E-ViVi
Enhancing Videorecorded Interviews and Virtual Hearings in Europe

Protocol for interviewing children who are suspected or accused of a criminal offence

Publishers: HEUNI and the Barnahus Network

Authors:

Julia Korkman, HEUNI and Åbo Academy

Saara Asmundela, Finnish Police Board

Olivia Lind Haldorsson, Barnahus Network

Shawnna von Blixen-Finecke, Barnahus Network

Contributors:

Emma Peltomaa, the Forensic Psychology Centre for Children and Adolescents, Helsinki University Hospital and Dr Francesco Pompedda, University of Turku.

The E-ViVi knowledge hub members for their valuable input, including: Dorris de Vocht, Lisa Flower, Dr Carolyn McKay, Regina den Otter, Professor Renate Volbert, Assistant Professor Christina Peristeridou, Petteri Korhonen, Dr Carlos Peixoto.

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Linda Cordisco Steele, National Children's Advocacy Center USA

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Background

This protocol provides support to investigative interviewers in preparation of interviews with child suspects, presenting key elements of the interviews along with things to think about and adaptations for specific situations.

It draws on recommendations developed in Finland and is informed by findings from research on the application of a NICHD protocol adapted for interviewing child suspects about child-on-child sexual abuse. It is also informed by research on child suspects and more broadly the literature on interviewing children. It has been tailored for professionals working in a European context and has undergone consultation with European and international experts.

The protocol is grounded in the rights of the child, including dignity, non-discrimination, best interests, participation, privacy, protection from harm, and a fair process, including the presumption of innocence and protection against compelled self-incrimination. These safeguards apply from the first contact with the authorities, not only once a recorded interview begins. Being below the minimum age of criminal responsibility does not remove the need for child-sensitive safeguards.

Apply this protocol in your context by first taking into account the national legal and procedural context. Each interview, including the script examples, must also be adapted to the needs, abilities and situation of the child who is interviewed.

Beginning the interview

Before the interview begins, explain to the camera who the interviewer and the interviewee are, and state the date and place (before the child is guided to the interview room). Alternatively, this information can be presented in text.

> *My name is _____, I am a [profession] and my job is to talk to children about things that have happened to them or they may have been involved in.*

If - as is likely to be the case - the child is informed about the reason for the interview, the interviewer can state:

> *As you know, you have been asked to come here to talk to me about the fire at [LOCATION].*
>
> *As you know, you have been asked to come here to talk to me about what happened in [place].*
>
> *We will soon get to that, but first, there are a few things I want you to know about our discussion here today. Ok?*
>
> *As you can see, we have a video camera here. It will record us talking.*

If the interview takes place in the pre-trial investigation and will likely be shown in court, you may explain this to the child. Importantly, inform the child that the video will not be made public (where this is indeed the case), for example:

> *Only adults who have the specific right to see the video will be allowed to see it.*

If audio-visual recordings of interviews with child suspects may be viewed or accessed by the general public, for example in an open court hearing, be sure to explain this.

If the national legislation requires a written record of the interview, make sure to explain its use to the child, including who will have the right to see it, how it will be stored and used, and which

privacy protections can be requested. Where public access or identification is possible, consider available protective measures rather than only warning the child. Do not promise confidentiality or restricted access beyond what can be secured. Record interruptions and any relevant discussion outside the recording; keep confidential legal consultations private.

Depending on the role of the parents, explain to the child their presence at the interview / whether they will / have the right to see the recorded interview afterwards.

> *Your parents also have the right to see the video afterwards if they so wish. / As you know, your parents are in the room next door.*

In cases where other professionals are following the interview:

> *My co-workers will also be following this conversation from the room next door through that camera. They are there to help me, and they will remind me if I forget to ask you about something important.*
>
> *I might take a break at some point, to ask them if there is anything else that I should ask you.*
>
> *Let me know at any time if you also would like to take a break.*

Check if the child is okay with all this and whether they have any questions.

Explain the interview process. Interviewees generally are more at ease and better able to accurately recall events when they know what to expect in an unfamiliar situation. You can tell the child suspect that you will:

> *It is of crucial importance that the child does not feel pushed or manipulated into disclosing. Rather, they should be provided with an informed possibility to do so, if they wish to.*

- Go through their rights and other instructions related to the interview.
- Talk about and practice how to tell things in as much detail as possible.
- Discuss the suspected event(s) in detail, and that they will have the opportunity to describe what in their opinion happened. You can also mention that this is their chance to describe everything that happened from their perspective.

Explaining the interview situation and anticipating the structure of the interview to the child suspect are part of establishing contact. When done well, they can improve rapport.

Ask if the child has any questions.

> *Before we talk about why you are here, it is important for you to know your rights and what is expected of you.*

Presenting the child's rights and obligations

… early in the interview

Present the child suspect's rights and other instructions related to the interview at the very beginning. Explaining their rights early helps avoid a situation where the child begins giving an account of the suspected events before their rights have been explained and understood. Failure to provide the required safeguards may affect whether their statement can be used in the investigation or in court, depending on the applicable law. Give enough information about the allegation to make those rights meaningful. Further, making sure the child understands their rights before the suspicion is discussed supports that their statement stands up to scrutiny.

Remember that going through the child suspect's rights at the beginning of the interview does not preclude establishing contact – openly and clearly presented rights can build a cooperative relationship between the interviewer and the child suspect and increase the child suspect's trust in the interviewer. It is of crucial importance that the child does not feel pushed or manipulated into disclosing. Rather, they should be provided with an informed possibility to do so, if they wish to.

… verbally and in writing

The rights and obligations of the interviewee should be expressed both verbally and in writing, according to their age and stage of development, taking into account the child's speech, language, and communication needs. Use concrete examples, and involve the child suspect in the process by asking them to explain how they understand each right or obligation.

If the child suspect has additional needs, for example related to language, communication, or cognitive understanding, the rights and concepts should be explained using language that the child suspect can understand as simply as possible, using simple vocabulary and grammar. Presenting the child suspect's rights openly and comprehensibly increases their trust in the interviewer, improves contact, and prevents that they feel that an attempt is being made to trick them into revealing information.

Present information in short, manageable parts. Start by establishing enough shared understanding of why the child is there and what basic terms mean; explain and check the relevant rights without inviting an account of the suspected events.

From the outset, make clear that the child can say they do not understand, ask questions, and correct you. Ask them to explain the practical meaning in their own words, without making this a test they must pass or suggesting that repeating a formula proves understanding. Re-explain and adapt where needed, allowing private legal advice before any decision about speaking.

Right to not self-incriminate, nor incriminate a family member

Tell the child from the start that they have the right to remain silent and not to incriminate themselves. Explain separately any lawful obligation that applies to a different matter, such as identifying themselves; do not present this as a requirement to answer questions about the allegation.

This can be explained in concrete terms by saying that the child suspect:

- Does not have to say anything about the matter,
- Cannot be compelled to give information that incriminates them,
- That they are free to choose what they do and do not disclose.

> *You should know that you don't have to tell me anything today. If there is something you don't want to talk to me about, you can just tell me.*

Explain any applicable protection concerning information about close relatives, including which relatives are covered. The interviewer should remind the child suspect that they do not have to disclose if they or someone close to them, such as a family member, has committed a criminal, illegal, or wrongful act. Depending on jurisdiction, you may also remind the child that they may refuse to testify on the basis that their close one is an injured party. You may adjust these instructions according to the child's age and developmental level. You can tell older (e.g. school-aged) children that they do not need to talk about things that could cause harm to themselves, their parents, grandparents or siblings.

Check the legal rules that apply to the child's particular status before explaining any obligation concerning truthfulness or any privilege concerning relatives. Do not present national rules as

universal or use the right to silence as an invitation to invent an account. Where a warning about knowingly false accusations is legally required, explain it neutrally and distinguish deliberate fabrication from uncertainty, mistakes, and imperfect recall. It must not be used to discourage the child from denying the allegation or identifying another person's involvement.

Ask the child to explain how they understood this instruction, in their own words. Wait for their response. Reinforce what they were correct about, correct anything that was misunderstood. Make sure the child does not fail to exercise a right for reasons that could be overcome; suggest possible solutions.

Explaining it is ok not to answer

Tell the child suspect that if you ask questions that they don't want to answer, it is OK to say so, and they do not have to justify their choice. This can be because they are exercising their right to be silent, or their right to not incriminate themselves or family members. Explain any additional applicable protection concerning information about relatives accurately and separately.

> *If I ask you a question that you don't want to answer, you can tell me: "I don't want to talk about that."*
>
> *So if I ask you a question that you don't want to answer, what would you say?*

Saying if you don't understand

The child suspect should also be encouraged to speak up if they do not understand the interviewer. The interviewer can further encourage this by stating that they may ask questions in a complicated way and therefore do not take offense if they are asked to clarify something.

> *It is important that we understand each other as well as possible. If I ask you a question that you don't understand, please tell me that you don't understand.*
>
> *So if I asked you to tell me what your favourite kind of arachnid is, what would you say? ... That's right, you would ask me what an "arachnid" is, because that's a complex word. (Arachnid - eight-legged creatures like spiders, scorpions, ticks, mites. Have other examples lined up in case your interviewee knows what an arachnid is).*
>
> *If I don't understand what you say, I'll ask you to explain.*
>
> *I may ask something again if I do not understand.*

Saying you don't know or don't remember

Tell the child suspect that it is ok to say if they do not know or remember something. In particular, child suspects who are easily led and eager to please may find it difficult to correct the interviewer's misunderstandings or may guess or invent answers rather than saying that they do not know or remember something.

> *If I ask you a question and you don't know the answer, you can tell me: "I don't know." When you don't know the answer, please don't guess, just say that you don't know.*
>
> *If you wish to tell me something but you do not remember parts of it, please let me know.*

Correcting the interviewer

Tell the child that it is OK to correct you if you have misunderstood what they said. Remind them that this is their chance to tell what, in their opinion, has happened, and that it is important that no misunderstandings arise about what the child meant.

> *If I accidentally say something that you think is not correct, please let me know / tell me about it.*
>
> *I wasn't there so I don't know exactly what happened. You can help me understand. How does that sound?*

Rights and obligations as a suspect, and the presumption of innocence

When informing a child suspect of their status in the investigation, make sure they understand the concept of being a suspect of a crime. You can ask the child suspect what they think it means and, if necessary, explain that they are suspected of having done something criminal or illegal.

> *You are here at the police station today to be heard as a suspect. Do you know what that means?*

If the child's status is unclear, you can indicate that the police are trying to find out if the child has been involved in the situation under investigation.

If the child says they do not know, you can either explain or, depending on the context (age of child, complexity of case etc) ask the child's lawyer to talk with them alone and explain the situation.

> *We suspect that you have broken the law. Do you know what that means?*

It may be good to explain to the child that the job of the police is to find out what has happened in an impartial manner, and that it is equally important for the police to find out if someone is innocent. You can also remind the child suspect of the presumption of innocence.

> *The police are investigating this matter to find out what happened.*
>
> *We are trying to find out what has happened (/who did what) and want to know everything there is to know about this situation.*
>
> *We follow a rule called the presumption of innocence, which means that we do not think you or anyone else is guilty until there are facts showing that this is the case.*

If necessary, consider pausing the interview for the child suspect to speak to their lawyer about what the criminal charge means.

Criminal responsibility and civil liability for damage

Check whether liability for damages may apply to this child under the relevant law. If so, explain its meaning and possible consequences in accessible language, including any distinction from criminal responsibility.

Child suspects of any age must be reminded if they may be held responsible if it is found that they have caused damage, i.e. to pay the other party for the consequences of their actions.

For a child below the minimum age of criminal responsibility, explain why the interview is taking place and any relevant non-penal process that may follow, such as a safeguarding referral. Explain possible civil liability only where it applies to that child. Do not imply that being below the age threshold means the interview has no consequences, or that the child must answer because criminal punishment is unavailable.

Ask the child to explain how they understood this instruction, in their own words. Wait for their response. Reinforce what they were correct about, correct anything that was misunderstood. Make sure the child does not fail to exercise a right for reasons that could be overcome; suggest possible solutions.

> *Since you are (YEARS) old, you are not criminally responsible. Do you know what that means?*
>
> *Since you are (YEARS) old, you are criminally responsible. Do you know what that means?*

Correct if the child is not right, explain if the child does not know. If the child knows and can explain what it means, say:

> *Yes, that's it. Even if you are under the age of criminal responsibility, you may still be held responsible for having caused damages or destroyed something.*

Who is involved and informed

The roles of the various authorities in the process should be explained to the child suspect.

> *Everything you say during this interview will be recorded, both audio and video.*
>
> *Anything that you write while in this room will become evidence. (If need be, explain what evidence is: This means that it will be given to the judge who decides on this case if it goes to court)*
>
> *If your case goes to court, this video may be played in court.*
>
> *What you tell me now may be used to determine if you have committed a crime or not.*
>
> *The police will see the recording, so that they can investigate further.*

Explain that, as they are under 18 years of age and suspected of a crime, the law requires the involvement of various adults.

> *(Authority/official) will (see the recording / be informed of what you have said) so that they can (investigate further / ensure your wellbeing). Explain what certain actors will do specifically with this information, e.g. their child protection officer.*

What the suspicion is

Inform the child what act they are suspected of, and of the penalty scale for the crime in question.

Give enough concrete information about the alleged conduct and relevant circumstances for the child to understand the allegation and obtain useful legal advice. A legal label alone may not achieve this. Check what the child has already been told and correct possible misunderstandings.

Make sure the child understands what they are suspected of before deciding whether to answer questions. Avoid giving too many details about the suspicion so that they can be examined during the interview as told by the child suspect themselves. More detailed evidence can be discussed later, where permitted by law.

Specifying the information about the suspected crime needs to be based on the details of the case. It is important to plan how to do this in advance.

For example, you can say to the child suspect:

> *You are suspected of arson in TOWN on DATE. A school was set on fire in [X] and the police has received information that you might have been involved.*

Importantly, how you address the topic under investigation will depend on the evidence you have. If there is clear evidence (for instance, surveillance video that is unambiguous) that the

child was in fact the person conducting the criminal act, the suspicion is comparatively strong compared to a situation where the child is known to have been present, but where there is no clear evidence that they were the perpetrator. In such a less clear-cut case, you should carefully phrase your transition to the topic accordingly, for instance:

> *A school was set on fire in [TOWN] and the police has received information that you might have been involved.*

As you proceed to establishing rapport, you can say:

> *I will soon ask you to tell me what you want to say about that, but first I would like to get to know a little more about you / get to know you a little better.*

Establishing contact

Facilitating communication while safeguarding the child's rights

Child suspects often find themselves in a particularly vulnerable position during investigative interviews. Developmental factors, stress, unfamiliar environments, and power imbalances between children and authorities can increase the risk that children may provide inaccurate information, agree with suggestions, or say things to comply with perceived expectations or to please adults. Children and young people are more likely than older adults to falsely confess to offences they did not commit, particularly in situations involving pressure, authority figures, or a desire to comply with perceived expectations. In some cases, children may also lack access to effective legal guidance during the interview.

These factors underline the importance of rapport-building that actively safeguards the child's rights and minimise pressure. Interviewers should remain aware that rapport-building must not inadvertently create a situation in which the child feels encouraged or obliged to share more than they intended, or more than they have been advised by their lawyer to disclose.

Interviewers should therefore ensure that rapport-building:

- supports the child's comfort and understanding of the process,
- does not create the impression that the interviewer is acting as a friend, ally, or supporter of the child, and does not encourage admissions or increase compliance.

Maintaining this balance is essential to ensuring that rapport-building serves its intended purpose: facilitating communication while safeguarding the child's rights.

Rapport building and setting up the narrative practice

At the beginning of the interview, it is important to discuss neutral or pleasant topics with the child suspect, such as their interests, hobbies, school, friends, or any other topic they are willing to talk about. The aim is to accustom the child suspect to interacting with you, and to reduce any negative emotional reactions (tension, nervousness, irritation) related to the interview situation. By talking to the child suspect in a more informal manner about things other than the matter under investigation, you show the child suspect that you are genuinely interested in them. Depending on the situation, humour can also be used in moderation to lighten the mood and improve contact.

Help the child to relax and settle into the situation as well as possible.

> *Are you feeling okay? Is there anything I can do to make you feel better?*
>
> *First, I would like to know something more about you. What could you tell me about yourself? Tell me about things you like to do / what kinds of things you like.*

If the child suspect expresses frustration or irritation with the interview, it is important to listen to them and validate their emotional experience.

> *I understand that you are annoyed about coming here to talk about these things.*

If the child does not answer, gives a short answer, or gets stuck, continue building rapport.

> *Tell me about something you like to do.*

If you feel more rapport building is necessary, you can ask the child about his/her school, hobbies, or other things that they like to do after school. Remember to give the child enough time to answer before asking new questions. You should also ask the child further questions about the things they already shared.

> *Tell me about [something the child has mentioned].*

Use various introductory questions to ask about different topics; one of those invitations should focus on internal contents: thoughts, feelings, sensations, or emotions.

The child might be quiet. Sometimes children may seem nervous. Address these issues by asking questions.

> *What is on your mind?*
>
> *How do you feel about this situation?*
>
> *Children can sometimes feel nervous about these sorts of new situations.*

Narrative practice

The purpose of narrative practice is to ask the child to narrate something that has occurred, and for you to follow up on what the child has narrated in a similar way as you would when following up on what the child has said about the suspected offence.

The aim is to:

- gain an understanding of how accurately the child suspect can talk about their experiences and how well they remember events that happened (a long time ago),
- accustom the child to answering open-ended questions,
- accustom the child to talking about things in as much detail as they want to.

Explain this section of the interview to the child by saying that the purpose is to understand their way of talking about things and how well they remember past events. Give them the opportunity to choose a topic that they want to talk about. The interviewer can, if necessary, suggest a topic themselves (e.g., trips, events, things that the child likes to do are often good themes, or something they mentioned earlier in the interview).

The narrative practice can also be used to establish contact. If the child mentions a topic / situation, you can ask them to describe in as much detail as possible. Ask similar types of specific questions about time, place, discussions, thoughts, feelings, and people as you plan to ask about the suspected act.

You may identify if the child has challenges to, for example, recall time frames, the duration of events, or the number of events. Take this information into account when discussing the suspicion.

Child suspects sometimes resist establishing contact or a narrative practice, and would prefer to go straight to the subject of suspicion. In this case, the interviewer should use discretion and flexibility as necessary and not force the narrative practice, as this may, at worst, increase confrontation and weaken contact.

Narrative practice is optional and should concern a neutral event that is not part of the allegation or a route into another suspected offence. Keep the exercise proportionate to the attention and energy of the child. Stop or change the topic if it becomes sensitive. If the child declines practice, briefly explain how open questions work and proceed only if they still wish to discuss the allegation.

Throughout the interview, apply the guidance flexibly according to the child's responses, developmental and linguistic needs, and the circumstances of the case. The sequence and pacing of the interview may need to be adapted, provided that the fundamental principles of investigative interviewing and procedural safeguards are maintained.

If, despite brief motivation, the child suspect is unwilling to practice giving a precise account, you can explain to them what kind of account is expected of them.

> *The idea is that you first describe the events in your own words as accurately and in as much detail as you can remember, and then I will ask you some clarifying questions.*

D.1 Main invitation

> *The aim is that you recall and talk about your experiences so that you talk about them as independently as possible and all I do is help you remember a little bit by asking for more detail. Next, we could practise this sort of narration. I understand that a few [days, weeks] ago there was [a holiday, birthday party, other event]? Tell me everything that happened [during the event], from the beginning to the end, as best as you can.*

In case an event was not identified previously, ask:

> *Did you do something special recently, like did you get to go somewhere or go to a party, or something else memorable?*

If the child does not identify a suitable event, say:

> *So, I want you to tell me everything that happened [today, yesterday], from the time you woke up.*

If the child asks to discuss the complaint, move to the substantive phase.

D.2 Follow-up questions

Repeat briefly what the child has said. Then ask:

> *And then what happened?*

Use this question as often as needed throughout this section until you have been given a full account of the event.

> *Thank you, you have told me many things (if they did). I want to ask you some more questions about what you just told me.*

D.3 Questions probing for more detail (about time, events, thoughts, emotions)

You should aim to ask questions related to time.

> *Please tell me everything that happened from the moment [an activity the child mentioned] to the moment [a subsequent activity].*

You should also aim to use some other questions probing for more detail. Also ask the child about his/her thoughts and feelings.

> *Earlier, you spoke about [activity, object, thought, feeling]. Tell me more about that. What did you think about [the activity]? How did [the activity] feel?*

If the child struggles to give long descriptions in response to broad open-ended questions e.g., tell me everything you can remember, try breaking down the question and ask for information in smaller chunks.

> *How did the event start?*
>
> *What happened next?*
>
> *What happened before the event?*

Substantive phase on the suspicion

Transition

Before proceeding with the suspicion, you can review with the child suspect what they remember about their rights and how they can explain them themselves. When the child suspect verbalises their rights, you can better ensure that they have understood them and, if necessary, correct any misunderstandings. After the child suspect has summarised, you can confirm, for example:

> *That's right. You do not have to answer questions about this. You can choose not to answer a particular question or stop answering later. You can ask to speak privately with your lawyer. You don't have to tell anything and you do not have to answer questions. If you want to talk about things, now is your chance to tell me what you think happened, and I'm happy to listen to what you have to say.*

Asking the child if they wish to give their account

After explaining the allegation, applicable rights, and relevant consequences, and allowing confidential legal advice, explicitly check whether the child wishes to speak about the suspected events. Do not infer agreement from attendance, politeness, completing the introductory activities, or a parent's agreement. The child may choose not to answer particular questions, or may change their decision during the interview. Record their decision and any limits they identify.

> *You can choose whether to talk about this. You can also choose not to answer a question or stop answering later. What would you like to do? Would you like to speak with your lawyer privately before deciding?*

If the child is hesitant, allow time and check once, without pressure, whether they need clarification, a break, or private legal advice. If they choose not to speak, respect that choice rather than continuing rapport questions to change it. You may acknowledge their feelings and respond to welfare needs without seeking an account of the allegation.

If the child chooses not to speak about the allegation, respect that choice. Do not use rapport-building, narrative practice, or repeated invitations to obtain a different decision. Clarify immediate needs and follow the applicable procedure for bringing the questioning to an end.

Free narrative

The transition to dealing with the suspicion itself happens naturally by asking the child suspect to tell you in their own words everything they remember about the events related to the suspicion.

> *You are suspected of SUSPICION in TOWN on DATE. Please tell me what you think happened.*

Wait for the child's response.

Enabling the child to communicate

Interviewers should support the child and create conditions that allow the child to speak freely if they wish, while fully respecting the child's right not to answer questions. If the child suspect does not respond to open questions, it is advisable to give the child suspect the opportunity to comment on the evidence and try to stimulate discussion on that basis (see sections *Challenging the statement*, and *Presenting the evidence*).

Before introducing evidence in response to a lack of an account, clarify whether the child wishes to speak, and whether they need more time, communication support, or legal advice. Do not use evidence disclosure to overcome an exercise of the right to silence.

Continuously monitor the child's concentration, emotional state, decision-making capacity, and ability to participate effectively throughout the interview. If signs of fatigue, distress, confusion, or cognitive overload become apparent, consider offering a break or, where appropriate, postponing the interview. Remember that fatigue and stress may increase suggestibility, compliance, and the risk of inaccurate or unreliable statements.

Distress may appear as agitation, anger, withdrawal, unusual quietness, or difficulty following the conversation. Do not interpret these reactions as evidence of deception. Calmly check what they need, offer practical choices, reduce demands, and involve appropriate support. If the child cannot continue safely or participate effectively, stop questioning and arrange help. A break should provide relief, not become an unrecorded opportunity to persuade the child to speak.

After asking a question, allow sufficient time for the child to think before speaking again. Children often require considerably more time than adults to process the question, decide whether they wish to answer, and formulate their response. Avoid interrupting, repeating, or reformulating questions too quickly.

If the child remains quiet, or denies involvement in the alleged events and seems avoidant or resistant, provide support, for example:

> *Would you like more time, a break, or for me to explain the question?*
>
> *Would you like to speak privately with your lawyer?*
>
> *You are accused of (briefly summarise the suspicion). This is your opportunity to tell me what has happened.*
>
> *If you think the accusations are false/ not true, it is important for me to hear your side/story.*
>
> *If you want to be sure that we understand your point of view on what happened, this is the time to tell me. The police will ask what the other people involved think happened.*
>
> *We do not know yet what happened, we are trying to find out.*

If the child chose to write what they want to say, remind them if what they write will automatically become evidence. Wait until they are done writing:

> *Will you share with me what you just wrote?*

If there was an earlier investigation where the child did not disclose, especially where there is evidence, it may be appropriate to ask questions that are more closed, to support the interviewee to exercise their right to comment on the evidence and what other people have said. Notably with children over the age of criminal responsibility, it may be required to discuss the evidence, so they have an opportunity to say if it has been inaccurate or misinterpreted. A previous decision not to speak does not justify pressure or bypassing a current decision to remain silent. If the child declines further questions, respect their right to be silent.

> *I've heard that you talked to [school manager, social worker, other professional] at [time, location]. Please tell me what you talked about.*
>
> *I understood that [you told someone/someone said] that you were involved in [a short summary of the suspicions]. I want to check if something like that happened.*
>
> *Do you know about [material or circumstantial evidence connected to the events: e.g. injury from a bottle of alcohol] that happened to someone?*
>
> *Did something happen with [a child/name of the victim]?*
>
> *Did [present gradually more specific details of the complaint] happen?*

The right to remain silent

If the child exercises their right to remain silent, give due respect to their wishes while also giving them the time and access to support to be sure that is the best decision for them. Do not repeatedly ask them to reconsider, imply that silence shows guilt, or suggest that giving an account is necessary to be treated fairly. Follow the applicable procedure for ending the questioning, while attending to the child's immediate needs.

> *I understand that you do not want to answer questions about this. We will respect that decision*

Depending on the potential consequences for the child suspect, consider asking:

> *Would you like to speak to your lawyer once more, to make sure that staying silent and ending this interview is the best decision for you?*

Exploring the suspicion

> *Thank you for telling me what you think happened. You told me that [briefly summarise the child's version]. Tell me everything from the beginning to the end as best you can.*

It is a good idea to tell the child suspect that the interviewer does not know exactly what happened. This gives the child suspect the opportunity to talk extensively about the suspicion and related matters.

The funnel model in interviews with child suspects

In simple terms, you can think of a "funnel model" for the interview, in which most of the account should come through free narration and open-ended questions. After this, the focus gradually shifts to more specific details and, finally, to examining any contradictions and commenting on other evidence.

The funnel model can provide a helpful structure when a child suspect chooses to speak about the events. However, interviewers must remain mindful that the child may decide not to provide an account, may wish to limit what they say, or may exercise their right to remain silent. Children may also feel afraid, uncertain, or concerned about the consequences of speaking.

Interviewers should therefore avoid creating direct or indirect pressure to disclose information. At the same time, care must be taken not to inadvertently encourage inaccurate statements or admissions, as children and adolescents may be particularly susceptible to suggestion, compliance with authority figures, or providing answers they believe are expected of them. The interviewer's role is to create conditions that allow the child to speak if they wish; if the child chooses to do so, the funnel model can help the child give their account in their own words and gradually clarify relevant details.

Selecting a theme

The police often have already gathered other material on the suspected crime before questioning the child suspect. It is good to pick out themes from the background material to explore during the questioning, but the background information should not guide the questioning too much. Remember to use hypothesis thinking.

Throughout the substantive part, it is important to continue listening actively and respecting the child's decision to tell or not to tell.

Use the child's account to guide the order of follow-up topics. Explain transitions and address one event or topic at a time, using open invitations before more specific questions. Actions, context, thoughts, and feelings are areas to explore where relevant, not a compulsory sequence. Prioritise outstanding matters according to their relevance and the child's engagement and concentration, and consider a break or a further interview where necessary. Avoid requiring the child to repeat a complete account that has already been recorded merely to complete each step of the guidance.

General invitations

If the child mentions a specific incident:

> *You told me that [briefly summarise the child's version]. Tell me everything from the beginning to the end as best you can.*

If the child mentions a specific incident or s/he gives a generic description, and you cannot determine the number of incidents:

> *You told me that [briefly summarise the child's version]. Did that happen one time or more than one time?*

If the child mentions several incidents:

> *Tell me everything about [the last/first time/incident at place/at time/ specific incident] from the beginning to the end.*

Follow-up invitations

Repeat the child's description of the action/occurrence that started the event. Then ask:

> *And then what happened?*

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

Time segmenting invitations

> *You have told me many things and helped me understand what happened. Now, I want to ask you more questions about [incident title].*
>
> *Think back to that time [day, night] and please tell me everything that happened from the moment [an activity the child mentioned] to the moment [a subsequent activity the child mentioned].*

You may use this question as often as needed to ensure that all parts of the incident are described.

Cued invitations

Cued invitations can have two formats:

> *Tell me more about [activity, object, feeling, thought].*
>
> *You mentioned [activity, object, feeling, thought]. Tell me more about that.*

Use this question as often as needed throughout this section.

Important! Free-recall invitations should be exhausted before proceeding to directive questions.

Directive questions

If some central details of the accusation are still missing or unclear after the exhaustive use of open-ended questions, use directive questions.

> *You said that/mentioned [activity, object, feeling, thought]. [How, when, where, who, what, which, how many, what did you mean]?*

It is important to pair open-ended invitations with directive questions whenever possible:

> *Tell me more about that.*

Important! If the child mentioned more than one incident, ask open questions (invitations) for each incident before moving to option-posing questions (below).

Option-posing questions

Review the information you have received, see if there is any missing information, and plan the rest of the interview. Be sure to formulate option-posing questions in writing and consider replacing them with open-ended (or directive) prompts. Option-posing questions should be followed by invitations. First ask about information missing from the suspect's statement, then information missing based on the alleged victim's or witnesses' statements, and finally about information missing based on external evidence.

Eliciting information based on the child suspect's version.

> *When you told me about [specific incident embedded in time and place] you mentioned [activity, object, feeling, thought]. [Did, have, has, is, are] [present a detail for child to confirm or deny]?*

Follow with an invitation:

> *Tell me everything about that.*

Eliciting information based on the alleged victim's or witnesses' version.

If the child denied the suspicions or only partially associated themselves with the incidents, ask a general option-posing question:

Did other things happen with [a child/alleged victim]?
Did more things happen with [a child/alleged victim]?

If the child denies, ask specific option-posing questions.

Did you go to your house with [a child/alleged victim]?

Eliciting information based on evidence

Did you [send WhatsApp message/ did something happen to the child/ the building]?
Did anything like that happen with other kids? On other occasions?

Follow any disclosure by the child and investigate accordingly.

Exploring a possible coercion, exploitation, or victimisation

Explore also the possibility the child has been victimised, exploited, or drafted into criminal activity.

You told me that you (criminal activity). Tell me how come you ended up doing this?
What happened that made you do that.
Who did you talk to (write to/ communicate with) about this?
How did you afford to (criminal activity)?
Where did you get the material to (criminal activity)?
Did someone ask you to (criminal activity)?
Did someone threaten you if you didn't (criminal activity)?

If the crime is something they admit to having done with some regularity:

Is there a (parent / caregiver / teacher / coach) who is worried about you when you (activity)?

If the child discloses that they have been victimised, consider ending the interview and initiating a child victim investigation. If necessary, ask a minimum number of follow-up questions to get enough information for the police to initiate a child victim investigation.

Challenging the statement

Maintaining rapport while asking clarifying questions

Child suspects often have vulnerabilities and are entitled to specific procedural safeguards in investigative interviews. This does not prevent the interviewer from appropriately examining or, where necessary, challenging the child's account as part of the investigative process. The key issue is how the questioning is done: the goal is to minimise the risk of the child suspect feeling "cornered." The fear of losing face is likely to cause the child suspect to react defensively, causing them to withdraw from interaction and making it less likely that they will continue to talk. Instead, the interviewer should try to maintain contact and conversation throughout the

interview, giving the child suspect the opportunity to comment on the evidence without feeling pressured, for example:

An oppressive and accusatory approach to dealing with contradictions (e.g., "*I think you're lying about this because you've previously mentioned other people who you're not mentioning now at all*") weakens the cooperative relationship with the child suspect and, as a result, their willingness to talk about things if they feel that the police do not believe them anyway. Avoid identifying contradictions using terms such as 'but', 'yet' or 'on the other hand'.

Focusing on details rather than a confession

It is important to remember at this point in the interview that the goal is not to get the child suspect to confess to their actions, but to obtain as much and as varied information as possible about the suspected events. The child suspect should be given the opportunity to explain the contradictions themselves, in which case they can give an innocent explanation for them (e.g., forgot to mention someone) and, on the other hand, the possibility of lying can be examined if the child suspect repeatedly changes their story to fit with other evidence (cf. the SUE technique).

A changed or incomplete account does not, by itself, establish dishonesty. Consider misunderstanding, communication difficulties, fatigue, the way a question was asked, and genuine additional recall alongside other explanations. Check whether you and the child are using the same words and referring to the same event and seek independent evidence rather than treating the child's response to a challenge as a test of truthfulness.

Hypothesis thinking should therefore remain in the interviewer's mind at this stage of the interview as well. Continue testing alternative hypotheses throughout the interview. Be prepared to revise your understanding of the events as new information emerges and avoid interpreting the child's account solely in ways that confirm earlier assumptions.

First address contradictions within the suspect's statement, then those between the child's and alleged victim's statements, and finally those between the suspect's statement and external evidence.

Clarifying contradictions within the child's statement

> *Earlier you said that no one else was involved in the incident besides you and (Name), but I understood that you had previously spoken to social workers about someone named (Name). Tell me more about this.*
>
> *First you said that you didn't know (Name), but you then said you had been messaging each other on Snapchat. I was left wondering, how did that happen? / Can you please explain to me if and how you know (Name)?*
>
> *You said you met her once. You also mentioned a second time. Please tell me about that.*

Presenting the evidence

In addition to establishing contact and asking open-ended questions, a key part of a well-conducted interview with a child suspect is how and at what stage other evidence is presented to the child suspect for comment. As a general rule, information should first be gathered as comprehensively as possible through free narration and clarifying questions, after which any contradictions in the child suspect's account should be examined in relation to the accounts of other parties involved and other preliminary investigation material.

The timing, sequence, and extent of evidence disclosure should be planned before the interview. Evidence should generally be introduced gradually and only after the child has had a genuine opportunity to provide their own account. The purpose is not to confront the child, but to maximise opportunities for them to explain their account, clarify apparent inconsistencies, and respond fairly to the available evidence.

In accordance with the SUE and SoS techniques, it is essential that the evidence is not revealed immediately at the outset, allowing the child suspect to form their own opinion of what kind of evidence the police have and, based on this, attempts to construct a false narrative. Plan evidence disclosure so that the child has a fair opportunity to provide an independent account and respond to relevant material. Any gradual disclosure must be lawful, accurate, and adapted to the child's understanding. Do not withhold information needed to understand the allegation or obtain effective legal advice, nor use disclosure to mislead the child about the strength or extent of the evidence.

Before asking the child to comment on evidence, check their understanding of relevant terms, such as DNA, message records, or location data. Explain accurately what the particular evidence can and cannot show, including relevant limitations or uncertainty. Give the child a fair opportunity to respond or decline, and to consult their lawyer. Record what was shown or described, when it was introduced, and the child's response.

> *In a conversation with [the alleged victim], different/additional things were said.*
>
> *The evidence that the police have collected suggests that something else might have happened with [detail].*
>
> *Can you help me understand everything that has happened? Think back, try to elaborate and be as accurate as you can.*
>
> *Take a few minutes and think whether there is anything else you would like to tell me.*
>
> *Is there anything else you would like to tell me?*

Clarifying contradictions between the child suspect's statement and other evidence

Be patient and listen to the child suspect's open account first. Do not interrupt them as soon as a contradiction is noticed in relation to other information, as the child suspect may spontaneously supplement their account and provide an explanation for the contradiction. At this stage, it is also important to maintain good contact and try to ask the child suspect as openly as possible about their views on the evidence presented.

A child suspect's open statement alone is rarely completely consistent with other pre-trial investigation material; often, contradictions arise in their statement in relation to the interviews of other persons or technical evidence. Considering the increased risk of false confessions among young and vulnerable suspects, it is advisable to examine any contradictions in the child suspect's account without pressuring them, through questioning.

If the child provides some information, listen and elaborate accordingly. If substantial disparities remain between the suspect's version and that of the alleged victim/suggested by case evidence, you may formulate double-cued invitations, which include the two differing items, without suggesting that they are contradictory.

Clarifying discrepancies between the suspect's and the victim's statement

> *You said you touched her over her clothes. She said you touched her under her clothes. Please help me understand.*

Clarifying contradictions between the statement and external evidence

> *You said you do not know him. On your phone, there is a message sent to him. Please tell me about that.*
>
> *You said that you didn't tell anyone about the events, but according to the police, there were some messages related to the incident. What was that about?*
>
> *So, you're saying that you didn't use any violence other than beating him up, but a knife with blood on it was found in your backpack. Help me understand what this is all about.*

If the child maintains their account or denies the allegation, acknowledge the answer without treating it as a refusal to answer.

> *I have heard your answer. You can choose whether you want to say anything more, and you can speak privately with your lawyer.*

If they choose not to answer further questions, respect that separate decision.

> *I'll respect your right to remain silent / not to talk.*

Present the evidence accurately, including relevant limitations and uncertainty. Invite an explanation of any apparent discrepancy without assuming the child's account is false. It is also essential to carefully measure the accuracy of the evidence presented. This gives the child suspect an opportunity to explain the contradiction. Assess the explanation alongside other evidence and consider whether misunderstanding, communication difficulties, or additional recall may account for a difference. A genuine explanation may resolve the inconsistency. If the account is fabricated, maintaining the story may become more difficult, which can lead to further contradictions or implausible explanations.

Upon hearing about the evidence held by the police, the child suspect may overestimate the amount of evidence, leading them to reveal new information about the suspicion that the police did not yet have. Do not exploit that misunderstanding to obtain an admission. Do not disclose all evidence at once. Using this method requires careful planning so that the evidence is presented at the right time and in the right amount.

Exploring earlier disclosures of the incident

Explore the disclosure process, addressing the disclosure time, circumstances, recipients, potential discussions of the event, and reactions to disclosure by both the child and recipients. Use open-ended questions whenever possible. The resulting information could inform who else the police should interview, and to determine if there were any risks of distorting the child suspect's memory of what happened.

> *You've given me [lots of] information and that really helps me to understand what happened, and now I would like to know if other people knew about what happened.*

Exploring other concerns

If, during the interview, the child's account indicates that they may be a victim of criminal activity unrelated to the current case, that raises concerns about neglect, or mentions information about their environment that sounds concerning, consider initiating a child victim investigation, or reporting pertinent information to your child protection services. Consider briefly asking a relevant follow-up question if more information would be needed for the police to start a child victim investigation.

> *Earlier you mentioned (criminal activity / concern), tell me everything about that.*

Summary and conclusion of the interview

At the end of the interview, the child suspect's statements are reviewed. At this stage, the child suspect should have the opportunity to clarify or correct their statements, and to point out if the interviewer has misunderstood them. Child suspects may sometimes find it difficult to correct the police's views. The child suspect can be encouraged to speak up if they feel they have been misunderstood

> *Did I understand correctly what you said?*
>
> *Did I misunderstand something?*

If a written record / summary is required, use a review method that the child can understand, with interpretation or other communication support where needed. Explain whether it is a summary or a verbatim account, allow corrections and additions, and record any disagreement. A signature or a yes/no answer is not sufficient evidence that the child understood or approved the record. Explain any applicable approval procedure and what happens if the child does not agree. Preserve the original recording and document amendments transparently.

Also record the safeguards provided: rights explanations and understanding checks, legal consultations without their confidential content, attendance and interpretation arrangements, decisions about speaking, breaks, adjustments, and any reason for stopping or postponing.

Finally, it is good to give the child suspect an opportunity to bring up things that they think are important.

> *Is there anything else you can think of that would be good to know about this incident that I haven't thought to ask?*

In line with hypothesis thinking, keep an open mind to new information at the end of the interview and give the child suspect the opportunity to bring up something new.

Before concluding the interview, the child suspect should be given the opportunity to ask questions about anything that is on their mind and be provided with information about what will happen next. As with structuring the interview, providing information about the continuation of the criminal proceedings at the end of the interview reduces the child suspect's uncertainty and, consequently, possible anxiety. It is also a good idea to tell the child suspect who will be in contact with them next and when.

> *Is there anything else you would like to ask me about? For instance, about how the investigation will proceed?*
>
> *How did you feel during our conversation?*
>
> *How do you feel now that we have finished?*
>
> *At the beginning of our conversation, you had a hard time telling me/you didn't want to tell me [use the child's words] about [the event/s], but then you did tell me. What helped you talk?*

Thank the child suspect for participating in the interview and (depending on case) being willing to clarify the matter / taking responsibility for their actions. Check that the child knows who to talk to / contact if they feel that they need help related to the issue or if they later recall something related to the discussed topic.

You can add if necessary:

> *I may want to talk to you again.*

If the child chose not to talk at all about the suspicion, you can say that if the child decides they want to talk another time, they can contact you (give details on how).

> *Thank you for meeting with me today, [child's name]. We will end this conversation now and if you would like to talk with me again you can [give simple instructions].*

Depending on the situation, you may take some time to talk about a neutral or pleasant topic, or in some other way set a neutral ending to the interview. The aim is to ensure that the child suspect does not have to leave the interview in a state of intense emotion, but that the interview ends on as a positive note as possible. The final discussion can draw on themes that the child raised during the introductory phase.

> *You said at the beginning that you play football / like following football. When is your next game / What game are you looking forward to see?*
>
> *Is there something that I can do for you now?*

Separate procedural decisions and requests

Distinguish ending the interview from asking the child to make a further procedural decision. Depending on the jurisdiction, this could concern a restorative process, a proposed sanction, or consent to another measure. Explain the purpose, conditions, alternatives, possible consequences, and any applicable right to refuse, withdraw, or seek review. Allow confidential legal advice and the involvement of any person whose participation is legally required. Check understanding and whether fatigue or distress makes a decision inappropriate at that time; defer it where necessary and legally possible.

Welfare and follow-up

Before the child leaves, check immediate safety, emotional state, and practical needs, including whether returning home or travelling with the proposed adult is safe. Where further support is needed, agree who will take responsibility, how the child will reach them, and what will happen next. Arrange an appropriate handover rather than relying only on a list of contact details. Explain any necessary safeguarding referral and its confidentiality limits in a way the child can understand.

Provide accessible information about the next contact, how to ask questions, and how the child or their representative can raise concerns about the interview or treatment. Record follow-up responsibilities and unresolved needs.

Support, respectful treatment, and access to services must not depend on the child having spoken about the allegation or admitted an offence.

E-ViVi

Enhancing Videorecorded Interviews and Virtual Hearings in Europe

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