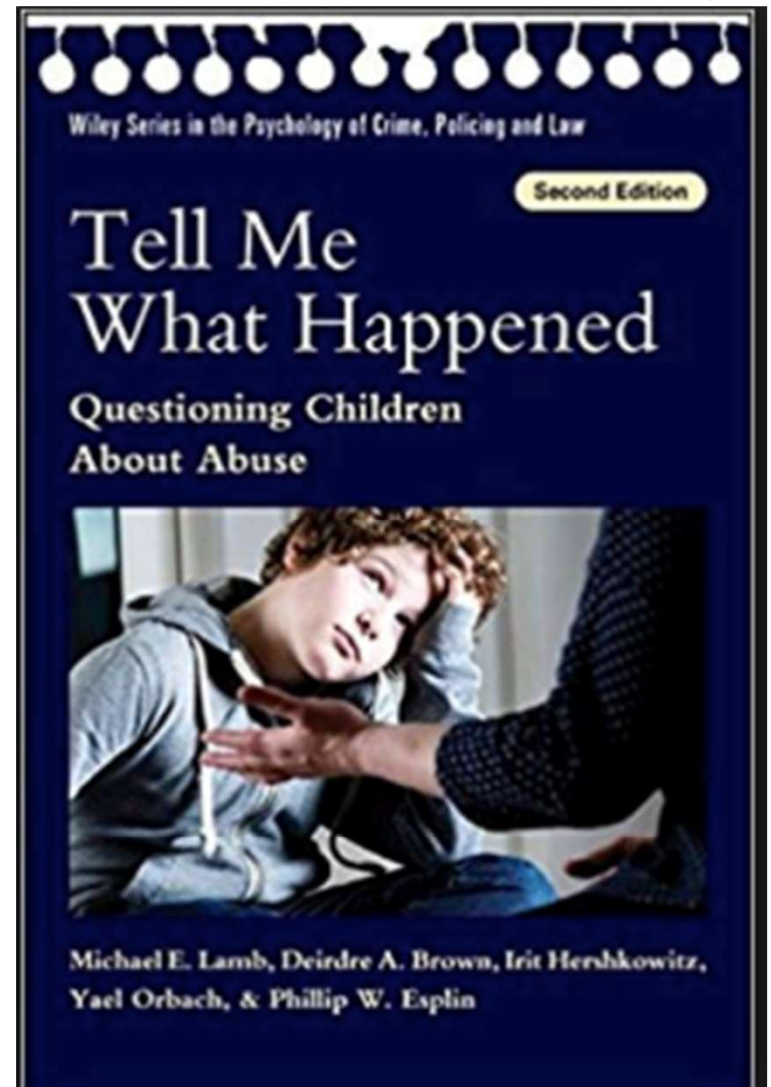
## APPENDIX

# The National Institute of Child Health and Human Development (NICHD) Protocol: Interview Guide

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## 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 inter-**





# EAPL white paper key points

1. Interviews carried out by trained professionals (memory, suggestibility, language dvpt, rapport)
2. Evidence-based interviewing (NICHD): non-leading and trauma-informed
3. Interviews should be electronically recorded (and CJP change needed: children not to be cross-examined in court)
4. Risk of bias & hypothesis testing
5. Comfortable & calm interview setting
6. The use of dolls or props is not recommended in the interviews



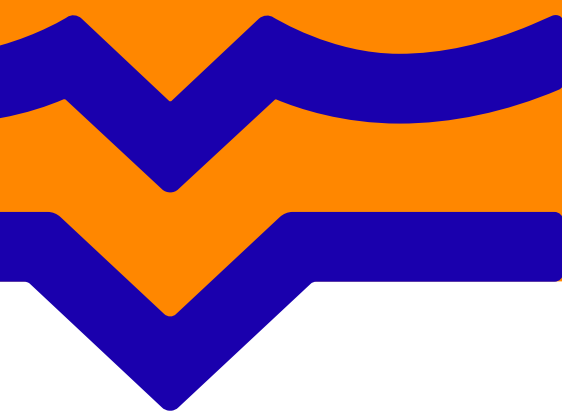
## EAPL white paper key points

7. Interviewers should receive continuous assessment and feedback
8. It is recommended that only the child and the interviewer are present in the interviewing room
9. Interpreters should have specialised training in child interviewing and interviewers should plan interviews together with them
10. Online interviewing: promising but more research is warranted
11. The same general principles for interviewing children correctly apply for all instances where children are heard in legal processes, including where children are suspects and in cases of custody disputes or the context of child protective service





# Memory aspects of relevance when interviewing possible victims of trafficking







*What I mean is, how did your father's parents treat your mother when you were 2 years and still lived in X?*

Finnish Asylum interview 2017-2018



# The early development of autobiographic memory

- The development of language and memory are intertwined
  - Highly dependent of social surroundings
- Cultural variation?
  - Wang et al 2003: The reconsideration of infantile amnesia from a cross-cultural perspective suggests that while the basic mechanisms and contributing factors may be universal, the specific ways in which these mechanisms and factors are manifested differ qualitatively across cultures.

# Your first memory?



*Infantile amnesia*: adults rarely remember events prior to age 3-4

- Great variation; 2-8 years
- Children can remember earlier events but they gradually are forgotten
- Hard to date memories
  - Some new evidence that young adults (as well as children) may postdate their first memories (e.g., moving early memories from ca age 3.5 to 2.5)
  - On the other hand, many (in particular, middle-aged and older) adults believe to have memories that do not seem plausible
    - Including 14% remembering events occurring before age 1!





# Do children have poor memory?

- Not really. Children learn tremendous amounts of information every day.
  - BUT they lack strategies to retrieve and tell what they have learned
  - AND the memories are fragmentary due to less previous experience to incorporate them into
  - Compare a composer attending a concert versus a musical novice
- They also have difficulties with “source monitoring” = assessing where their memories stem from

# Girl, 4 years



Mother: So when did this happen?

Daughter: *Next tuesday*

...

Mother: When did it happen?

Daughter: *I don't know*

Mother: Was it a long time ago?

Daughter: *A long long time ago*

Mother: OK, a long time ago

Daughter: *Yeah*

Mother: Wasn't it now, when you were at dad's place?

Daughter: Oh yes, it was now when I was at dad's place

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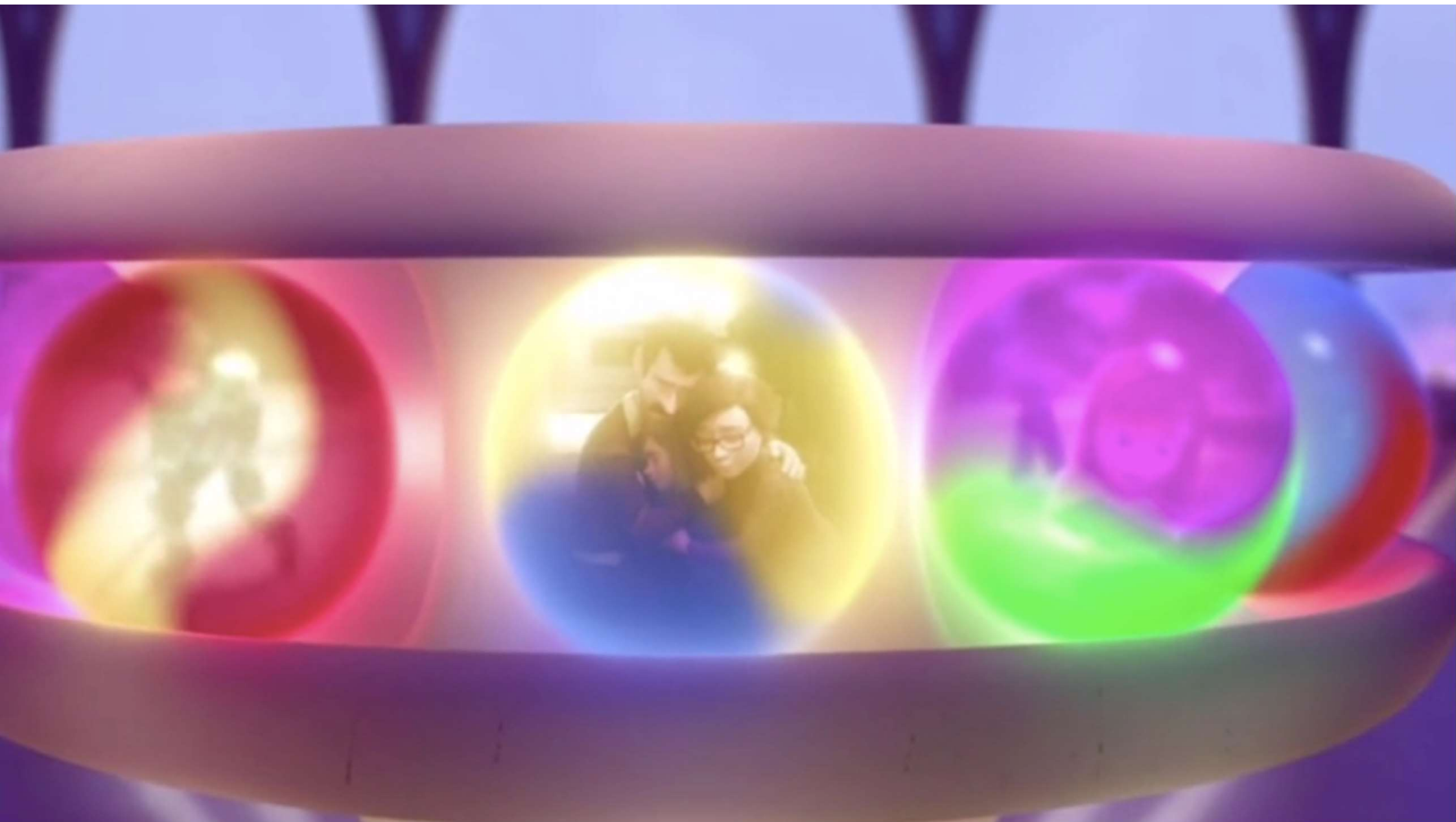


# Suggestion and suggestibility: some basic notions

- The tendency to
  1. Incorporate non-experienced elements to memories, thus distorting them
  2. Respond according to the perceived opinion of the interviewer (knowing the answer differs from the actual memory)
- Children and adolescents are more susceptible to suggestion than adults
- Suggestion may lead to entirely false accounts



- Children *can* be competent witnesses but are in a particularly vulnerable position when interacting with authorities
- Younger children (pre-schoolers in particular):
  - Poorer memory and language skills
  - Suggestibility
- Older children, adolescents
  - Period of confusion
  - Hormonal changes affecting behaviour
  - Risk taking / decision making capacities
  - *The appearance of an adult*







# Language development in young children

- When a child can be interviewed will differ depending on the child but generally, children under 4 years will rarely be able to give sensible accounts of their experiences
- Pre-school children are extremely susceptible to suggestion
- Yes/no questions tend to be responded randomly
  - “Is a jumper angrier than an elephant?”
  - Pre-schoolers have a tendency to answer yes to non-sense questions...

# The psychology of adolescence



- Recent research shows that developing into an adult takes far longer than previously thought
  - In particular, the competency to assess possible risks and gains resulting from different actions, develops until early adulthood
- New multinational study: “Cold cognition” (cognitive capacity) matures at around age 16 while “hot cognition” (psychosocial maturity) takes longer to mature, beyond 18 years!
- There is a tendency to overestimate the capability of adolescents
  - And to view them as more deceitful than younger children



# Common misconceptions about memory

- *“Memory works like a video recorder”*
  - It does not. Every time we process an event, it changes to some extent.
- *“If something has happened several times, it is remembered better than singular events”*
  - Paradoxically, unique experiences are often better distinguished in memory, whereas frequently occurring situations form so called scripts (“usually”) with less details
  - Relevant in, for instance, cases of intimate partner violence, sexual trafficking



## APA PsycArticles: Journal Article

# A meta-analysis of differences in children's reports of single and repeated events.

© Request Permissions

Woiwod, D. M., Fitzgerald, R. J., Sheahan, C. L., Price, H. L., & Connolly, D. A. (2019). A meta-analysis of differences in children's reports of single and repeated events. *Law and Human Behavior*, 43(1), 99–116. <https://doi.org/10.1037/lhb0000312>

When children report abuse, they often report that it occurred repeatedly. In most jurisdictions, children will be asked to report each instance of abuse with as many details as possible. In the current meta-analysis, we analyzed data from 31 experiments and 3099 children. When accuracy was defined as the number of correct details from the target instance (i.e., narrow definition), repeated-event children were less accurate than single-event children. However, we argue that defining accuracy as the number of reported details that were experienced across instances (i.e., broad definition) is more appropriate for repeated events. When a broad definition was applied

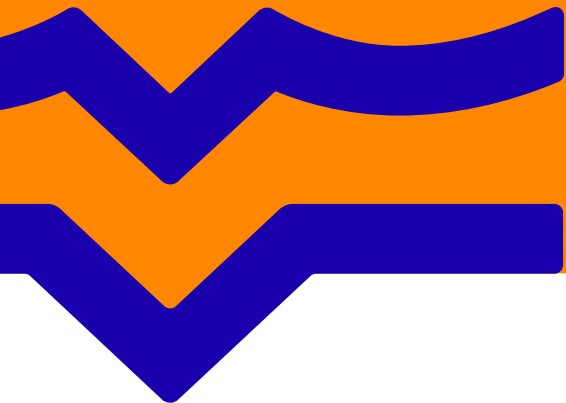
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# Examples of trafficking cases involving children









# Types of trafficking cases

- Domestic labour
- Hard labour
- **Sex trafficking**
  - Forced prostitution
  - Commercial sexual exploitation (systematic)
  - Online sexual abuse



- *In a widely publicized case, a middle-aged Finnish man who worked as a lecturer at a University met a 14-year-old girl who was having trouble at home on an Internet discussion forum. The man lured the girl into living with him, making her dependent on him in many ways. The man sexually abused the girl repeatedly, also by using violence, for several years and forced her into prostitution. The girl was exploited around the country and had hundreds of clients. The man was eventually sentenced to eleven years in prison*
- *One largely publicized case involved the recruitment of young girls and women for modelling, which turned out to entail the provision of erotic services, involving severe manipulation, blackmailing, coercion, and violence.*
- *There were also examples of girls originally from Western Africa and Eastern or Central Europe being forced into prostitution in Finland.*



# Sexual exploitation abroad or en route to Finland

- 1) Sexual exploitation in the country of origin was very diverse, and often the perpetrator was a family member, relative or acquaintance.
- 2) Several cases of Bacha Bazi have been encountered in Finland among boys and young men from Afghanistan and Iran, in particular.
- 3) The respondents described that smugglers had forced children to have sex in exchange for transportation or kept children in captivity, demand sex as payment for the rest of the trip.



# Exploitation in criminal activity

- Runaways from institutions or a place of residence.
- Young people with a substance addiction who had previously committed petty offences and were vulnerable to pressure.
- Children seeking asylum forced into criminal activity on their way to Finland or in Finland.



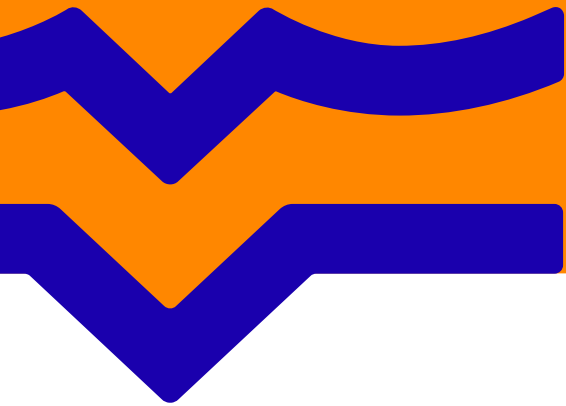
# Forced marriage

- 1) Young people with immigrant backgrounds living in Finland, mostly girls, who are sent to the home country to be married
  - 2) Couples with foreign backgrounds (often asylum seekers) who have been married elsewhere and who have come to Finland, and exploitation in the marriage then takes place in Finland.
  - 3) The third group is men with foreign backgrounds living in Finland who find an underage spouse from their home country and are married in the home country and/or in Finland
- Typical for all cases are very young girls / women and older men from the same community





# Interviewing children in trafficking investigations





- Little is known about the effectiveness of interviewing techniques specifically with trafficking victims
- Police generally lack guidance on how to respond to, and interact, with these victims
- In particular for engaging with evasive and hostile victims – behaviors that are common in sex trafficked victims

Preliminary results from a systematic review of the literature on interviewing human trafficking victims carried out by our research team indicates an urgent need for a specialized, victim-centered interviewing protocol for sex trafficking cases (Hoogesteyn & Taniguchi, forthcoming).

(Hoyle et al., 2011; Lavoie et al., 2019; Farrell et al., 2019; Luna et al., 2023)



# Examining Investigator Strategies for Questioning Suspected Minor Victims of Sex Trafficking

Samantha Luna<sup>1</sup>  · Rachel E. Dianiska<sup>2</sup> · Kaitlin M. H. Winks<sup>2</sup> · Allison D. Redlich<sup>1</sup> · Jodi A. Quas<sup>2</sup>

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## Abstract

Law enforcement's ability to obtain accurate and complete disclosures from trafficked minors is crucial for the identification of victims and prosecution of perpetrators. Yet, little is known about how this population is questioned by investigators. The purpose of this study was to assess the techniques and approaches investigators endorse to question suspected minor sex trafficking victims who vary in age and cooperativeness. Individuals across the USA with experience investigating sex trafficking cases were recruited to complete an online survey about their experiences and perceptions related to interviewing suspected minor trafficking victims. Participants ( $N = 189$ ) were asked to read four hypothetical scenarios that described suspected sex trafficking victims of varying ages (13 vs. 17) and cooperativeness (high vs. low) and to select the interviewing techniques they would employ. Interviewing techniques were categorized into witness-focused, suspect-focused, and a mix of victim/suspect techniques. A mixed-model ANOVA was conducted to determine if investigators varied their endorsement of techniques based on victim age and cooperativeness. Investigators recognized and changed their techniques based on victim age. However, this was primarily the case when victims were cooperative. When victims were in the low



- Victims of sex trafficking may be reluctant to disclose
  - Adolescence as risk age and period
  - May be treated almost as suspects by the police
- Not enough research on interviewing trafficking victims BUT strong evidence for other vulnerable groups:
  1. Use the same basic principle
  2. Test whether useful / adaptable to trafficking cases



# Interviewing about repeated events

- We develop scripts for repeated events: What usually happens
- Difficult to separate between different similar experiences
- Brubacher et al 2014: When interviewing about repeated events:
  1. Ask about repeated events already in the practise interview phase
  2. Use generic "What usually happens when..) AND specific "What happened yesterday" → memories of different types ar recalled
  3. Ask if something happened one time or more than one time
  4. Label specific episodes: "Tell me about when you visited your unlce"
  5. Ask about specific episodes – most recent, the first, the one the child remembers the best



# Reluctance

- Trafficking victims may be highly reluctant to disclose due to
- Skepticism towards and bad experiences of authorities
- History of abuse & neglect
- Bonding with the perpetrator
- Dependence on the perpetrator
- Seeing themselves as active agents
- Fear that matters will only get worse if disclosing

e.g., West, 2016 : <http://dx.doi.org/10.1114/ijsss.v4i5.1407> ; Lavoie et al., 2019





## Overcoming Disclosure Reluctance in Youth Victims of Sex Trafficking: New Directions for Research, Policy, and Practice

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An alarming number of youth worldwide are victims of commercial sexual exploitation, particularly sex trafficking. Normative developmental processes and motivations across the adolescent period—the age when youth are at greatest risk for trafficking—combined with their history, make them highly likely to be reluctant to disclose their exploitation to police, who often encounter victims because they are suspected of delinquency and crime and who interrogate the victims as suspects. Little scientific and policy attention has been devoted to understanding how to question these victims in a way that reduces their disclosure reluctance and increases their provision of legally relevant information. In the current review, we describe research concerning trafficking victims' histories and exploitative experiences, juvenile suspects' and victims' encounters with the legal system, and best-practice forensic interviewing approaches to elicit disclosures from child victims. We highlight the implications of these areas for understanding the dynamics between how police encounter and interact with adolescent trafficking victims and whether and how the victims disclose trafficking details during these interactions. We close with an agenda for research to test interviewing methods for suspected victims of sex trafficking and with policy and practice recommendations for interviewers.

- The child may be highly unwilling to tell about their situation
- And sometimes unaware
- The understanding may develop only in a number of months or longer
- Authorities may struggle to understand the unresponsiveness of the young victims and add pressure
- Which may further increase the victim's lack of faith in and bad experiences of authorities



- Swedish police interrogations with young trafficking victims were found highly suggestive
- The victims avoided certain topics such as selling sex and the relationships to the perpetrators

**“What happened when you came to Sweden?”**  
Attributing responsibility in police interviews with  
alleged adolescent human trafficking victims

Johanna Lindholm, Mats Börjesson and Ann-Christin  
Cederborg  
Stockholm University, Sweden



- “The common response, “can you tell me what that means to you?” might trigger disdain or a refusal to participate if the adolescent feels manipulated or annoyed with the tone of the interview. Interviewing techniques and language that empowers the adolescent is a more effective strategy; this often involves acknowledging the need to be very specific.
- For example, “I think I know what that means but I need you to be very specific so we don’t make mistakes.”
  - (Turkel & Tiapula, 2008)



# Young victims of trafficking

- Often have cumulative challenges and may be far from the "perfect victim" -image
- In particular adolescents (boys?) engaging in criminal activities under the influence of someone else may be treated solely as perpetrators
  - Finnish case of 14-15-year old boy requested by his father to help out with drug dealing. Sentenced in district court, freed in the applied court.



# The phases of the interview

- 1. Pre-interview planning and preparation
  - The child's background
  - Their knowledge about the interview (e.g., the existence of video material)
  - Cultural background
  - Possible interpretation needs
- 2. Introduction – familiarize the child with the situation
- 3. Ground rules (child friendly and in accordance with legislation)

# The phases of the interview, cont.



## 4. Practise interview (episodic memory training)

- To familiarize the child with the communication in the interview
- Also a way to get an idea of the child's way of communicating

## 5. Substantive phase

- Focus on invitations (Tell me...) and cued invitations (You mentioned X, tell me more...)
- More focused questions only when all possible information is exhausted through open-ended prompts

## 6. Closure





# Important

- **The role of rapport and support**
  - Regardless of age or context of the interview, meaningful rapport enhances the communication and helps children cope with anxiety and negative emotions
- Note that the social strategies for building rapport and supporting the child may be culture-bound
  - Using the child's name repeatedly
  - Asking the child to look one in the eyes
  - Showing considerable interest in the child "I really want to get to know you better"
  - Very scarce research on this. Recommendation: Collaborate with interpreters prior to the interview





# The importance of rapport & support

*You don't have to tell us more than you can manage. We understand that you are ill and that you are having a hard time speaking of these things. (...) You can relax, everything is fine. (...) We are here for you, to look into your story, and you can tell us as much as you can (...) Thank you for telling us the difficult parts of your story.*

- Finnish asylum interview, 2017-2018



# Important

- **No child should be forced or heavily manipulated to tell**
- If the child does not want to address the substantive issues, respect it
  - "I will not force you to tell me – you have the right to decide what you want to tell me."
  - Talk about other things, set up new meeting
  - Provide the child with contact information
  - For children in vulnerable positions, contacts only during business hours may not be the best!
- For some children, writing / recording voice message may be an easier way to start
  - Also here: lack of research, use with caution



# Themes to explore in the interview

- Control / freedom: Friends, social life outside the home, means of contacting
- Use of phone, social media (access / other persons' access)
- Bank cards, money
- Salaries, payments?
- Daily routines!
- Circumstances of living (room of one's own, sanitary, food)
- Relationship to X



# Time line

- First, last
- When recruitment / abuse started – time before and after
- Concrete things (rather where and with whom than what date)

# Online sexual abuse



## "All of Me Is Completely Different": Experiences and Consequences Among Victims of Technology-Assisted Child Sexual Abuse

Malin Joleby<sup>1\*</sup>, Carolina Lunde<sup>1</sup>, Sara Landström<sup>2</sup>, and Linda S. Jonsson<sup>2</sup>

<sup>1</sup>Department of Psychology, University of Gothenburg  
<sup>2</sup>Department of Social Sciences, Ersta Sköndal Bräcke University College

The aim of the present study was to explore how technology-assisted child sexual abuse may affect its victims. Seven young

Psychology, Crime & Law ▶ List of Issues ▶ Volume 27, Issue 2 ▶ Experiences and psychological health amo ....

Listen

Articles

### Experiences and psychological health among children exposed to online child sexual abuse – a mixed methods study of court verdicts

Malin Joleby, Sara Landström, Carolina Lunde & Linda S. Jonsson

Pages 159-181 | Received 19 Jun 2019, Accepted 21 Apr 2020, Published online: 25 Jun 2020

Download citation | <https://doi.org/10.1080/1068316X.2020.1781120> | Check for updates

Full Article | Figures & data | References | Supplemental | Citations | Metrics | Licensing | Reprints & Permissions | PDF | EPUB

### ABSTRACT

Cases of online child sexual abuse (OCSA) are increasing dramatically in number, but research on this relatively new type of crime and its psychological consequences is limited, leading to major challenges for the justice system.

Related research



# Victims of online sexual abuse / trafficking

- There is often evidence for the abuse
  - need to modify interview strategies accordingly
- Children may not realize or consider they have been victims of abuse
  - The perpetrator may pretend to be a child
  - Many cases come with a long delay; children may struggle to remember (particularly in less severe cases)



# Child interviews in the context of online sexual abuse

- Current guidelines are not in all aspects well adjusted to online cases
- Particularly: how to address cases where there already is (absolute) evidence for the abuse
  - ...which the child may be unaware of!
- In terms of judicial information, there are many questions that should be asked but that may be unknown to investigators
  - Often, a lack of knowledge about online activities and CSA cases



## APPENDIX

# The National Institute of Child Health and Human Development (NICHD) Protocol: Interview Guide

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FOR ONLINE CASES

WORK IN PROGRESS!

### 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 inter-

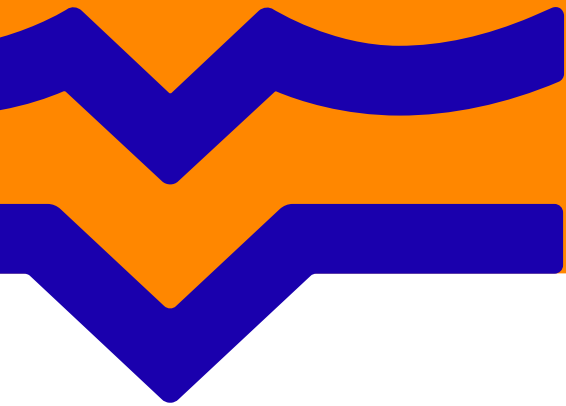


An adaptation of the well-researched NICHD to suit online cases

- Introducing evidence in a child-friendly way
- Asking about online activities in an informed way



# Particular vulnerabilities, psychological coercion & control



# Psychological coercion and control



## INVISIBLE CHAINS: PSYCHOLOGICAL COERCION OF HUMAN TRAFFICKING VICTIMS

ELIZABETH HOPPER, PH.D. \* AND JOSÉ HIDALGO, M.D. \*\*

### *I. Introduction*

The terror that grips a victim  
whether physical violence or

It is easy to comprehend slavery created with chains. Physical forms of violence and control are understandable because of their visibility. If slaves are locked inside a room, it is obvious why they do not leave. If they have bruises, the harm that has come to them is apparent. On the other hand, psychological abuse and coercion are easier to conceal and may be overlooked. Many people have difficulty understanding how psychological means can be used to manipulate other people. This paper will attempt to show how psycho-

Maybe you wanted it just a little



## Ehkä halusit kuitenkin vähän

Paavo Teittinen,  
Helsingin Sanomat

Anna on suomalainen nainen, joka pakotettiin myymään seksiä. Hän kertoi siitä poliisille. Parittajaa epäiltiin törkeästä ihmiskaupasta, mutta kaikkien yllätykseksi mies oli pian vapaalla jalalla. Toimittaja Paavo Teittinen yritti selvittää, mitä oikein tapahtui.

*“Did he keep you behind bars? Where you in a locked room?”*

Anna tried to explain that it was more complicated than that

*“The two police officers pressured me, raising their voice and asking  
“DID THEY FORCE YOU? TELL US, YOU HAVE TO UNDERSTAND  
WE CAN’T KEEP HIM IN CUSTODY IF HE DIDN’T FORCE YOU!”*

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Actual violence is not necessary to create an atmosphere where the victim does not dare disobey

Psychological forms of violence can break down the agency of a person

may use violence infrequently, as a last resort. It is not necessary to use violence often to keep the victim in a constant state of fear. [The threat of death or serious harm [either to the victim or to others close to him or her] is much more frequent than the actual resort to violence.<sup>12</sup>

vere anxiety and hallucinations and other psychotic reactions.”<sup>13</sup> Verbal abuse, humiliation, threats, and other forms of psychological abuse “represent deliberate attempts to break down the will of individuals . . . [and] are often used to induce the sense of ‘learned helplessness,’ that the abuse continues whether or not the victim cooperates.”<sup>16</sup>



# Psychological coercion through

- “Positive” interaction
  - Cases may start with the perpetrator pretending to be a partner / friend / role model / replacing parent
  - Previous vulnerability renders victims vulnerable to this
  - Creates solidarity
- The unknown may be more frightening than the devil that is known

Bassil (2019): Coercive control in long term sex trafficking relationships: Using exhaustion to control victims;



# Trauma bonding

- The relationship between victim and perpetrator can itself make the victim stay and protect the perpetrator
  - May initially be a survival instinct but may change over time
- Features of trauma bonding include
  1. An imbalance of power
  2. The perpetrator using alternately positive and negative interactions
  3. The gratitude of the victim for the positive interaction and self-blame for the negative
  4. The victim assumes the perspective of the perpetrator

Casassa, Knight & Mengo (2022): Trauma bonding perspectives from service providers and survivors of sex trafficking: A scoping review



# Isolating the victim

- When restricted from other contacts, any contact may be better than none
- In particular victims from other countries may be utterly alone with the perpetrator

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Article

## Functional Isolation: Understanding Isolation in Trafficking Survivors

Sexual Abuse  
2021, Vol. 33(2) 176–199  
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Article reuse guidelines:  
sagepub.com/journals-permissions  
DOI: 10.1177/1079063219889059  
journals.sagepub.com/home/sax

Elizabeth Hagan<sup>1</sup> , Chitra Raghavan<sup>1</sup>,  
and Kendra Doychak<sup>1</sup>

### Abstract

The study of sexual exploitation of trafficked victims cannot be done without understanding their enforced isolation. To better understand the dynamics of isolation, this study examined how traffickers used different elements of isolation and how such tactics may have contributed to the traffickers' success in maintaining control over the victim(s). We examined in-depth narratives from 14 women between the ages of 20 to 53, primarily immigrants, who were recruited from an agency serving victims of sex trafficking in a large metropolitan city. The tactics used by traffickers varied and included not only the commonly defined structural isolation in which victims are restricted physically and socially, but also included a shrinking of safe social space and an elimination of privacy and social support. The latter, which we label as functional isolation, refers to instances when survivors are surrounded by peers who are either unreliable or aligned with the trafficker and thus are unable to give true social support. Survivors reported a combination of isolation tactics (i.e., both structural isolation and functional isolation). The different interwoven types and patterns of isolation reported by former victims of trafficking help address a dearth in the coercive control and abuse literature, providing a richer understanding of isolation in trafficking survivors.





## In the interview

- As much information as possible about everyday life, typical days
- Persons: Tell me about... How did you meet, positive / negative things (what do you like / not like about him/her)?
- Friends – family
- Is there someone you can trust / if there are problems, who do you tell?
- Living conditions, things you need to do / cannot do?
- What do you think would have happened if (you had gone out, f ex)...
- What did you do if you wanted to (buy something...)
- Describe what a good day was like
- Good / bad situations / experiences



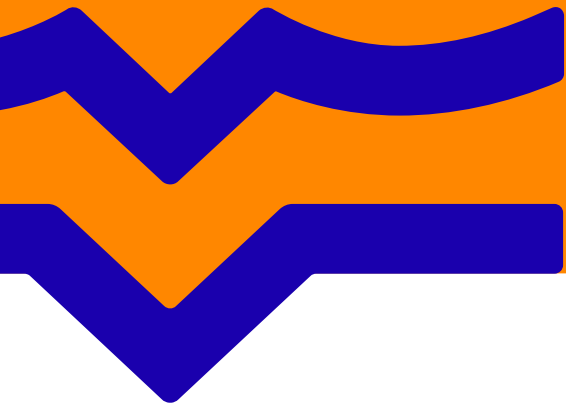
# In the interview

- Current living environment
  - Where do you live, with whom
  - How do you like it
  - Where do you go if you go away
  - Where did you live before – how come you moved?
- Childhood environment
  - Where did you grow up?
  - With whom?
  - Are you still in contact with them? (see / call / write)?
- Are there things or persons you are afraid of?

Steele, 2019: Adapted Forensic Interview Protocol for Children and Adolescents when Exploitation and/or Trafficking is Suspected: [https://www.nationalcac.org/wp-content/uploads/2019/02/NCAC\\_CFIS\\_Feb-2019.pdf](https://www.nationalcac.org/wp-content/uploads/2019/02/NCAC_CFIS_Feb-2019.pdf)



# Cultural aspects and working with interpreters





# Boy 17 y, Afghanistan

- Interviewed using largely closed questions. The wuestions demonstrated significant doubts about the interviewee's veracity in the interview
- Decision (negative): "several contradictions"
  - Afternoon / night → contradiction ("In our language, " we talk about afternoon until night falls")
  - He told about two different hardships = contradiction (the two by no means contradicted each other)
  - Some unclear accounts → these seemed related more to the question asked than to the answers provided
  - The credibility assessment highly problematic and seemed tendentious
- The decision was later overturned.



Universiteit  
Leiden

# Where I come from and how I got here

## Assessing credibility in asylum cases

Tanja van Veldhuizen





- Research on asylum interviews and credibility assessments
- PhD students Jenny Skrifvars & Hedayat Selim, senior researchers Julia Korkman, Jan Antfolk & Elina Pirjatanniemi

Analysing interview interaction and criteria used for decision making in asylum cases + developing a training for migration officials to improve interviewing skills and enhancing the understanding of factors affecting the accounts (vulnerabilities, memory, culture, trauma etc)

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# Asylum seekers

## Challenges related to hearing minor asylum seekers – from a legal psychology perspective

*Julia Korkman*

Like the criminal procedure, the asylum application process has been created for adults. Its goal is to produce objective information, which can be used as a basis for judicial decisions, which often will have an impact on the rest of the person's life. Both of these processes may justly be criticised for not taking into account how the human mind works. This is not true only for minors, but also for adults. These processes in many ways neglect what we know about how people reason, remember things, and act in stressful situations. In addition, both processes deal with to-be-remembered events with extreme psychological strain, requiring knowledge about the effects of stress and traumatic experiences on memory.







## OPINION

# Most people are not WEIRD

To understand human psychology, behavioural scientists must stop doing most of their experiments on Westerners, argue **Joseph Henrich**, **Steven J. Heine** and **Ara Norenzayan**.

**M**uch research on human behaviour and psychology assumes that everyone shares most fundamental cognitive and affective processes, and that findings from one population apply across the board. A growing body of evidence suggests that this is not the case.

Experimental findings from several disciplines indicate considerable variation among human populations in diverse domains, such as visual perception, analytic reasoning, fairness, cooperation, memory and the heritability of IQ<sup>1,2</sup>. This is in line with what anthropologists have long suggested: that people from Western, educated, industrialized, rich and democratic (WEIRD) societies — and particularly American undergraduates — are some of the most psychologically unusual people on Earth<sup>1</sup>.

So the fact that the vast majority of studies use WEIRD participants presents a challenge to the understanding of human psychology and behaviour. A 2008 survey of

decides how much of a fixed amount to offer a second player, who can then accept or reject this proposal. If the second player rejects it, neither player gets anything. Participants from industrialized societies tend to divide the money equally, and reject low offers. People from non-industrialized societies behave differently, especially in the smallest-scale non-market societies such as foragers in Africa and horticulturalists in South America, where people are neither inclined to make equal offers nor to punish those who make low offers<sup>4</sup>.

affect the way that experienced investors make decisions about the stock market<sup>6</sup>.

We offer four suggestions to help put theories of human behaviour and psychology on a firmer empirical footing. First, editors and reviewers should push researchers to support any generalizations with evidence. Second, granting agencies, reviewers and editors should give researchers credit for comparing diverse and inconvenient subject pools. Third, granting agencies should prioritize cross-disciplinary, cross-cultural research. Fourth, researchers

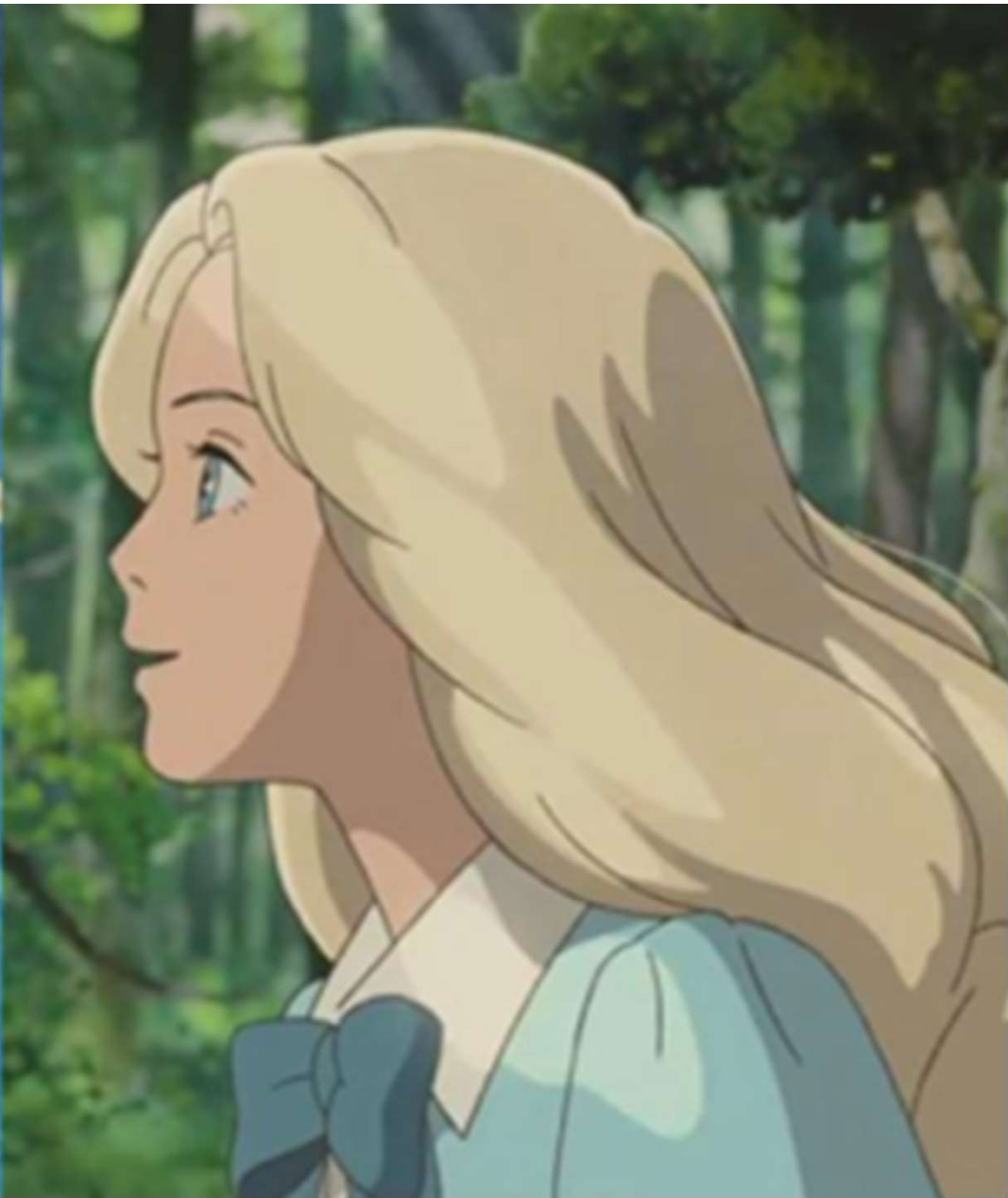
must strive to evaluate how their findings apply to other populations. There are several low-cost ways to approach this in the short term: one is to select a few judiciously chosen populations that provide a 'tough test' of universality in some domain, such as societies with limited counting systems for testing theories about numerical cognition<sup>1,2</sup>.

A crucial longer-term goal is to establish a set of principles that researchers can use to distinguish variable from universal aspects of



GRACIA LAM







# Our memory is culture-dependent

- In legal processes, one of the core issues is to collect and evaluate personal accounts of lived / experienced / witnessed events

= autobiographic memories

- What are we likely to remember?
- Depends on context, family, education, cultural background, emotional state, the passing of time, social interaction...
  - These need to be considered both when interviewing and when assessing accounts



# Remembering in different cultural contexts

- How we remember and describe our experiences differ within and between families, subcultures and cultures
- Collectivistic vs individualistic cultures
- Interaction, dates, the role of oneself in relation to others → all culturebound

Hope et al. (2021). Urgent issues and prospects at the intersection of culture, memory, and witness interviews: Exploring the challenges for research and practice. *Legal and Criminological Psychology*. <https://doi.org/10.1111/lcrp.12202>

Nelson, K. (2003). Self and social functions: Individual autobiographical memory and collective narrative. *Memory*, 11(2), 125–136. <https://doi.org/10.1080/741938203>



***"Knowledge of language is not  
the same as capacity to  
interpret"***

Registered court interpreter, participating in specialisation course for interpreters in  
child forensic interviewing, Helsinki Finland (Barnahus-project)



# Lost in translation

- Sexuality and sexual terms are culturally sensitive
  - Gender issues
  - Euphemisms and idiomatic expressions, false friends
  - Interpreters may avoid direct translation (for instance in child abuse interviews)
- Sexual abuse / beating / violence → can hold different meanings and get lost in translation
- Training and preparation crucial:
  - What to do if impossible to translate directly?
  - A word with many meanings?
  - The need to express non-understanding



# Lost in translation

- How are people referred to?
  - Does "s(he)" refer to gender, age, position in society?
  - Family relations?
  - Sign language → difficult to pose open-ended questions
- Words may be neutral in one language and "loaded" in other



Training video for sign language interpreters







# Interview extract (Romanian female victim)

Wilson, L (2020). Lost in interpretation: the function of role, question strategies, and emotion in interpreter-assisted investigative interviews. PhD thesis.

- Officer: When you say, tried to have sex, can you explain what you mean by tried
- Translation: When you say he tried to have sex, what are you referring to, what are you saying?
  
- Victim: Meaning I was trying to keep him as far away from me as possible
- Translation: I was trying to keep him as far away as possible from me
  
- Officer: At any point had she touched him, did.. had she put her hand on his penis, was he a- aroused, was he hard...
- Translation: Have you tried at some point or did you touch him or was he excited?
  
- Victim: Yes, Yes. I tried to push him away because he was on top of me and I no longer had air, he was very fat, very big
- Translation: I was trying to push him away because he was on top of me and I couldn't breathe properly he was also very big



# Sexuality as a particularly culture- and language-sensitive theme



- Words related to sexuality differ to a great extent between cultures (and even within cultures) - a term for "child sexual abuse" is not readily available in all languages
- Is there a word for intercourse? For genitals?
  - Very few languages seem to have child-friendly and precise words for (in particular female) genitals
  - Use of euphemisms common ("sleeping together")
- Sometimes the interpreter may struggle to translate the words used or shy away from using terms

# Examples of problematic terms and risky idiomatic expressions



- Words may have different meanings between variants of the same language
  - "beat" can mean kicking or other forms of physical violence in some dialects
  - "I'll kill you!" "I'll tear your eyes out!" may have rather insignificant meanings
- In some cultures, it is not well preceived to say you do not understand!

# Other vocabulary



- Words related to family (brother, sister, uncle) → may refer strictly to biological family or to a wider group
- Timing. In many cultures, calendars are not crucial, in some dates and years are not reported and well known.
- Preparation for interviews together with the interview is

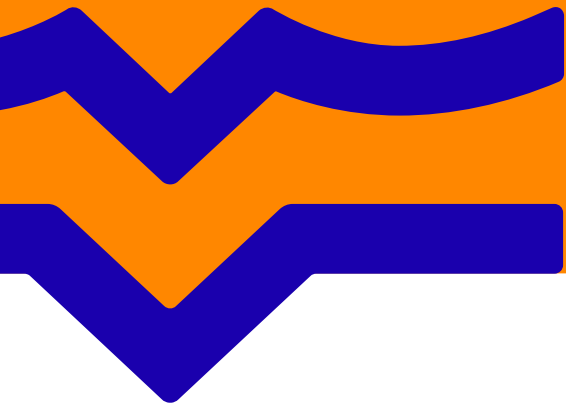
# Recommendation



- Training of interviewers and interpreters together
  - Interpreters need not only to hear the question but also understand *why* leading questions should be avoided, or what the point with supportive prompts are
- Preparation for interviews together with the interview beforehand:
  - What topic will be discussed? Crucial words
  - How to ask about it in a nonleading way
  - What to do if unclarities in the communication?
- This should be teamwork – much can be learned!



# Assessing credibility: Emotional expression and the perfect victim myth





*“What you tell me is not credible. You continue to describe your reasons for fleeing in such a superficial way that I can only believe that you haven’t actually experienced this.” (to 14-year-old boy)*

*“You told me your story without showing any emotion whatsoever. The determining authority considers this also an indicator of a fictitious story”.*

Examples from UNHCR 2014: The Heart of the Matter: Assessing Credibility when Children Apply for Asylum in the European Union. <https://www.refworld.org/pdfid/55014f434.pdf>

# Emotional witness effect

Mm Landström et al 2013

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# The perfect victim myth



*“Depicted as someone without agency, with no free will and completely in the hands of the trafficker, the ideal trafficking victim can be seen as diametrically different from the guilty prostitute”*



Police Practice and Research  
An International Journal

ISSN: 1561-4263 (Print) 1477-271X (Online) Journal homepage: <https://www.tandfonline.com/loi/gppr20>

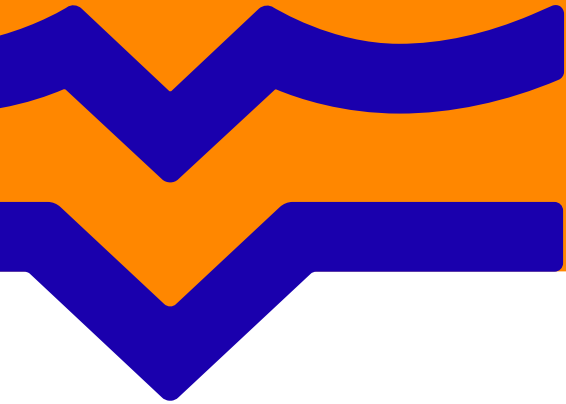
**Adolescent girls exploited in the sex trade:  
informativeness and evasiveness in investigative  
interviews**

Johanna Lindholm, Ann-Christin Cederborg & Charlotte Alm





**Lastly**



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# In need of targeted support (Finch & O'Donnell. 2021)

- Identification of victims is difficult
- ...the Barnahus model has features which would likely significantly assist in such cases, including the use of digital technology to fulfil the procedural safeguards required by EU law. This includes reducing secondary traumatisation and re-victimisation, through limiting the number of interviews for a child and avoiding contact with the offenders. Barnahus practice also has important potential to strengthen the child's access to support and assistance.
- Within the Barnahus, existing inter-agency cooperation should extend to the actors involved with trafficked children, including specialised trafficking law enforcement teams or organisations working with trafficked children,

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# The collaboration needs to be broadened

- Further creating interview strategies – particularly focusing on contact and interacting with reluctant victims – together with other actors
  - Victim support agencies
  - Interpreters, cultural knowledge
- More training on trafficking issues and notably on the question of psychological coercion for all criminal justice actors
- Specialised training for interpreters
  - Partly together with interviewers

# The case for video recording

Journal of Applied Psychology, Crime & Law >  
8, 2012 - Issue 7

Enter keywords, authors, DOI etc.

Articles

## Written records of police interrogation: differential registration as determinant of statement credibility and interrogation quality

Jan de Keijser, Marijke Malsch, Robin Kranendonk & Madeleine de Grijter

Pages 613-629 | Received 12 Apr 2010, Accepted 19 Sep 2010, Published online: 22 Jun 2011

Download citation | <http://dx.doi.org/10.1080/1068316X.2010.526119>

Full Article | Figures & data | References | Citations | Metrics | Reprints & Permissions | [Get access](#)

### Abstract

The backbone of Dutch criminal procedure is the case file including a large number of written records. In Dutch courts the focus is primarily on evaluation of written records. The written record of police interrogation is a mediated account of the interrogation itself. In this study we explore how individual differences in the production of written records by police officers affect the jurists' evaluation of the suspect's story and of the quality of the interrogation itself. In the first study, five police officers produced written

### People

Article

What in police suspect confessions

HEUNI

Opinion

## Videotape All Police Interrogations

Justice demands it.

By Saul Kassin and David Thompson

Dr. Kassin is a professor of psychology. Mr. Thompson is a partner at a firm that specializes in nonconfrontational interview techniques.

Aug. 1, 2019



James Heimer



## **Losing Two Thirds of the Story: A Comparison of the Video-Recorded Police Interview and Live Evidence of Rape Complainants**

**Nina J. Westera\***

*ARC, Centre of Excellence in Policing and Security, Griffith University*

**Mark R. Kebbell**

*ARC, Centre of Excellence in Policing and Security, Griffith University*

**Becky Milne**

*Centre of Forensic Interviewing, Institute of Criminal Justice Studies, University of Portsmouth*

<sup>⊗</sup> New Zealand; Police interviews; Rape; Video evidence; Witnesses

### **Summary**

This article reports on a study that compared the content of video-recorded police interview with the live evidence-in-chief at trial of the same adult rape complainant in real cases in New Zealand. Careful analysis showed that over two-thirds of the details that were central to establishing whether the alleged offending had occurred were later omitted from live evidence. The findings suggest that using the video interview as evidence provides an opportunity to provide the most complete evidence from a witness, and hence may improve just outcomes.

- A comparison of recorded videos from the pretrial investigation (on average 2 weeks after the assault) and court hearings (almost 2 years later) revealed that 2/3 of the information was lost
- For children, time is even more crucial
- ...and no child should be subject to interrogations in the courtroom!



# Thank you!

Feedback and comments for further work on developing guidance for interviewers is highly appreciated:

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