Access to Justice for Child Victims of CSA in England and Wales: The role of planning and assessment in ABE interviewing

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Abstract

Forensic investigative interviews are often referred to as Achieving Best Evidence (ABE) interviews. ABE interviewing is well researched but little attention is paid to the effectiveness and improvement of ABE interviews in practice, giving rise to multiple criticisms. This research responds to a gap in the literature by exploring the practice and examining the contribution of conducting assessments of children prior to ABE interviews and the implementation of planning factors within the ABE interview process. An initial survey was conducted of all Police Services in England and Wales to identify standards of practice across the two countries. The research then focused on exploring in depth the experience and attitudes of police officers and support workers currently practising in the field. The research further draws on the experience of stakeholders and the researcher as a specialist in the field to consider the implications for practice in ABE interviewing. The findings demonstrate a lack of consistency across the practice of ABE interview planning and processes in England and Wales. Despite guidance, many ABE interviews are not planned. Attitudes of police officers and support workers constitute barriers to working together to improve planning and ABE interviewing processes. Children experience additional distress when ABE interview processes are not well planned. The research demonstrates that the importance of planning and assessment for ABE interviewing is recognised in guidance and in the processes adopted by most police services in England and Wales. However, guidance is not always adhered to, professionals outside of law enforcement are not consulted to the best advantage, and planning falls short of what children need. This has repercussions for child victims of sexual abuse in that it increases traumatic experiences and limits children’s access to justice. The research further draws on the experience of stakeholders and the researcher as a specialist in the field to consider the implications for practice in ABE interviewing.
## Abbreviations

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<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>ABE</td>
<td>Achieving Best Evidence</td>
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<tr>
<td>CAMHS</td>
<td>Child and Adolescent Mental Health Service</td>
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<td>CECSA</td>
<td>Centre for Excellence for Child Sexual Abuse</td>
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<td>CJJI</td>
<td>Criminal Justice Joint Inspectorates</td>
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<td>CPS</td>
<td>Crown Prosecution Service</td>
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<td>CSA</td>
<td>Child sexual abuse</td>
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<td>CSAE</td>
<td>Child sexual abuse and exploitation</td>
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<td>CSC</td>
<td>Children’s Social Care</td>
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<td>CSE</td>
<td>Child sexual exploitation</td>
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<tr>
<td>DfE</td>
<td>Department for Education</td>
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<td>DoH</td>
<td>Department of Health</td>
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<tr>
<td>HMCPSI</td>
<td>Her Majesty’s Crown Prosecution Service Inspectorate</td>
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<td>HMICFRS</td>
<td>Her Majesty’s Inspectorate of Constabulary, Fire and Rescue Services</td>
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<tr>
<td>HSB</td>
<td>Harmful Sexual behaviour</td>
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<td>IIOC</td>
<td>Indecent/Illegal images of children</td>
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<td>ISVA</td>
<td>Independent sexual violence adviser</td>
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<td>MOGP</td>
<td>Memorandum of Good Practice guidance</td>
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<td>MoJ</td>
<td>Ministry of Justice</td>
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<td>MPS</td>
<td>Metropolitan Police Service</td>
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<td>NCA</td>
<td>National Crime Agency</td>
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<td>NRC</td>
<td>National Research Council</td>
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<td>NAPAC</td>
<td>National Association of People Abused in Childhood</td>
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<tr>
<td>NPCC</td>
<td>National Police Chiefs’ Council</td>
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<td>NSPCC</td>
<td>National Society for the Prevention of Cruelty to Children</td>
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<tr>
<td>NICHD</td>
<td>National Institute of Child Health and Development (US)</td>
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<td>ONS</td>
<td>Office of National Statistics</td>
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<td>POLKA</td>
<td>Police online knowledge area</td>
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<tr>
<td>RI</td>
<td>Registered Intermediary</td>
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<tr>
<td>SCIE</td>
<td>Social Care Institute of Excellence</td>
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<tr>
<td>SCP</td>
<td>Safeguarding Children Partnership</td>
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SECASA – South Eastern centre Against Sexual Assault (Australia)
TCSO – Transnational Child Sex Offender
VRI – Video/visually recorded interview
YJCEA – Youth Justice Criminal Evidence Act
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Chapter 1 - Introduction

1.1. Background

Child abuse and neglect is a worldwide public health concern (Bradshaw, 2011; Brown and Saied-Tessier, 2015; Davies and Ward, 2012; Gilbert, Parton and Skivenes 2011; National Research Council (NRC), 1993). As a type of child abuse, Child Sexual Abuse (CSA) is a major public health problem (Assink et al., 2019; Fix et al, 2021) and the type of child abuse most frequently reported to Childline\(^1\) and the National Association of People Abused in Childhood (NAPAC\(^2\)) in England and Wales (Office of National Statistics (ONS), 2020).

Despite some evidence that CSA is decreasing (Finkelhor, 2020), the number of criminal complaints about CSA continues to rise annually in England and Wales. The National Society for Prevention of Cruelty to Children (NSPCC) (2020a)\(^3\) found that there had been a 57% increase in sexual crimes against children recorded by police in England and Wales between 2014/15 and 2019. However, the rate of attrition for CSA cases in the criminal justice system is increasing (Crown Prosecution Service (CPS)\(^4\), 2020; ONS, 2020), meaning that fewer cases proceed to a conclusion where an alleged perpetrator faces a criminal trial.

In 2020, the CPS reported that they had considered 7,181 alleged sexual crimes against children for criminal charge or prosecution in the year 2016/17, this fell to 6,378 in 2017/18 and further reduced to 5,091 in 2018/19. There was an increase (from just under 75% to 79%) in the percentage of those cases considered by the CPS that led to a conviction between 2016 and 2019, but the number of successful convictions fell

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\(^1\) Childline is a helpline for children in the UK run by the National Society for the Prevention of Cruelty to Children (NSPCC)

\(^2\) NAPAC is the UK based National Association of People Abused in Childhood

\(^3\) The UK based National Society for the Prevention of Cruelty to Children

\(^4\) Crown Prosecution Service in England and Wales
by over 1,300 from 2016 to 2019. The reduction in cases being taken forward by CPS would then seem to be at odds with the increase in the police-recorded criminal complaints of CSA.

There is mounting evidence from inspections and research that the criminal justice system is not achieving “good enough” outcomes for child victims and witnesses\(^5\) and that this may be because children are not well supported in their access to the justice process (Criminal Justice Joint Inspectorates (CJJI), 2012; CJJI, 2014; CJJI, 2015; Plotnikoff and Woolfson, 2019).

Aside from their vulnerability, children and young witnesses of today are the adults of tomorrow. Ensuring they have the confidence to report a crime and are then supported to appear as witnesses enabling them to give their best evidence, is clearly central to a healthy and well-functioning criminal justice system. (CJJI, 2012, p.3)

For many child victims of CSA accessing the criminal justice system, one of their first experiences is giving an account of the crime alleged to have been committed against them. Children have a right under Article 12 of the United Nations Convention on the Rights of the Child (UNCRC) to access justice and be heard in criminal proceedings where they are affected. Although the principle of access is supported through international human rights agendas, the reality of children’s ability to utilise justice remedies when they have been abused remains limited (Liefaard, 2019). In England and Wales, children and vulnerable and intimidated adults are supported to give an evidential account for criminal proceedings through an interview process commonly referred to as Achieving Best Evidence (ABE). ABE is supported by a national guidance document\(^6\)\(^7\) that contains advice and recommended procedure on how children should be interviewed to obtain an evidential account for use in criminal proceedings\(^8\). Most ABE interviews are led by police officers and recorded on video, as advised by the guidance (MoJ, 2011; MoJ, 2022). An ABE interview has two distinct purposes, as set out in the Youth Justice and Criminal Evidence Act (YJCEA) 1999. The ABE interview records the evidence-in-chief of a child witness and is used to gain

\(^5\) A child victim may also be considered a child witness if they give testimony. However, not all child witnesses are necessarily victims of a crime

\(^6\) Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and guidance on using special measures (Ministry of Justice, 2011; Ministry of Justice and National Police Chief’s Council, 2022).

\(^7\) The updated version of ABE was published in January 2022, where there have been changes to the 2011 edition, these are noted in the text.

\(^8\)
information for the purposes of pursuing a criminal investigation. ABE interviews may also be used to support a child for safeguarding purposes, meaning that ABE interviews can be utilised in safeguarding investigations and in family court proceedings to provide evidence at a civil level to protect a child (MoJ, 2011). Plotnikoff and Woolfson (2019) found that there was not one area of best practice demanded by the ABE national standards (MoJ, 2011) that was consistently delivered, according to the young witnesses that they surveyed. Standards for planning and conducting assessments for children were inconsistent and poor practice was noted.

Many countries use ABE-type interviewing to take child victims’ statements for criminal proceedings and there is valuable research available across several jurisdictions. Generally, children giving evidence in criminal proceedings is a contentious issue as children have been traditionally presented as unreliable witnesses (Motzkau, 2007). The practice of ABE interviewing of children is also complex (Cross, Walsh, Simone and Jones, 2003; Daly, 2011; NSPCC, 2014; Powell, Westera, Goodman-Delahunt and Pichler, 2016; South-Eastern Centre Against Sexual Assault (SECASA), 2011) and these issues present barriers to obtaining quality evidential statements from children.

It can be seen from the myriad studies into ABE-type interviewing, that practitioners involved in ABE interviews are expected to have a deep understanding of a range of children’s needs and behaviours (Connell, 2009; Buck, Warren, Bruck and Kuehnle, 2014; Lamb, La Rooy, Malloy and Katz, 2011; Motzkau, 2007; Powell et al, 2016). A wide range of individual needs and behaviours that children display must be understood in the context of a probable traumatic situation for a child victim (Lamb et al, 2011; Robinson, 2015). Trauma may emanate from the direct impact of CSA and can also be caused by having to go through the criminal justice process (Webb, 2016). The trauma associated with the criminal justice journey may be such that some children can experience poor ABE interview experiences as abusive (Davidson and Bifulco, 2018). Understanding what causes trauma and how it can be managed through supporting children involved in the criminal justice system, is necessary in order to reduce long term negative impacts on children (Davidson and Bifulco, 2018).

An understanding of trauma is imperative to supporting children to give their best evidence and be a competent witness (Quas, Goodman, Ghetti, Alexander, Edelstein, Redlich and Haugaard, 2005; Lamb et al, 2011; Robinson, 2015). There are calls for a recognition of the need for the criminal justice system to change to take account of the impact of trauma among CSA victims so that access to justice can be furthered.
It is vital that the Criminal Justice System, specifically law enforcement and prosecutors, be not only Trauma Informed but also a catalyst for systemic change in this area. (Webb, 2016, page 183).

Additional support can be offered to children during ABE interviews through social workers, independent sexual violence advisors (ISVAs) and/or registered intermediaries (MoJ, 2011). Social workers can be trained in ABE interviewing and this training is conducted jointly with police officers. Most social workers do not take the lead in the ABE interview of children, although the guidance does not prohibit this (MoJ, 2011). ISVAs provide dedicated support to children and adults who have experienced sexual violence and are particularly involved when there are criminal processes and proceedings. ISVAs are not directly involved in questioning during the ABE interview but they offer support and can be present in the ABE interview room during the process. A registered intermediary provides support based on the communication and support needs identified following an assessment. All the above supports have been assessed as improving outcomes for children involved in ABE interviews (CPS, 2021; HMICFRS, 2019; Krahenbuhl, 2019).

ABE interviews, when conducted effectively, are at the heart of the ability of the justice system to present a case against suspects who may have harmed children (or vulnerable or intimidated adults) and to determine whether those suspects are guilty of a crime. This ability is especially relevant to CSA cases, which invariably do not have any witnesses other than the victim (Hlavka et al, 2010; Lamb et al, 2011). In cases of CSA, it is often the word of the suspect against that of the child victim.

The interviewee’s mind, therefore, becomes the only way to access the crime scene. The interviewer must carefully navigate, collect and evaluate such ‘psychological evidence’ (i.e. interviewee’s memory and accounts), using interviewing as the investigative tool. (Huang and Bull, 2020, page 1)

Correctly establishing the guilt of perpetrators allows for the use sentencing and other measures to prevent further harm to existing victims and reduce the risk of creating additional victims. Children’s access to an effective criminal justice system outcome may be largely dependent on whether they can be supported to make a competent witness statement. Good quality evidence also allows for relevant protective decision making by a court.
During the investigation of criminal CSA cases, there is simultaneously a need to safeguard children with the result that a tension might arise between the needs of the justice system and the needs of children (Katz and Hershkowitz 2013; Saywitz and Camparo, 2013). Where weight is placed on criminal justice outcomes, children may be denied access to supportive services, such as children’s social care (CSC), as a result of not being able to “prove” that they have been victims of CSA. Data obtained by the Centre of Expertise on Child Sexual Abuse (CECSA) (2017) shows a decline by more than one-half in the number of children being placed on child protection plans by CSC in England and Wales for concerns of CSA between 1993/4 and 2015/6. Only 4.3% of all children registered on child protection plans in 2017/18 were registered due to concerns of CSA, and this was the lowest figure across all child abuse categories (CECSA, 2019). The impact of a failure to achieve justice may also lead to a failure to safeguard children.

1.2 The research problem

Children’s access to child-sensitive mechanisms in justice systems is not well covered in current academic research (Liefaard, 2019). The most vulnerable victims and witnesses are not assisted with accessing criminal justice systems (Tishelmann and Geffner, 2010; Victims’ Commissioner for England, Dame Vera Baird, 2019) and systemic change is required to support child victims of violence (Plotnikoff and Woolfson, 2009; 2011; 2019; Webb, 2016). Children cannot be supported to access the criminal justice system unless their needs to overcome the barriers are understood (Webb, 2016), and an understanding of a child’s situation can best be framed using an assessment process (Fiore, 2012).

A lack of assessment of children and poor planning for ABE interviews are contributing to a continuing failure to achieve justice for children who are victims of CSA (Davidson and Bifulco, 2018). There is a considerable amount of research into ABE interviews that addresses problems associated with the practicalities of the process, such as questioning, and a relatively small amount that focuses on child development and meeting children’s needs during ABE interviews. This is despite this gap being recognised consistently across a period in inspections and research (CJJI, 2012; CJJI, 2014; CJJI, 2015; Plotnikoff and Woolfson, 2019).

There is … substantial research material on methods of questioning children and children’s response to potentially trauma-primed responses in the interview
situation. A synthesis of the literature points to ways of achieving best evidence in the investigative interview while still attending to the child’s emotional state and developmental level. Greater or more consistent attention to this during the ABE interview could result in better quality evidence with implications for lower rates of discontinuance of cases. (Davidson and Bifulco, 2018, p. 148)

There is literature to support the view that there may be benefits to taking an approach to work with children that considers how their needs might be met whilst engaging with them during the justice process (Plotnikoff and Woolfson, 2009; 2011; 2019). When considering this principle in the context of ABE interviews with children, an appropriate welfare response, one that demonstrates empathy and compassion, has benefits for the collection of evidence by the police and for the prosecution of CSA cases (Davidson, Bifulco, Thomas and Ramsay, 2006; Powell et al, 2010; Hershkowitz, 2011; Malloy, Brubacher and Lamb 2011; MOJ, 2011; Faller, 2014; Allnock, 2015; Beckett and Warrington, 2015).

ABE interviewing is the most studied area of criminal justice involving children (Allnock, 2015). Notwithstanding a plethora of research, there has been little attention given to the effectiveness of ABE interviews in practice and the potential for improvement. There are multiple criticisms of poor quality ABE interviews, the negative consequences for children and the criminal justice system (Allnock, 2015; Bunting, 2011; CJJC, 2014; Katz, 2013; NSPCC, 2014) and an acknowledgement that lack of planning is a factor in poor ABE outcomes (CJJI, 2012; CJI 2014; MoJ, 2011).

There are no studies that focus on the assessment of child victims' and witnesses' needs as part of effective planning for ABE interviewing. There is limited research that considers organisational and practitioners’ views and beliefs about ABE-type interviewing practices, including a lack of practitioner input about assessment and planning for ABE interviews of children. Including practitioner perspectives is known to be important in understanding the impact of interviewers’ approaches to ABE interviewing (Fessinger and McAuliff, 2020). This research responds to the gap in knowledge about the reasons for failure to assess and plan for ABE interviews of children involved in CSA criminal cases

1.3. Research aim and questions
The overall research aim was: To understand the process of planning and assessment in ABE interviews of children and to what extent it brings about justice
To achieve this aim, the study explored five research questions:

i) What is current practice across policing services in England and Wales with regard to the assessment of, and planning for, children’s needs when a child victim of suspected CSA is to be subject to an ABE interview?

ii) What knowledge and guidance do police officers use when conducting ABE interviews with child victims of CSA?

iii) How do police officers implement knowledge and guidance about assessment and planning in ABE interviews with child victims of suspected CSA?

iv) What role do professional support workers play in ABE interviewing, planning and assessment of child victims of suspected CSA?

v) What is the experience of child victims of suspected CSA who have given ABE interviews?

1.4. Structure of the thesis
Chapter 2 provides a critical review of the relevant literature that forms the backdrop to this study. The literature review covers what is known about child abuse and how child abuse is managed in the child protection and criminal justice systems. The literature review explores what is known about ABE approaches and research contributions to the development of ABE practice. The chapter reviews relevant interprofessional working and how trauma informed knowledge is currently applied in ABE practices. The chapter concludes by outlining the gaps in research related to ABE assessment and planning and how the current study aims to address these gaps.

Chapter 3 describes the methodology of the present study. It focuses on the real world approach that lent itself to a mixed, but mainly qualitative research design. The methods that were engaged are fully explored and detailed. Chapter 3 reports in depth on the research approach, design and plan, samples, data collection and analysis procedures utilised in the study.
Chapter 4 reports on the findings of the present research and describes in detail the evidence obtained. Chapter 4 structures the findings to consider trends in ABE interviewing and the variables considered, police officers use and implementation of knowledge and guidance, multi-disciplinary contributions to ABE interviews, assessment and planning and children’s experiences of the criminal justice process as suspected victims of CSA.

Chapter 5 provides a discussion based around the above findings. This chapter considers the main themes emerging from the study and critically reflects on the significance of these findings highlighting the study’s original contribution to knowledge. The limitations and strengths of the research are also addressed in this chapter.

Chapter 6 contains the conclusions from the present study. This chapter summarises the implications of the key findings and presents recommendations emerging for policy practice and future research.
Chapter 2 - Review of the Literature

2.1. Introduction

Every child has the right to health and a life free from violence. Each year, though, millions of children around the world are the victims and witnesses of physical, sexual and emotional violence. Child maltreatment is a huge global problem with a serious impact on the victims’ physical and mental health, well-being and development throughout their lives – and, by extension, on society in general. (World Health Organization, 2006, page 1)

Child abuse and neglect is a serious public health issue (Brown and Saied-Tessier, 2015; National Research Council (NRC), 1993). In the UK, the National Institute for Health and Care Excellence (NICE) (2017) has called for research into several areas of child abuse. Child abuse research is particularly complex, requiring input from an array of disciplines and professions, whilst acknowledging that systems, ethics, methodologies and outcome analysis all impact further on the complexity of the subject (NRC, 2014).

There are five key areas addressed in the literature review. The first sets out the context of child abuse in society generally and why it is considered a social and public health problem. The second part describes and explores the effectiveness of the response by services in England and Wales to child sexual abuse (CSA). These two areas provide the framework for the third section, Achieving Best Evidence (ABE) interviewing, which is then considered in light of current published knowledge with specific reference to planning and assessment components. The fourth section considers the professional actors involved in ABE interviewing, how they work, and the challenges and benefits identified by the current literature. The fifth section explores the concepts of trauma informed working practices, the contribution to justice and justice outcomes for children, as these issues frame the study. The summary of this chapter will deal with the gaps identified by the review of literature and outline how these influenced the research questions for this study.

2.1.1. Categories of child abuse

Child abuse and neglect is understood relatively consistently across countries with welfare services for children that are well established (Anonymous, 2015; Department for Education (DfE), 2018; Child Welfare Information Gateway, 2013; Gilbert Parton
Four major categories of child maltreatment can be identified: physical abuse, sexual abuse, neglect and emotional abuse. Most forms of physical and sexual abuse, and neglect, would also be considered to have a component of emotional or psychological harm (DfE, 2018; Davies and Ward, 2012). Professional, public and political influences have altered categorisations, as witnessed with the change in the late 1970’s, which resulted in the emergence of an official category of child sexual abuse (CSA) (Finklehor, 1979). Child abuse categories may reflect societal concerns about specific issues, for example, in the World Health Organisation (WHO) (2014) definition where child sexual exploitation (CSE) is considered as a separate category of child maltreatment. It is not universally accepted that CSE should be regarded as a separate category from CSA, Smith et al (2015) suggest that CSE should not be separated out and should be considered simply within the framework of CSA. This discussion around CSA vis a vis CSE took place in the background of a high profile public and political focus on large-scale CSE in the UK (see for example Lynch, 2014, Casey, 2015 and Jay, 2014). Issues relating to child abuse and neglect are ever present. High profile cases place the issue in the public and media spotlight and often focus on the efficacy of agencies in the child protection and criminal justice systems to respond appropriately (Warner, 2015). The changes and discussions around definitions and categories are important as they demonstrate how typologies of child abuse can develop as society becomes more knowledgeable and/or concerned about specific issues

In child abuse cases concerning the most serious offending against children, there may be little separation between types of abuse, resulting in the need to consider the whole of a child’s experience in order to understand the abusive framework in which harm has taken place (Reder, Duncan and Gray, 2005). Severe physical assault and neglect in the home may contain elements of serious sexual harm (see, for example, Garboden, 2008). The case of Peter Connelly (also referred to as “Baby P”) concerned a 17 month old child who died from multiple injuries. In the same house as Peter, there lived a 15 year old girl who was residing as the “girlfriend” of the adult lodger. A criminal trial in May 2009 that found that Peter's two year old sister was the victim of CSA during the same time that Peter was being abused. These two children were the victims of CSA by the same perpetrators as those who inflicted the physical injuries on Peter. This case demonstrates the sometimes complex nature of child abuse and the need to understand that categories of child abuse can only go so far in managing the complexity.
CSA incorporates a range of issues, such as CSE, making children and young people view or take part in sexual acts, and the creation of illegal/indecent images of children (IIOC) amongst other concerns (Child Welfare Information Gateway, 2013; DfE, 2018; WHO, 2014). There have been notable concerns that children in care and those living away from home for other reasons may be maltreated in a culture of sexual and physical violence quite different to that of children abused in family homes (Gallagher, 1998; Waterhouse, 2000; Utting, 1997). Waterhouse (2000) found high levels of sadistic sexual and physical abuse by groups of professionals charged with the task of caring for vulnerable children.

Knowledge of how children become victims of violence also develops over time as academics and practitioners seek to share how best to address the issues of victimisation (Cooper, 2014; Finklehor, 1979). Knowledge development supports the generation of both general and specific guidance for practitioners working with children.

2.1.2. Incidence and prevalence of child abuse

When it comes to understanding the extent of child abuse, including the frequency, duration and types of abuse to which children are subject, there are several issues to be considered. In part, because of the sensitivity and complexity of the subject matter, the collation of reliable information can be challenging (NRC, 1993; 2014). Incidence studies count the number of times that child abuse has occurred whilst prevalence studies consider the proportion of individuals who have experienced child abuse. There are issues with both measures in terms of their reliability. These issues relate, in part, to levels of reporting and the collecting of information, particularly when there may have been a long time period between incident(s) and recollection (Bradshaw, 2011; CCfE, 2015). Attitudes to what constitutes abuse may also affect study findings, because what reaches a threshold for abusive behaviour towards children changes over time (May-Chahal and Cawson, 2005).

Prevalence studies about child abuse are difficult to compare, as definitions, methodologies, culture and awareness can be quite different for the participants involved in various studies (Bradshaw, 2011; Davies and Ward, 2012). Even comparisons between research that uses similar methods, such as UNICEF’s Violence Against Children (VAC) studies, which consider a range of international responses to child violence, presents challenges (Bradshaw, 2011). Generally, it is uncommon for child abuse to be reported (Bradshaw et al, 2011; Cawson et al, 2000; Creighton,
2004), meaning that both incidence and prevalence may be underestimated. Criminal recording methods also mean that issues of child abuse are difficult to distinguish when children are victims of some crimes, affecting the ability to assess prevalence. For example, with regards to child homicide, other forms of abuse as a factor in child fatality are not easily established (Bradshaw et al, 2011).

Some studies involving adult participants have shown an overall decrease in reports by adults who experienced abuse in childhood (Davies and Ward, 2012; Radford et al, 2011). This could be indicative of a general decline in child abuse, or it could reflect that victims are more likely to report abuse as children and it may point to an improvement in professional responses. However, there are increasing reports of CSA by children giving rise to an estimated 10,000 additional victims of CSA year on year in the UK (CEOP, 2013). Children’s social care responses in England, particularly to intrafamilial CSA, do not identify, or provide for the needs of children (McNeish and Scott, 2018), and may, as a result, mask a problem of increasing CSA. The Children’s Commissioner for England (CCfE) estimated that only one in eight children who have been sexually abused come to the attention of the authorities (CCfE, 2015). However, it is difficult to point with clarity to an increase in CSA overall in England and Wales. A lack of prevalence surveys - that could provide a reasonably reliable measure of the extent of CSA - impacts on the ability to understand the current picture of CSA. It is possible that increased reporting of CSA by or on behalf of children could be indicative of increased CSA occurrence or of increased awareness of the CSA problem. It is generally accepted that the statistics on CSA do not allow for a full understanding of how many children are, or have been, victims of CSA or what the scale or impact of that CSA may be on them (Office of National Statistics (ONS), 2020).

2.1.3. Public inquiries
In seeking to understand the context and prevalence of child abuse, public inquiries play an important role. Since the high-profile case of child death within the family home in the UK in 1973 concerning Maria Colwell, there have been many inquiries (Butler and Drakeford, 2011) resulting in findings that improvements in Children’s Social Care (CSC) can contribute to addressing child abuse (Parton, 1981; Warner, 2013). Intrafamilial sexual offences have not traditionally been as widely addressed in public inquiries as CSA has in large-scale inquiries, such as those in Cleveland (Butler-Sloss, 1988), Orkney (Clyde et al, 1992) and North Wales (Tribunal of the Inquiry into child abuse in North Wales and Waterhouse, 2000). However, the Independent Inquiry into Child Sexual Abuse (IICSA) set up in March 2015 to examine CSA in England and
Wales with the remit of investigating where organisations have failed to protect children from CSA resulted in recommendations that affect CSA policing (Jay et al., 2018). These included an inspection of compliance with the Victims’ Code; ensuring CSA standards for chief officers in policing; abolition of the rule that disapplied CSA cases if they were reported after 12 months of occurrence; and an increase in public expenditure on CSA victims. The improvement of CSA based policing is then a key area for government intervention.

2.1.4. Familial child abuse
Several studies and inquiries have examined the living circumstances of children who have been abused, and have suggested that most children who are abused, with the possible exception of those who are sexually abused, are maltreated in their own homes by their parents, carers and other relatives, including their siblings (Cawson et al., 2000; Australian Institute of Family Studies, 2014; CCfE, 2015). Radford et al (2011) found that most children reported abuse at the hands of another child. In the same report, where adults from outside of the family home were found to be perpetrators of child abuse, these adults were not necessarily known to the victims - slightly less than one-half were reported as being strangers to the child (Radford et al., 2011). Whatever the living circumstances in which the abuse took place, most perpetrators of severe child abuse were found to be male (Radford et al., 2011). Girls are more likely than boys to be the victims of “severe” (Radford et al., 2011, p7) abuse, although overall rates of abuse where perpetrators were parents or guardians were similar between genders. Evidence also suggests that familial abuse is less likely to result in a disclosure of CSA (Cashmore and Shakel, 2014).

2.1.5 Abuse outside of the home
As well as child abuse that occurs in the family home, there is well documented evidence of abuse by those in positions of trust (Pilgrim, 2012; Sullivan and Beech, 2002; Waterhouse, 2000; Gallagher, 1998) as well as those who acted in concert (Casey, 2015; Jay, 2014), those who travelled to perpetrate abuse, and those who used technology to groom and abuse children (Child Exploitation Online Protection Centre (CEOP), 2013). Abuse outside the family home is more likely to affect boys and where there may be some loyalty to a perpetrator, such as in a religious setting, a disclosure is less likely, and impact is more severe (Cashmore and Shakel, 2014). Cashmore and Shakel's (2014) found that loyalty to familial and other perpetrators is a key issue in likely disclosure of CSA but there is little further understanding of how such relationships are taken into account when ABE interviewing children.
2.1.6. Polyvictimisation and revictimisation

Bradshaw et al. (2011) referred to children who experience multiple episodes of abuse as being victims of “more of a condition than an event” (p.206). Children can experience more than one form of abuse - a phenomenon known as “polyvictimisation” which is likely to lead to poor mental health that continues into, and worsens through, adulthood (Radford et al., 2011). Victims of childhood sexual abuse are likely to be sexually revictimised later in life. Ullman et al. (2009) found that in adulthood, CSA victims were more likely to suffer post-traumatic stress disorder (PTSD), and that the symptoms of PTSD were a direct prediction of revictimisation as an adult. Young women who have been victims of CSA were also found to be more likely to engage in substance and alcohol abuse that increased chances of additional mental health concerns and revictimisation (Culatta et al., 2020; Ullman et al., 2009). Being a victim of sexual abuse on more than one occasion means that case attrition in the criminal justice system is even more likely (Wager et al., 2021). Thus, the impacts of polyvictimisation and revictimisation result in significant negative consequences for individuals and health and justice systems.

As with abuse more generally, polyvictimisation is more likely to apply to children in lower socioeconomic groups (Finkelhor et al., 2007; Sidebotham and Heron, 2006). Children with disabilities and those in families where parents have their own psychosocial challenges, such as substance misuse, intimate partner violence or mental health problems, are also likely to experience polyvictimisation (Reid and Burton, 2018). Just as victimisation heightens the risk of further victimisation (Bradshaw et al, 2011), so polyvictimisation can lead to further polyvictimisation (Finkelhor et al, 2007). Noting the impact of concurrent and consecutive forms of child abuse assists in furthering the understanding of the complex nature of child abuse. Having well developed systems for recognising and responding to these cases is therefore morally important from a social justice perspective, but also central to minimising impacts on health and wellbeing now and in later life.

2.1.7. Black and minority ethnic children

The prevalence of abuse in black and minority ethnic families is no higher than in other families, yet black children are overrepresented in the care system (Bradshaw et al, 2011). The over representation of black and minority ethnic children in the childcare system (Bradshaw et al 2011; Connelly et al, 2006) suggests a negative cultural bias leading to inappropriate interventions. Researchers from Barnardo’s, the UK children’s
charity (Fox, 2016), found that children from black and minority ethnic background or children with disabilities were not considered as potential victims of certain types of child abuse, particularly CSE. Some black and minority ethnic children then may be wrongly identified as child abuse victims in some circumstances, yet not rightly recognised as victims in other situations. These issues demonstrate the need for a deeper understanding of child abuse in respect of the individual child’s experience that can be gathered through a needs assessment (DoH, 2000).

2.1.8. Effects of child abuse
The impacts of child abuse are seen in the immediate, and longer term, physical and emotional effects on children including, on occasion, fatalities (Cooper, 2014; NSPCC, 2020b). In addition to physical and sexual harm, psychological trauma caused by child maltreatment can last into adulthood, affecting adult mental health and relationships (Clemmons et al, 2007; Davies et al, 2001; NSPCC, 2020b; Ullman et al., 2009). The costs of anti-social behaviour, substance addiction, mental health issues and poor parenting, which can result from child abuse, constitute a major public health issue (Bradshaw, 2011; Brown and Saied-Tessier, 2015; Davies and Ward, 2012; Finklehor, 1979; Gilbert et al, 2011). There is acknowledgement of the longer-term effects of child abuse on children’s brain development, specifically in infancy and the preschool years (Child Welfare Information Gateway, Children’s Bureau/ACYF, & United States of America, 2009; Shonkoff and Phillips, 2000). “[M]ultiple, diverse, chronic and repeated” (Smith et al, 2002, page 148) episodes of abuse can lead to a perceived or real threat to survival. Where there has been such a threat to survival, in some cases, this resulted in long-term adverse psychological outcomes due to PTSD (Smith et al, 2002).

A greater understanding of the intergenerational consequences of abuse in childhood through the study of epigenetics (Labonte et al, 2012), is developing. Epigenetic studies demonstrate how genes are altered by abuse and passed down to child victims’ own children, and through subsequent generations, resulting in hereditary consequences. Assink et al. (2018) showed that the incidence of child abuse in families where parents had been victims may be as high as three times that of families where parents had no history of abuse. Assink and colleagues (2018) did, though, recommend caution in the use of their data owing to small sample sizes and the risk of bias in the data collected. It is not clear from the epigenetic-based research whether treatment post abuse positively affects the intergenerational pattern alluded to by the above studies.
There is then a significant financial cost to most societies as a result of child abuse, and this is evidenced and recognised nationally and internationally (Wada and Igarishi, 2014; WHO, 2014; Cooper, 2014; Wiley, 2009). This cost includes increased poverty, unemployment and use of health services (Zielinski, 2009), poor quality of life and early mortality among adult survivors (McCarthy et al, 2016). The role of public services in contributing to the management of the impact of violence against children (WHO, 2002), and to the prevention of violence is therefore significant (Krug et al., 2002). The identified consequences of child abuse suggest there is a need to deal with child abuse more effectively to prevent life-long adverse effects for victims and potentially for subsequent generations. It is less efficacious to have a primary focus on reactive responses in terms of providing treatment for child abuse victims after the event, which is arguably more expensive, and less desirable and effective, than preventing abuse in the first instance (Gray and Bentovim, 2015). Prevention of CSA includes the management of perpetrators so that further harm is not caused. There is therefore a need to deal more effectively with CSA to manage these personal and societal costs. The consequences of CSA for individuals, families and communities can be seen to be potentially far reaching and ways to ensure justice outcomes and provide relevant services to address the effects are imperative.

2.1.9. Technology based CSA

A further impact on the understanding of CSA is the ability to address newer threats, such as online-based CSA, which are not measured effectively enough to understand the impact on prevalence or incidence (CECSA, 2017). Concern has been expressed for children who have been groomed into creating indecent/illegal images of children (IIOC). There is evidence to suggest that perpetrators of IIOC involve younger and more vulnerable children in the making of IIOC (CEOP, 2012, CEOP, 2013). The NCA also found evidence that networking by offenders online resulted in more severe levels of offending behaviour leading to more sadistic, and therefore more harmful, practices to children who are subject to IIOC and/or live streaming of CSA\(^9\) (NCA, 2020). Children may be put at greater risk through being exposed online to offenders other than the perpetrator of the IIOC. IIOC can remain online for a child’s lifetime increasing the frequency and duration of a child’s exposure to offenders (CEOP 2012). It is not usual for children to make disclosures about CSA, and this is also true in cases where children are victims of technology facilitated CSA (Townsend, 2016); even where

\(^9\) Live streaming CSA is CSA shown online live following a request from a perpetrator. Usually, the perpetrator pays a facilitator (or sometimes a child) to perform illegal sexual activity.
children were discovered to be involved in images they often could not speak about their experiences (Jones, 2007).

There is much variation in the evidence about reoffending rates for perpetrators of IIOC and the risk of contact offending by those who use IIOC, but there is no doubt that the prevalence of online sex offending is increasing (Brennan et al, 2019). In considering justice outcomes for perpetrators, it is notable that the use of treatment programmes for those classified as “low risk” offenders may be counterproductive and lead to increased, as opposed to decreased, risk of reoffending (Brennan et al, 2019). Managing offenders also means gaining quality evidence from CSA victims that allows for case progression through the justice system, this applies to victims of technology related offending as well as offline CSA.

2.1.10. Organised child sexual abuse and exploitation (CSAE)

Large scale child sexual abuse and exploitation (CSAE) cases such as that described in the Alexis Jay (2014) and Louise Casey (2015) reports are a form of organised crime in the UK understood as a form of modern slavery (NCA, 2020) but pose particular challenges for criminal justice systems. For example, the complexities of investigating CSAE some years after the events are numerous. The Metropolitan Police Service, in its Operation Midland, investigated several non-recent complaints that centred on allegations of serious child abuse and murder by politicians. The police later dismissed the allegations due to a lack of evidence (Syal and Laville, 2016) highlighting the importance of ensuring procedures are in place to provide quality evidence. In his official inquiry concerning Operation Midland, Sir Richard Henriques criticised the Metropolitan Police Service for a lack of understanding about balancing the belief of complainants’ allegations and investigating CSA cases with an open mind (HMICFRS, 2020). A subsequent court case was brought against the adult complainant who, from 18 years of age onwards, was believed to have lied about his experiences. The adult complainant was convicted of perverting the course of justice, fraud and downloading IIOC. In his sentencing remarks, Mr Justice Goss noted the potential impact of the offences on the justice system and public confidence in those victims telling the truth about CSA (R v Carl Beech [2019] T20187624). Cases such as these impact upon the way in which CSA victims and survivors are perceived in terms of reliability. The failure of cases at this level, and with such a public profile, may also lead to a drop in the number of complainants coming forward in the future as they consider themselves unlikely to be taken seriously (HMICFRS, 2020).
2.2. Responding to child abuse

In the UK, about one in five children will experience some form of child abuse at some point in their lives (Jutte et al., 2013). In England and Wales, where there is a concern that a child has, or is likely to suffer, significant harm the Children’s Act 1989, section 47, allows for an investigation to be undertaken by police and/or children’s social care as a single or joint agency response. About one-half of all children who are subjects of a section 47 investigation will become the subject of a child protection plan (Davies and Ward, 2012), which means that a formal plan will be put in place to address the harm they are at risk of experiencing (DfE, 2018). There was a regular annual increase in the number of children who were subject to child protection plans in the UK from 2014 – 2018. But from 2019 - 2021 this figure decreased annually, and there was a steady decline for CSA based child protection plans (NSPCC, 2021a). The process for investigating child abuse is then laid out in legislation and involves two primary agencies, children’s social care and police. Other agencies, such as health and education, also contribute to safeguarding children. It is imperative that the agencies work effectively together to ensure that children are safeguarded (DfE, 2018).

2.2.1. Multi agency cooperation

The task of protecting children from abuse is complex and necessitates a diverse range of services. The interconnected relationships between services are considered essential to achieving good outcomes for children (Cooper at al., 2014; Francis, 1994; Lonne et al, 2015; Munro, 2010). Public inquiries into child abuse in the UK have shown that, in part, a lack of working together has been responsible for major failures to protect children and in some cases, this has resulted in child fatalities (Laming, 2003; Reder et al, 1993). There is evidence to suggest that professionals working in the child protection system often do not understand the work of other disciplines or partner agencies (Finklehor, 2005, Francis, 1994; Ham et al, 2020; Ofsted, 2020; Wiley, 2009), nor is there a good comprehension of the levels of risk to which children may be exposed (Gilbert et al, 2009; SCIE, 2016). The UK government response to the gaps in professional knowledge has been to focus on the development of successive policies and legislation that have been deemed critical in addressing the issue of child protection concerns, and preventing child death and serious injury (DfE, 2018; Gilbert et al, 2011). The responsibility of agencies to work in cooperation has been enshrined in the England and Wales Children Acts of 1989 and 2004. The Children Act 2004 requires that agencies, including the police and the National Crime Agency (NCA) undertake their day-to-day functions having regard to child safeguarding needs.
Guidance such as “Working Together” has been prescriptive about individual and inter-agency responsibility in child protection in England and Wales since its first edition in 1999. However, despite these attempts to compel agency and professional cooperation, difficulties remain with working across disciplines in child abuse cases with calls for a statutory capability to hold agencies to account where cooperation is an issue in child protection cases that have negative outcomes (Jones and Blyth, 2016).

During a joint investigation under section 47 of the Children Act 1989, when child abuse is alleged, both police and children’s social care have distinct responsibilities. Social care is responsible for taking the lead on the investigation of the likelihood of significant harm and the police lead on the criminal investigation. A primary responsibility of the police is the collection of a child’s evidence-in-chief and other information for the criminal investigation (Ministry of Justice (MoJ), 2011; 2022). A key challenge in collecting children’s evidence is the ability of children to participate in criminal justice processes because the system does not support their needs (Tishelmann and Geffner, 2010; Victims’ Commissioner for England, Dame Vera Baird, 2019; Plotnikoff and Woolfson, 2019; Webb, 2016). There is a consistent lack of progress in children’s evidential collection (HMICFRS, 2019; ONS, 2020; Plotnikoff and Woolfson, 2019) and these issues are further explored below.

2.2.2. Children’s evidence in the criminal justice system

Criminal justice systems exist to punish, deter and rehabilitate offenders (Patterson, 2012), to protect the vulnerable and assist victims (Smartt, 2006). Effective undertaking of this function depends on the quality of evidence put together to inform the judicial process. Evidence from investigative interviews, and how it is collected, contributes greatly to a fair and just process in the justice system (Oxburgh et al, 2011). Testimony elicited from investigative interviews is used to establish facts for the police investigation and subsequent court proceedings (MoJ, 2011; 2022). It is essential then that evidence be obtained fairly, and guidance and regulations are an important part of supporting a robust fact-finding process. In England and Wales, the way in which the evidence is obtained for vulnerable and intimidated witnesses, including children, is subject to the Ministry of Justice (2011; 2022) guidance “Achieving Best Evidence in Criminal Proceedings. Guidance on interviewing victims and witnesses, and guidance on using special measures”, is commonly referred to as ABE guidance.

(Working Together to Safeguard Children - A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children) (DfE, 2018)
Following a CSA investigation, a case may be taken through criminal proceedings in England and Wales if there is enough evidence to suggest that a prosecution is realistic and that it would be in the public interest (CPS, 2016).

2.2.3. Outcomes for child victims of CSA
The effectiveness of the criminal justice system in terms of success for child victims of CSA is reflected in the extent to which the criminal proceedings bring about fair and appropriate outcomes in terms of prosecution (or not). Jehle (2012) describes attrition in the justice system as the “loss” of a case at any stage between a report being made to police and the conviction of an offender (page 145). Criminal justice outcomes for children involved in CSA cases are deemed poor because many cases result in high rates of defendant acquittal and/or case attrition through other means (Allnock, 2015; Beckett and Warrington, 2015; Cross et al, 2003; Daly, K. 2011; Plotnikoff & Woolfson 2009; Plotnikoff & Woolfson, 2011; Radford et al, 2011; South Eastern Centre Against Sexual Assault [SECASA], 2011). Some authors have suggested that CSA case attrition may be due to a police focus on the investigative stage of the CSA process as opposed to evidence collection for proceedings, and this may undermine the ability of subsequent judicial proceedings to establish robust conclusions (Carnwell, 2008; Hood and Boltje, 1998; Wiley, 2009). There is also a concern that this focus on investigation has a negative effect on the ability to ensure that the needs and rights of children are adequately considered throughout the process (Carnwell, 2008; Hood and Boltje, 1998; Wiley, 2009). An inspection of the England and Wales system supported this view (CJJI, 2014). Because of a primary focus on the CSA investigation, Green (2006) has further argued that a consequence for child victims was that they did not receive adequate support or aftercare following CSA investigations. A lack of coordination between CSA investigators and other justice system stakeholders, coupled with a poor understanding of the role of the justice system on the part of investigators, has been said to generally lead to poor justice outcomes for children (Sheehan, 2010; Wiley, 2009). In the case of CSA cases the evidence to be relied upon is mainly the victim and suspect testimony, and little additional evidential material is usually available (Howe and Knott, 2015). These factors make investigation and evidence gathering for child victims of CSA a particularly challenging area of practice (CJJI 2012; CJJI, 2014).

2.2.4. Prosecuting CSA cases
The Crown Prosecution Service (CPS) prosecutes the defendant in a case based on the evidence collected in the police investigation, this includes the testimony of the
child gathered in the ABE interview. The decision to prosecute is based on the three tenets of evidential, threshold and public interest tests (CPS, 2016; Smartt, 2009). The CPS must ensure that a case is in the public interest. Public interest tests should arguably consider the rights of children to be heard as victims within the justice system, this is turn means that their evidence needs to be presented to the best possible effect. Consideration of public interest must also include seriousness, culpability and the circumstances of a case, such as discrimination towards, or the vulnerability of, the victim (CPS, 2016). Despite an emphasis on public interest and several inspections recommending better practice by police and CPS (CJJI 2012; 2014; 2015), the rate of prosecution of CSA cases fell by 18% in 2019 (ONS, 2020). Most CSA cases that failed to proceed through to trial or conviction did so as a result of lack of evidence (ONS, 2020). However, the ONS also reported that this lack of evidence was only part of the reason why CSA cases were not successfully prosecuted. In addition, the CPS recognised that more work needed to be done jointly with the police to rectify this high attrition rate (Crew, 2020). An area identified for improvement is early investigative advice (CPS, 2017). The CPS may offer the police advice at different stages as to whether a case meets the criteria to formulate or support a particular charge under certain legislation (CPS, 2017). The provision of early investigative advice, which is recommended in CSA cases (MoJ, 2011; 2022), was often not sought or provided and this was noted to result in poor decision making about whether cases were effectively progressed (CJJI, 2014; HMCPSI, 2016). Provision of early investigative advice can contribute to better planning of ABE interviews of children.

2.2.5. Child victims and witnesses

Where the victim is a child, it is considered that in most cases there is a clear case for a prosecution to be brought in the public interest (CPS, 2017; Smartt, 2009) but despite this, cases involving child victims that result in prosecution or conviction are declining at a significant rate (NSPCC, 2022b). Children who are victims of CSA have a right and need to access justice (Katz, 2013; Raeder, 2010). Article 12 of the United Nations Convention on the Rights of the Child (UNCRC), states that:

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose the child shall in particular be provided the opportunity to be
heard in any judicial and administrative proceedings affecting the child, either
directly, or through a representative or an appropriate body, in a manner
consistent with the procedural rules of national law.

Many children who appear in court are victims of crime and most children who give
evidence as witnesses do so on behalf of the prosecution (Plotnikoff and Woolfson,
2011). In order to access their rights and justice outcomes, children are likely to require
tailored support, both as victims and witnesses in the criminal justice system (Plotnikoff
and Woolfson, 2019). Tailored support necessarily means consideration of individual
children’s needs and plans designed to elicit their best evidence.

Arguably, one of the most effective ways to fulfil Article 12 of the UN Convention is to
assist a child in being able to participate effectively in an ABE interview. However, ABE
interviews are not achieving justice for children as evidenced by case attrition figures
(NSPCC, 2022b; ONS, 2020) and children themselves report that they do not obtain
justice outcomes nor are they treated in a way that would support them to participate
in the criminal justice system as witnesses as well as victims (CCfE, 2015; McNeish
and Scott, 2018; Plotnikoff and Woolfson, 2004; 2007; 2009; 2019; Warrington et al,
2016).

There are indications that the way in which children are treated in the justice system
leads to CSA victims withdrawing from the criminal investigation process (CJJI, 2015),
which constitutes a disservice to both the justice system and children alike. The CCfE
(2015) noted that there was a need for greater commitment from government and
agencies in prioritising a response to sexual harm in childhood and called for
“processes for the investigation of sexual abuse to be improved to minimise their
[negative] impact on children and maximise their effectiveness” (page 2). Despite a
consensus that children require support as victims of crime, Blackstone (2009) argues
that the legal system should be more concerned with the presumption of innocence for
the defendant than with the needs of children affected by CSA. The following sections
critiques the theory and practices that affect children’s ability to be heard in judicial
proceedings. This is necessary if the barriers to child participation at many levels are
to be addressed (Day et al., 2015).

2.3. ABE interviewing of children

In 1989, the Home Office published The report of the Advisory Group on Video
Recorded Evidence (Advisory Group on Video-Recorded Evidence, & Pigot, T., 1989),
commonly referred to as the Pigot report. The report advised the use of video recorded evidence for children. This approach to giving evidence via the ABE process supports children’s needs and rights by avoiding the repeating of accounts of traumatic events during the police investigation and in subsequent court proceedings (Bull, 2014). Guidance to support the recommendation for video recorded testimony came in the publication of the Memorandum of Good Practice (MOGP) in 1992 (Home Office, 1992).

2.3.1. The development of ABE interviewing in England and Wales

In 1998, a review of the support for vulnerable and intimidated victims and witnesses involved in the justice system resulted in the Speaking Up for Justice report (MoJ, 2011; 2022), which informed the Youth and Criminal Evidence Act 1999 (YJCEA) (Home Office, 1999). The Act responded to recommendations to support the giving of evidence in criminal proceedings by those considered to be vulnerable or intimidated. The supports that were introduced by the Act are known as special measures. All children under 18 years of age are automatically entitled to special measures provisions (CPS, 2019) by virtue of the YJCEA. One of the special measures introduced was the ability for those who met the criteria of being vulnerable or intimidated witnesses to have their evidence recorded. Although the purpose of ABE guidance (MoJ, 2011;2022) was to cover both criminal and civil proceedings and investigations, at the time of writing almost all ABE interviews of children in the UK are undertaken solely for use within the criminal justice system. Around 40,000 children give evidence each year in the criminal courts in England and Wales, as opposed to very few children who give evidence via ABE interviews in the family courts (E (A Child) [2016] England and Wales Court of Appeal (EWCA) Civ 473). ABE interviews and other special measures should be made available to vulnerable victims and witnesses in civil courts (including family courts) (Civil Justice Council, 2020) . Arguably not to do so risks undermining the rights of vulnerable witnesses and victims and potentially causing harm through repetition of testimony and/or inappropriate questioning by untrained advocates (Jay et al., 2018). Furthermore, it could be argued that because social workers are more involved in civil (particularly family) courts, that greater involvement with ABE interviews would increase their expertise and experience.

2.3.2. The quality of ABE interviewing

A review of benefits of MOGP, almost a decade after implementation, found little effect in improving the quality of outcomes associated with reliable information gathering (Stemberg et al, 2001). Many more recent studies and inspections evidence a
continued lack of improvement in outcomes associated with the ABE interviewing of children (CJJI, 2012; CJJI, 2014; CJJI, 2015; Plotnikoff and Woolfson, 2019). In the latest summary of child protection practice across policing in England and Wales in 2019, HMICFRS reported that ABE interviews conducted solely by police were of vastly inconsistent quality. Few ABE interviews were rated as ‘good’, and a number were rated as ‘poor’. These findings demonstrate the continued inability to make progress in the practice of ABE interviewing for children. Despite nearly three decades of video-recording evidence designed to improve outcomes for children in criminal cases, and the production of vast research on the topic (Allnock, 2015), there is little to no improvement in criminal justice outcomes for child victims of CSA with climbing attrition rates and fewer convictions year on year (CPS, 2020; ONS, 2020).

2.3.3. Influences on ABE interviewing

Studies about CSA have drawn upon both psychological and sociological perspectives as well as incorporating other influences, such as feminist theory, to assist in the understanding of the subject (Goldman and Padayachi, 2000). Traditionally, research into ABE-type interviewing was mainly influenced by developmental psychology approaches, and to a lesser degree by sociology-based studies (Lamb, 2015). Lamb (2015) notes that children were considered to be unreliable witnesses, and this had led to a plethora of studies designed to change that perspective and provide advice to ABE-type interviewers for better management of children’s testimony.

…developmental psychologists can claim considerable credit for attempts over the last 2 decades to ensure that investigative interviews of alleged victims are conducted in developmentally appropriate ways (Lamb, 2015, page 690)

In rightly pointing out that much of the progress in ABE-type interviewing has been framed by a developmental psychological perspective, Lamb also mentions the contributions of those from health, education and applied social sciences in particular the sociology of childhood (James and Prout 1997; James and James 2004). Crucially these are not based on deficit models of children which see children as developmentally immature, in need of protection and with assumed lack of competence to contribute. Instead, sociological studies of childhood respect the rights and abilities of children to participate actively in criminal justice proceedings with necessary supports in place. As Fionda (2001) states, cited by James and James (2004, p. 80) “The conception of childhood adopted within any area of law can … impact significantly on the way that then child is treated, or their needs and interests
responded to." James and James (2004) see this in terms of the cultural politics of childhood being affected by, and hence argue, that children are caught between the universalising tendencies of the law and the relative conservatism of national cultures and politics played out in a cultural politics of childhood with all its inherent inter-generational power inequalities. ABE interviews and, more broadly, achieving justice for children is therefore rooted in social constructions of childhood and the corresponding way childhood is situated within public policy and professional practice. Despite this, the contribution from other fields is minimal in comparison with that of developmental psychology approaches, as can be seen further in this chapter. In acknowledging progress in ABE-type interviewing, Lamb also laments the seeming inability of practitioners to apply this learning in the field (Lamb, 2015). In seeking out sociological perspectives on ABE interviewing, there is little to be found. For example, Maschi and Liebowitz’s (2017) text on forensic social work includes ABE-type interviewing, but the knowledge is rooted in the current psychological based frameworks. This has been recognised by other authors and there are calls for more research into ABE practices to adopt a focus on the well-being of children (Davidson and Bifulco, 2018). This approach does not underestimate the value and contribution of developmental psychology but argues for additional attention to be given to social theories concerned with childhood.

2.4 Research contributions to ABE interviewing

Protocols and models used most frequently in ABE interviewing are founded in developmental psychology approaches. They are important to understand because they set the scene for how evidence must be produced. Deviation from the models and protocols can result in criticism that potentially undermines the credibility of the child witness. Protocols and models are reproduced in guidance and set out the expectations inherent in the criminal justice system for children’s evidence.

2.4.1. ABE interview protocols and models

In England and Wales, many of the best practices from internationally used ABE-type interview models have been adopted into the ABE guidelines (MoJ, 2011;2022). Outside of the UK, most notably in the United States, various protocols are used (U.S. Department of Justice, 2015). Despite the diversity of models, Saywitz (2013) and Lamb (2015) state that most professionals and researchers agree as to the best way in which ABE-type interviews with children should be conducted and which techniques are likely to inhibit best evidence. Most established ABE-type interview processes for
children use some variation of the *National Institute for Child Health and Human Development* (NICHD) investigative interview protocol (Lamb et al, 2007). Several studies have confirmed that this protocol can achieve significantly better outcomes than many previous, less developed models (Orbach et al, 2000; Lamb et al, 2007; Lamb et al, 2011). The phases of the models are summarised below.

**Table 1 – NICHD and ABE interviewing model phases.**

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>Date, time, introduction to interviewer</td>
<td>Introduction</td>
</tr>
<tr>
<td>Rapport and narrative training</td>
<td>Child introduces themselves, general rapport building</td>
<td>Introduction</td>
</tr>
<tr>
<td>Explaining and practising ground rules</td>
<td>Permission to say, “don’t know”, truth and lies understanding</td>
<td>Introduction</td>
</tr>
<tr>
<td>Further rapport and episodic memory training</td>
<td>Practice interview with non-offence specific questioning</td>
<td>Introduction</td>
</tr>
<tr>
<td>Substantive phase</td>
<td>Event, exploration, recall invitations, questioning</td>
<td>Free narrative and questioning</td>
</tr>
<tr>
<td>Disclosure information</td>
<td>Points to prove, time, date</td>
<td>Questioning</td>
</tr>
<tr>
<td>Ending the interview</td>
<td>Reassurance, information given to child about what next and return to rapport</td>
<td>Closure</td>
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The person-centred Cornerhouse model (Anderson, 2013), uses the NICHD phases and is said to reduce stress on children whilst enhancing the ability of an interviewer to elicit non-leading testimony. Specific orienting-type messages supported by this approach were found to improve children’s participation in the interview (Anderson et al, 2016). Orienting-type messages were those that allowed the child to say that they didn’t know the answer to a question, or that they didn’t understand what was being asked, or those that allowed the child to correct the interviewer if they [the interviewer]
said something that was inaccurate. Anderson and her colleagues (2016) suggested that this approach was a departure from more strict rules-based models and that there were benefits associated with being more flexible.

The NICHD protocol and the Cornerhouse models encourage initial engagement with children around a non offence-related situation, not just for the purposes of rapport building but also to allow children to practice answering questions in an ABE interview situation. This is referred to as “practice interviewing”. This technique is said to assist children in practicing answering questions in an investigative interview style with a non-threatening subject matter. Children are rarely, if ever, familiar with forensic interview styles and the practice session can help familiarise them with the process designed to obtain their account. (Anderson, Anderson and Krippner, 2016; Hershkowitz et al, 2006; Hill and Davies, 2012; Lamb et al, 2011; Orbach, Hershkowitz, Lamb, Sternberg, Esplin and Horowitz, 2000). Practice interviewing is advocated in the ABE guidance (MoJ, 2011) and is an evidence-based technique designed to assist children in managing potential trauma when talking about CSA. The consensus that these models produce the best outcomes is based on a measure of success that relates to the performance in an ABE-type interview that considers lack of leading questions and suggestibility, and accurate memory recall on the part of children, to have most effect on the ABE interview (Davidson et al, 2006; Robinson, 2015). There is a need to re-evaluate what is included in a measure of a successful ABE interview if the current poor criminal justice attrition rate is to be addressed. There is no doubt that interviewer behaviour within the interview itself is a fundamental contributory issue to failure (Hill and Davies, 2013; Lamb, 2015; Plotnikoff and Woolfson, 2019), but a focus on behaviour – whether that of the child or interviewer - should not be considered the single key to addressing poor outcomes because many other factors are known to impact an ABE interview as detailed below.

2.5. Sociological variability in ABE interviewing

2.5.1. Gender

Physical evidence of CSA is obtained only very rarely. When it is obtained, it is more likely to be found in girls as opposed to boys (Faller, 2014). Investigation of CSA tends to rely particularly heavily, therefore, on the testimony of the child (Faller, 2014), and this is possibly more so for boys. Girls are more likely than boys to be sexually abused (Radford et al., 2011; NSPCC, 2020b). However, evidence points to boys being less likely to disclose CSA, so this could affect gender-based findings. Cheung (2008)
found that male children were more likely not to disclose CSA in ABE-type interviews. If males are less likely to disclose in ABE interview, this may also mean that they are less likely to disclose in the research settings that consider CSA. These issues could contribute to an under-representation of boys in CSA-related data.

Because of the stigma associated with CSA, children may feel ashamed or embarrassed when discussing the subject. But it is possible to minimise or mitigate these feelings if children are able to speak to someone of the same gender as themselves (MoJ, 2015). Where possible, it is accepted that older children should be given a choice of interviewer gender (MoJ, 2011; MoJ, 2015; Perona, Bottoms and Sorenson, 2005). Lamb and Garretson (2003) found that female interviewers behaved differently when interviewing boys and girls. Female interviewers posed more suggestive questions towards boys than they posed to girls. Male interviewers behaved in the same manner with both genders. A further complexity was demonstrated in Lamb and Garretson’s study when gender and age were considered. When interviewers of the opposite gender to a child made suggestive prompts, then the younger the child, the more they responded to the prompt (Lamb and Garretson, 2003).

There was no ABE interview related research found to inform the issues for children and young people who identify as non-binary or LGBTQ+. Children from sexual minority populations are more likely to experience CSA and the negative emotional, behavioural and psychological consequences associated with CSA. (Friedman, et al., 2011; Schneeberger et al., 2014). There are then implications for LGBTQ+ children when there is absence of planning and assessment for their ABE interviews that do not consider the impact upon them of CSA and having to discuss their sexuality and abuse. Not to evaluate the potential negative consequences for children in the sexual minority, and plan to minimise this, could be considered an ethical failing.

2.5.2. Family background and relationships

There is a relationship between child abuse and family socio-economic status with poorer families being more negatively affected by all types of child abuse (Bywaters et al., 2016). A background of socio-economic disadvantage negatively affects education and impacts language development and learning (NSPCC, 2020b; Roulstone et al., 2010). When children perform below average in these areas, this can affect their memory and/or their ability to describe and explain their circumstances (Sharma et al., 2014).
Child-parent attachment styles have an impact on child engagement in ABE-type interviews (Alexander et al., 2002; Melinder et al., 2010). Research on parental anxiety and avoidant attachment demonstrated that there was an effect on children’s memory of certain attachment styles (Alexander et al., 2002; Melinder et al., 2010). Children with anxious attachment are more likely to be asked misleading questions by interviewers (Melinder et al., 2010). It is possible that the encoding and retrieval of the CSA memory in the ABE-type interview activates anxious attachment patterns or general anxiety in children. Melinder and Gilstrap (2009) found that interviewers reacted to the anxiety characteristics of children and asked misleading questions in response. Factors associated with children’s family circumstances can affect the way in which children are able to recall and impact interviewer behaviour, these issues could be minimised by planning and assessment which aims to evaluate and respond to these issues.

2.5.3. Ethnicity and culture
There is little research on race and ethnicity and ABE interviewing (Faller, 2014; Fisher et al., 2016; Springman et al., 2006). Fisher et al. (2016) noted that despite the interest in ethnic differences between children and interviewers, and the impact on interviewing, only Springman and colleagues (2006) have completed research in this area. They found that, contrary to their expectations, that more disclosures were made by children when the child and ABE-type interviewer were from different ethnic backgrounds. No additional disclosures were made when children were interviewed by those of the same ethnicity as themselves. When children were not interviewed in their first language, their memory and presentation and the amount of detail that they could give were all adversely affected (Fontes, 2010).

In Fontes and Plummer’s (2010) cultural study, shame, issues concerning virginity and women’s status in different cultures, all affected children’s ability to disclose CSA. The authors also found that the ABE-type interviewer’s engagement with a child from a different ethnic background could be improved. A focus on being welcoming, developing an understanding of the child’s culture and acknowledging the way in which gender roles operated within the child’s ethnic group, might assist in improving interview outcomes and eliciting a reliable evidential account. Fontes and Plummer (2010) reiterated the view that there was minimal and conflicting research on matching of ethnicity for interviewer and child interviewee. The available research suggests that
individual planning around meeting the needs of children from black or minority ethnic backgrounds is necessary to maximise potential positive outcomes in ABE interviews.

Assessing child abuse in cultural contexts is challenging. In respect of asylum-seeking children for example, it is recommended that not only should the views of the child be informed by a cross-cultural context but also that those conducting investigations should review their own assumptions and subconscious bias relating to child abuse (Barrett and George, 2005). As noted earlier, children from black and minority ethnic backgrounds may be underrepresented in some areas of child protection and overrepresented in others. An understanding of children’s needs, brought about by assessment of the individual child and their circumstances, would assist in ABE interview planning and execution in challenging stereotypes and bias.

2.5.4. Disability

Leeb et al. (2012) advise caution when considering increased risk of child abuse for children with disabilities because research is difficult to rely on. This is due to access to samples and differing methodologies used across the many studies in this area. Because of the challenges for research in this area, it could be argued that the results of meta-analysis may offer the best available picture. Sullivan and Knutson (2000), and Jones et al. (2012) both adopted a meta-analysis approach, considering numerous research papers. The studies concluded that there was evidence that children with disabilities were between three and five times more likely to suffer any type of child abuse than their peers without disabilities. Jones and colleagues demonstrated a significantly higher (almost 5 times) chance of children with intellectual disabilities becoming victims of CSA. The increased prevalence of CSA would suggest that more children with disabilities would require ABE-type interviews but there is little information that draws out disability in the figures associated with children who are subject to ABE interviews and impact on attrition.

Children with disabilities are less likely to disclose CSA and therefore less likely to receive help to stop it (Miller and Brown, 2014). Children with disabilities were found to be less likely to gain access to the criminal justice system, possibly because they were seen as being less credible witnesses (NSPCC, 2003; Perona et al., 2005). Children with intellectual disabilities were considered to have poorer language skills, less confidence and less ability to express themselves than their peers without disabilities (Gentle et al., 2013). Given the significant findings from Jones et al. (2012), it is of concern that those children who appear to be more likely to experience CSA
may have additional challenges in accessing justice when compared with their peers without disabilities.

Children who had conditions that affected their ability to communicate were likely to face additional barriers in ABE interviews (Melinder and Gilstrap, 2009; Faller, 2014). Eisen (2007) suggested that an assessment of a child’s cognitive function gave an indication as to how well a child would manage in an ABE-type interview. Gentle et al. (2013) found that children with intellectual disabilities gave better information with greater accuracy in a cognitive style interview than in other structured ABE-type interview processes. In Gentle et al.’s (2013) opinion, this suggested that a cognitive-based interview process enhanced memories and was supportive of a good functional relationship between interviewer and interviewee. Children with higher vocabulary abilities or specific language impairment performed better on longer-term memory tests although short-term visual memory was similar across all groups of children with disabilities (Hick et al., 2005). There are noted limitations in using developmentally sensitive psychology-based theories, particularly when children have intellectual disabilities (Wyman, Lavoie, and Talwar, 2019). The right for children to give evidence in the pursuit of justice should not be based on normative models of communication, it is argued that adults have a responsibility to provide appropriate support for children with communication needs to give their best evidence. The studies noted above suggest that for children with disabilities to give their best evidence, they require specific planning around their individual needs. The current ABE guidance in England and Wales (MoJ, 2011; 2022) reflects this approach and provides for registered intermediaries (RI) to support children when there are communication challenges.

2.5.5. Harmful sexual behaviour
Children with intellectual disabilities are more highly represented as a cohort of young people with harmful sexual behaviour (HSB), although the research on this issue needs to be treated with caution (Miller and Brown, 2014). Unclear definitions and diagnoses, and the impact of trauma, which may be mistaken for intellectual disability, were identified as potential factors that could influence the findings in relation to children with intellectual disabilities and HSB (Miller and Brown, 2014). Assessing children’s disability incorrectly then can have consequences for children in the justice system. Engaging in HSB has been noted to be highly indicative of having been a victim of CSA or of other forms of child abuse (Hackett, 2014). Skilled assessment of children’s needs involved in cases of HSB is of paramount importance for both the
child who is a perpetrator of HSB and for children who are victims of their peers. A child who is potentially both a suspect and a victim requires protection around their legal rights in both types of criminal investigation. At present, too many children are criminalised when they should be considered as victims (HMICFRS, 2019), including in cases of CSE where they may have facilitated or participated in the abuse of other children (Jay et al., 2018). Decisions about the most appropriate way to treat children in HSB situations could be better informed by an assessment that evaluates their suitability for, and the parameters to be applied, in ABE interviews and other justice system processes.

2.5.6. Age
Age is described by Perona et al. (2005) as "the single best predictor of children’s abilities" (page 104) when assessing a child for ABE-type interviewing because for most children age is a base line for their developmental understanding. Goodman and Schwartz-Kenney (1992) urge some caution about the use of age as an assessment factor because chronological age is not the most important factor in memory development, because development occurs at different ages for different children. Children’s rights to give evidence should not be curtailed on the basis of assumed ability, and as Marchant (2016) notes, very young children can be competent witnesses. Children’s ability to give competent evidence is more likely to be affected by poor experiences with interviewers, intermediaries, advocates and judiciary (Marchant, 2016).

Despite guidance to the contrary, Melinder et al. (2010) found that younger children were asked more direct questions than older children throughout their ABE-type interviews. Younger children were less likely to make CSA disclosures during an ABE-type interview, and they found CSA-related questions more difficult to respond to than older children (Cheug, 2008; Patterson and Pipe, 2009). Determining whether or not children understand the meaning of CSA is helpful in considering the truth or otherwise of their allegations (Howe and Knott, 2015); their inability to understand does not make them less credible witnesses but allows for assessment of the account in line with the child’s understanding. Understanding the details of alleged CSA helps professionals to determine whether a memory is true, and younger children may not have the language or cognitive ability to understand CSA and therefore report it accurately (CCfE, 2015). Age also affects cognitive and language factors that are related to suggestibility in children - another well-researched area in forensic interviewing (see, for example, Ceci and Bruck, 2003; Ceci et al., 2007; Ceci and Friedman, 2000; Howe
and Knott, 2015; Lamb et al., 2011; Melinder et al., 2010; Nicolas et al., 2011; Wade and Laney, 2008). Bruck and Melnyk (2004) found that the child’s concept of self, attachment to their mother and the parent/child relationship, which are all of significance in the early years and therefore relevant to the age of the child, are also related to suggestibility.

It is between the ages of four and six years that children become able to comprehend past and future events (Sharma et al., 2014). A marked increase in vocabulary occurs between the ages of six and 11 years (Bishop, 1997). Although many children may be ascribed certain abilities at specific ages, it is important to know how these may manifest and how they may be affected by other factors, such as language development. For example, Condry and Spelke (2008) demonstrated that children develop the ability to speak about numbers before they can conceptualise their application. Therefore, asking a young child about more than they can understand, can result in a response, because the words may be available, but one cannot be certain that the child’s response is correct. The ability to assess a child’s response with an informed appreciation of age related issues is again a complex area in which interviewers need to have some insight.

Eisen et al. (2007) found that older children and those with higher cognitive functioning were more likely to be accurate in ABE-type interviews. ABE-type interviewing of children four years and over is supported by the research undertaken for the Australian Royal Commission for Institutional Responses to Child Sexual Abuse which stated, “three decades of research supports the unequivocal conclusion that when questioned appropriately children as young as four can be accurate and informative witnesses” (Powell et al., 2016 p.198). In some cases, although children as young as three years of age successfully gave evidential interviews based on events that occurred when they were two years old (Marchant and Triangle, 2016), the consensus among writers in this area is that only children aged four and over can generally be able to participate effectively in evidential interviewing. Marchant (2016) argued that there is an increase in children under four years giving evidential interviews and that with appropriate support in place there was no reason that their testimony could not be accurate and reliable. In considering several effective interview models being used in the US and UK, Faller (2014) concluded that children under three years of age could not be successfully interviewed using any of the current recommended ABE-type processes. Tang (2006) found that memories of events occurring before the age of five years were not well remembered, partly because of the importance of language development for
recollection. Before the age of 18 months, trauma memories are processed in a manner like other memories, although these very young children are not able to report or discuss them because they lack the language skill to do so (Tang, 2006). Older children are less likely to disclose child abuse when the suspect(s) involved had a history of violence (Leach et al., 2016). This is of particular importance when considering some forms of CSA, such as sexual exploitation, that primarily affects older children and may be associated with very high levels of violence towards a child (Home Office, 2020).

In terms of assessment, deciding how the age of a child is relevant to their ability to understand key concepts when giving evidence about CSA should be a focus. With only very limited exceptions, it is agreed that children under three should not be subject to ABE interviews at all and that all under-fives should be subject to thorough assessment and planning prior to any decision to interview. All children should be assessed prior to ABE interview in terms of their age, but this must be applied to individual children’s circumstances so that subjective assumptions about how children may or may not perform should be avoided.

2.6. Assessment variables
Several factors have been the subject of much research in ABE-type interviewing practice. Many of the relevant studies considered below seek to rebut the idea that children are by their nature unreliable as witnesses (Motzkau, 2017) or provide for ways in which unreliability can be managed.

2.6.1. Language and communication
Alongside the input from parents, carers and educational establishments, children’s language development can be affected by stress, genetic factors and other variables (DeThorne, 2015; Rogers et al., 2015). These interactive factors add to the complexity of needs assessment for an ABE interview. For example, children living with depressed parents have more challenges in communicating and therefore they might require more support in ABE-type interviews than their peers (Paulson et al., 2009).

ABE interviewers can overestimate a child’s ability to understand concepts, their comprehension of adult terminology and their ability to accurately describe situations (Lamb et al., 2011). Research into the way in which questions have been asked of children show that it is important for the interviewer to word enquiries in as
uncomplicated a manner as possible. Children did not recognise when they were being asked questions that they did not understand (Melinder et al. 2010; Lamb et al., 2011), and they cannot, therefore, be relied upon to challenge inappropriate questioning by an ABE-type interviewer. This is an interesting finding considering that guidance (Lamb et al., 2007; MoJ, 2011; 2022) directs ABE-type interviewers to give a child permission to state that they do not know or do not understand a question. The ability to identify and test whether a child has the capacity to challenge miscomprehension should then be key to planning and assessment processes.

Language development is closely linked to memory, being able to communicate effectively helps children to share their experience and integrate and enhance their memories (Howe and Knott, 2015). Memory development relies on language development to an extent because without the relevant language, it is difficult to store, locate and explain memories (Lamb et al., 2011). This is further borne out by work by Melinder et al. (2010) who noted that children with good language skills exhibited better memory. Children with poorer verbal abilities are more likely to guess the answers to questions rather than give "don’t know" responses (Waterman and Blades, 2013). Communication needs that require use of interpreters, are noted to affect the quality of rapport building, which is when an interviewer establishes a relationship with a child for the purposes of conducting the ABE interview (Howes, 2019). This suggests a need for focused assessment and planning when language is a factor.

A child’s ability to communicate is arguably where the most progress in ABE interview planning and assessment practice has been made. The introduction of registered intermediaries11, who are specialists in child communication, has given children (and some adults) the right to assessment and assistance with communication. Embedding the scheme into the victims’ code (MoJ, 2015; 2020) as a right has arguably ensured that this service is taken up on behalf of some children more readily than previously. The latest figures (MoJ, 2020) show that from 2016 to 2020, over 6,000 intermediaries were requested each year and more than 90% were matched appropriately to cases. Despite providing an increased ability for access to the justice system for some victims and witnesses, there is however no evidence to suggest that scheme has contributed to a decrease in attrition rates associated with CSA cases involving child victims. There

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11 A Registered Intermediary (RI) may be able to help a vulnerable adult or child witness (within the meaning of section 16 of the 1999 Act) to give their best evidence when they are being interviewed and when they are in court (MoJ, 2022, para 2.213).
may be many reasons for this including the time it takes for cases to progress through the system, a method to identify attrition where intermediaries have been involved and lack of research that equates success of ABE interviews with case outcomes.

2.6.2. Memory
Memory is a well-researched area in ABE-type interviewing (see, for example, Bruck and Ceci, 2013; Ceci and Bruck, 2003; Howe and Knott, 2015; Lamb et al., 2011; Leichtman and Ceci, 1995). A child’s ability to remember improves with age and develops and changes rapidly throughout the child’s early years (Lamb et al., 2011; Melinder et al., 2010); as a result, older children might be more reliable in their memory recall than their younger counterparts. Preschool, verbalising children were found to be very accurate at recounting events, although their accounts may not be as detailed as those of older children (Melinder et al., 2010). Lawson and London (2015) found that children generally recalled only a very small percentage (7%) of the total information from a conversation.

Autobiographical memories about personal events may cover ‘specific’ and ‘general’ recollections. Those memories that are ‘specific’ are about distinct events and those that are ‘general’ relate to memories that may be the result of actions that were repeated or were longer lasting (Woody et al., 2015). Autobiographical memories are developed between the ages of five to seven years. These memories stabilise when children reach eight to ten years of age but are truly distinctive only at a later stage in a child’s development (Howe, 2015). Woody et al. (2015) found that children’s specific autobiographical memories were affected by negative cues - such as words like “sad” or “lonely” - if their mothers suffered with depression. Based on this finding, children whose caregivers are depressed might be particularly susceptible to suggestive interviewing that involves negative cues and may not be able to recall abusive events because they are associated with negative feelings. Children who have dissociative tendencies - which can be linked to CSA - were found to make more memory errors than their peers in interviews about child abuse (Eisen et al., 2007). Contributions such as those from Woody et al. (2015) and Eisen and colleagues (2007) show a complex interaction between different assessment factors and memory that need to be considered in planning for ABE interviews. Woody et al. (2015) note the impact of family environment on children’s memory showing the value of assessment that considers a holistic approach. Eisen et al. (2007) show that the manifestation of trauma symptoms needs consideration if it is to be useful in planning the right ABE approach.
Beliefs held by professionals, judges and juries about children’s memory, are not necessarily well informed or supported by scientific evidence (Goodman-Delahunty et al., 2017). If children’s accounts of alleged CSA were consistent across several statements, this was given credence by judges and juries. Similarly, credibility was enhanced by the inclusion of specific detail in single statements but conversely a lack of detail has also been considered to demonstrate credence (Goodman-Delahunty et al., 2017). The inclusion of detail in a single statement, and consistent detail across several statements, is more likely to indicate an erroneous statement than be demonstrative of the truth (Bruck and Ceci, 2013; Buck et al., 2014; Howe and Knott, 2015; Zajac, 2013). As a result of such findings, Howe and Knott (2015), and Zajac et al. (2013), argue that scientists as opposed to psychological practitioners should give expert testimony to courts, as practitioners offered views that were considered controversial and unhelpful to the judges’ and juries’ understanding. The exclusion of practitioner’s opinions about children and testimony arguably minimises the value of knowledge and skill of childcare professionals. It could be argued that seeking a definitive answer to what children ‘are’ or ‘do’ adds to the inability to see the value of individual and holistic assessment processes.

2.6.3. Suggestibility
The American Psychological Association (APA) dictionary (2020) describes suggestibility as “an inclination to readily and uncritically adopt the ideas, beliefs, attitudes, or actions of others”. Suggestible ABE interviewing is when children are “particularly compliant in that they will try to be helpful by going along with much of what they believe the interviewer ‘wants to hear’ and/or is suggesting to them” (MoJ, 2011, page 74).

A range of studies, designed to improve the understanding of the impact of suggestible interviewing on child witnesses and victims, have concentrated on interviewing children about fabricated stories or events and then pressurising children to give answers, sometimes when the interviewer knows them to be incorrect. In some of these studies (e.g. Bruck and Ceci, 2004; Finnilä et al., 2003; Goodman and Aman, 1990) children were asked deliberately misleading questions. The person interviewing knew that the child’s clothes had not been removed or that a child had not been touched in a sexual manner, but misleading questions about these scenarios were posed. Sometimes the person interviewing would put pressure on the child to get them to change a correct response to an incorrect one. The research in this area (Bruck and Ceci, 2004; Finnilä et al., 2003; Goodman and Aman, 1990) has informed the
understanding of age-related suggestibility in children and is said to show that younger children might be particularly susceptible to pressure to change an answer, and this has been supported by more recent research (Marchant, 2016). Although these types of studies yield important information to show that children can respond to suggestible pressure about sexual touching by adults, they also raise ethical issues. It could be argued that, in some instances, children may have been fearful of the consequences of not responding to the suggestibility. Children are being lied to in these research situations and might feel pressurised, such approaches should be considered unethical. It is also questionable as to whether research that involved children who were not thought to have been subject to CSA could yield a reliable outcome about suggested sexual touching. It could not be categorical that a child had not experienced sexual touching outside of the research context, the potential consequences of a child’s disclosure of CSA in such a situation arguably could not be managed appropriately. These types of studies highlight both the need for a better understanding of children’s reactions to suggestibility in ABE interviews and the complexity in gaining an understanding from children about sensitive research topics when there are gaps in knowledge.

Suggestive interviewing was generally thought most likely to affect the youngest children (Ceci et al., 2007, Howe and Knott, 2015; Lamb et al., 2011). Bruck and Ceci (2004) found that pre-schoolers were likely to give their best evidential accounts when interviewed using non-suggestive processes. However, young children aged three to five years, who were subject to repeat interviews did not change their accounts, even when faced with an interviewer asking suggestive questions (Quas et al., 2007). With age, the potential effects of suggestive interviewing diminish even further (Ceci and Bruck, 2003; Ceci and Friedman, 2000; Nicolas et al., 2011). This calls into question why suggestibility in children deserves the level of attention from researchers in the field. One of the main concerns about suggestive interviewing of children is the potential for it to lead to the creation of false memories as shown by Leichtman and Ceci (1995) and Wade and Laney (2008). Children who were provided with reinforcement about their statements in interview - whether this was negative or positive - were likely to respond with changed accounts to please an interviewer (Howe and Knott, 2015), leading to concerns that memories could be impacted, either by embellishment or by creation of false memory. Howe and Knott’s finding reflects the concern that children may be overly compliant in ABE interviews and interviewers should be alert to this (MoJ, 2011). It is almost impossible to alter memories that have been affected by suggestive interviewing, and it is extremely difficult to tell false
memories from real ones as they can appear highly credible, even to well trained professionals (Bruck and Ceci, 2013).

There are countless studies of memory and suggestibility, many taking place outside of real-life interview contexts and the results of these studies have been widely used in learning around the structured approach to ABE-type interviewing of children. Whether this research gives interviewers appropriate knowledge is questionable. There has been criticism of the psychological literature around suggestibility and memory, and its place in the generally distrustful attitude to children as witnesses (Motzkau, 2007; Goodman-Delahunty et al., 2017; Waterhouse, 2016). There is concern that suggestible interviewing issues are overstated, that they do not apply to the reality of most cases, this is supported by evidence that most interviewers do not seek to make suggestible comments to children in ABE-type interviews (Raeder, 2010). It appears then that it is the potential impact upon the justice process of a child’s erroneous testimony leading to a conviction of an innocent person that is likely to drive concerns about suggestibility. This is understandable but some balance could be brought by an understanding about what is more likely to lead to suggestibility impacting evidence and this could be supported by better ABE planning and assessment.

2.6.4. Perceptions of children as reliable witnesses

Despite children being found to be reliable and credible in ABE interviews (Lamb et al, 2015) there is a general perception that they should be viewed as unreliable witnesses in CSA cases (Motzkau, 2007). Motzkau (2007) demonstrates a long-standing attitude towards the supposed unreliability of child witnesses and suggests that supporting children to give their best evidence involves challenges to ingrained thinking in criminal justice structures. A “re-emergence” of CSA in the 1970s and 1980s created challenges for most justice systems. Most cases at the time involved girls abused in the home by related adult males (Finkelhor, 1984). However, there were several large scale CSA cases in the UK, US, New Zealand and Norway that led to miscarriages of justice for suspected perpetrators and children being unnecessarily removed from families and communities. This resulted in high profile criticisms and demands for an improvement in the way in which evidence was obtained from children (Butler-Sloss, 1988; Clyde, JJ, 1992; Faller, 2014; Lamb et al, 2007; Lamb et al, 2011). The impact of these types of CSA cases remains relevant to contemporaneous practice with children and CSA because they have shaped the way in which some allegations of CSA are perceived to be unbelievable, and many children unreliable.
Children who are victims of CSA have a right and need to access justice (Katz, 2013; Raeder, 2010), but they are also part of a system primarily concerned with establishing the guilt or innocence of the defendant (Robinson, 2015), and this requires that their evidence is considered reliable. Highly negative views about children’s competence and reliability as witnesses continued into the 1990’s (Cashmore and Bussey, 1996), bringing about special measures¹², designed to combat these concerns. Although Robinson (2015) argues that as a result of special measures there has been a lessening of negativity towards children as witnesses, it has also been argued that the very existence of special measures may have strengthened the view that children are unreliable, irritable and volatile (Motzkau, 2007). Special measures are considered necessary because children are labelled as vulnerable witnesses. Yet, such perceptions of vulnerability may increase negative views of children’s competence and therefore their reliability (Cashmore and Bussey, 1996; Bull, 2010). Raitt (2007) found that children might be thought of as resilient and reliable, and that a focus on their vulnerability may not always be productive because the perception of vulnerability undermines perceptions of resilience and reliability. In contrast, Melinder et al (2006) found that when children demonstrated vulnerability - such as presenting as being “sad” - that they were considered more reliable. Melinder et al (2016) also noted that victims of CSA who appeared “sad” when giving their account, as opposed to those considered “angry”, “positive” or “neutral”, were thought to be more credible witnesses.

A child’s emotional presentation may be important in the way that interviewers, judiciary and juries perceive the truth of a child’s account. Peleg (2013) found that children’s emotional responses were compared with what was considered an appropriate emotional response by an adult to CSA, despite this placing unrealistic expectations on children. How children do or do not behave, including towards a person who has abused them, cannot be considered an indication of whether that child has, or has not, been a victim of CSA (Zajac et al., 2013). Therefore, perceptions of children may affect the way in which they are believed to be victims of CSA or not. Bringing more credibility to ABE interviewing by improving the processes and basing assessment on sound professional judgement may contribute to being able to present children as credible witnesses. This is particularly important given that child victims of CSA are often the sole witnesses to the crime against them (Zajac et al., 2013).

¹² A range of special measures are used to facilitate the gathering and giving of evidence by vulnerable and intimidated witnesses. ABE interviews are part of the range of special measures in England and Wales (MoJ, 2022)
2.7. ABE interview practices
There are some practices that are contentious and subject to discussion in the literature on ABE-type interviewing. Particularly, the number of interviews and the knowledge acquired by an ABE interviewer prior to interview are relevant to this study because both affect assessment and planning of interviews.

2.7.1. Conducting additional ABE interviews
Despite initial ABE interviews being considered the most likely to result in accurate recall memory of events, second interviews with children have been shown to yield additional evidence that is of a good quality particularly for investigation purposes (Waterhouse, 2016). Hubbard et al. (2016) found that accuracy in respect of enhancing details associated with the CSA event improved over several interviews, whereas accuracy for remembering actions or activity deteriorated. The number of interviews conducted in CSA cases should, therefore, be carefully considered as part of a needs assessment and planning.

Duron and Remko (2020) noted that although a single ABE interview was seen as desirable, some children require multiple ABE interviews to support a CSA disclosure. The decision about the requirement for a child to have single or multiple ABE interviews should be made when the child is emotionally ready to give their evidence (Duron and Remko, 2020). For some children, the nature of CSA crime committed against them means that speaking about what has occurred is a traumatising experience. This trauma can mean that it is difficult for a child to deliver a single narrative account, necessitating more than one ABE interview.

Evidence that is given in the narrative phase of an ABE interview is considered strong because the child is encouraged to speak freely and with few prompts from the ABE interviewer. A narrative account, as opposed to one elicited through questioning, is seen to be least affected by outside influence and therefore may carry more weight as testimony (Lamb et al., 2007). Allowing for a narrative account to be given over a period via more than one ABE interview, may be beneficial for the child’s protection needs and for minimising stress on the child (Duron and Remko, 2020). It may be that multiple interviews would lead to a greater ability to protect the child from further CSA because more detail from a child may allow for better risk management of a suspect. Although older research (Lamb et al., 2007) points to a consensus that a single ABE-type
interview is preferable, more recent studies (e.g. Duron and Cheung, 2016; Zsofia et al., 2020) contradict this, citing emotional benefits for children and improved criminal justice outcomes when more than one opportunity to give an account is realised. Zsofia et al., (2020) state that in England most children give more than one account to the police about suspected CSA and that two interviews are likely to result in a more complete account by a child than a sole ABE interview. More information that was forensically relevant was elicited in the second interviews in the Zsofia et al. study (2020). Given that there may be benefits in taking the ABE interview account of suspected CSA over time, for some children the optimum policy could be to complete more than one ABE interview. For children with disabilities, children who have cultural needs, younger children and those involved in complex CSA cases, more than one interview may be necessary (Duron and Cheung, 2016). Block and colleagues (2013) offer a contrary view as they found that multiple ABE-type interviews of children were unlikely to be cost effective in terms of bringing about increased convictions for CSA. A cost argument may be challenging when considering children’s access to justice, but the reality is that after several years of austerity measures causing negative impact on policing (The Police Foundation, 2022), efficiency is a factor in decision making. However, although evidence has not been found to suggest that additional ABE interviews would result in less case attrition, research supports the conclusion that multiple interviews that follow a planned approach designed to meet the assessed needs of the child, may result in improved outcomes (Duron and Remko, 2020). If this is the case, cost benefits would be realised as a result of effective justice outcomes, management of perpetrators and improved access to services for victims.

2.7.2. Confirmation bias

The focus on the negative effects of suggestibility have led to a key concern about interviewer behaviour. When ABE interviewers believe that children have been abused, they can be biased in their approach to the interview, limit relevant questions to steer children to their prior belief, and not follow up on areas that are contradictory to their presumption (Rohrabaugh, London and Hall, 2016). This is known as confirmation bias. Powell et al. (2012) found that confirmation bias was more likely to occur when ABE-type interviewers had been given information about the offence to be investigated. One way to manage potential confirmation bias is to limit the amount of information provided.

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13 Confirmation bias is a documented phenomenon that results in the potential for an ABE interviewer to seek out information that supports what the interviewer may already know or believe.
of information that the ABE interviewer has about the suspected circumstances of the crime under investigation (Rivard, Pena and Schreiber Compo, 2016).

Rivard and Schreiber Compo (2017) examined the self-reports of ABE-type interviewers in the United States (US) regarding the information they used in preparation for an ABE-type interview of children. Having strictly limited knowledge about a child and about a suspected offence is referred to as “blind” interviewing (Rivard and Schreiber Compo, 2017). The participants in the Rivard and Schreiber Compo study (2017) believed that the advantage of blind interviewing was that confirmation bias was reduced, that interviewers would not introduce topics inappropriately and that questioning would be more appropriate. However, just under 14% of the participants (a significant amount according to the authors) in the Rivard and Schreiber Compo study (2017) strongly objected to blind interviewing, perceiving that there was no advantage in using the technique. The research associated with positive or negative outcomes of blind interviewing is limited, yet despite this, about a quarter of the participants in the Rivard and Schreiber Compo study (2017) used blind interviewing approaches and considered this an effective method of interviewing children. Despite a lack of research in this area, given the complexity attached to a number of variables and sociological considerations for children, having strictly limited information about a child prior to ABE interview would not allow for an effective assessment of a child’s needs and is therefore unlikely to lead to allow adequate planning and preparation by an interviewer.

The ABE guidance (MoJ, paragraph 2.151, 2011) advises that interviewers should not have detailed knowledge of the suspected offence that is the focus of the investigation. It is recommended, though, that ABE interviewers have some awareness of the type, time and location of the suspected offence, the alleged crime scene and how the police were notified of the suspected offence. It is also accepted in the ABE guidance (MoJ, 2011; 2022) that ABE interviewers might be exposed to more details of a suspected offence if they attend a multi-agency strategy discussion.14 ABE interviewers are reminded that they should keep an open mind during the ABE interview in these cases (MoJ, 2011, paragraph 2.152). This advice of limiting information known to the ABE interviewer is to avoid potential contamination of the ABE interview (MoJ, 2011, paragraph 2.155) by limiting confirmation bias. In contradiction to the ABE guidance

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14 Safeguarding Children’s Partnerships hold a multi-agency strategy discussion when a child has suffered or is likely to suffer significant harm. The purpose of the meeting is to evaluate the child’s welfare and plan action (DfE, 2018).
that some information about the suspected offence is necessary (MoJ, 2011), Rivard, Pena and Schreiber Compo (2016) found that interviewers who knew nothing about the suspected offence extracted more true information during an ABE-type interview than those who had some knowledge of the alleged crime. Melinder et al. (2020) explored the impact of personality type of ABE-type interviewers and found an association between some personality traits (among interviewers) and the ability to avoid confirmation bias. This suggests that some people may be better suited to becoming ABE interviewers than others.

Child-specific information, however, does not have the same potential to negatively affect an ABE interview as offence-specific information. Having appropriate child-specific information is necessary in being able to deliver a child sensitive ABE interview (Rivard and Schreiber Compo, 2017). The majority of the 188 participants in the Rivard and Schreiber Compo study, all of whom were experienced interviewers, argued that interviewers should be aware of both child-specific and allegation-specific information. The participants in Fessinger and McAuliff’s (2020) study also overwhelmingly agreed that having some information prior to an ABE-type interview was preferable. It could be argued that confirmation bias is a legitimate concern but one that may be offset by limiting information known to ABE interviewers about a suspected offence. However, the indications are that better training and experience, and possibly clearer protocols, could also address confirmation bias. Limiting information about children to ABE interviewers is not an approach that is supported by most practitioners, and it may lead to a child’s legitimate needs being overlooked (Rivard and Shriver Compo, 2017). Having a greater knowledge of case detail was thought to result in interviewers asking more suggestible questions (Wade and Laney, 2008), although this conclusion was not borne out by other research (Waterhouse et al., 2016).

Effective training of ABE-type interviewers could manage some of the concerns associated with confirmation bias (Rivard and Schreiber Compo, 2017). Powell et al. (2012) agreed that training and experience in ABE interviewing could offset concerns about confirmation bias and its negative effects on ABE-type interviews. Hueng and Lamb (2020) have also called for protocols that can mitigate bias.

The investigative interview field should develop such context management protocols based on research evidence to minimize bias in decision-making process. After all, this ‘psychological crime scene’ (i.e., the interviewee’s memory) is highly vulnerable to contamination, resulting in consequences that can
jeopardize justice. If such issues are not isolated within the judicial process, they
can easily cause bias cascade or bias snowball that stand in the way of the fair

In terms of planning the ABE interview, knowledge of the offence is a contentious issue
with a general balance being suggested by guidance (MoJ, 2011; 2022) of having
some offence specific information but not so much that it could lead to suggestibility
concerns. The knowledge of child specific information though should not be confused
with the offence. There is no literature to suggest that having child specific information
causes difficulties in interview. There is limited research about the benefits of child
specific information, this is essentially what an assessment prior to ABE interview
would provide. Therefore, this study aims to contribute to the gap in knowledge around
this area by exploring why some ABE interviewers decide, in the absence of any
knowledge of benefit, to undertake interviews without assessment of a child's needs.

2.8. ABE Interviewer behaviours
As noted previously, a further area for consideration is interviewer behaviour and how
it impacts upon child victims giving evidence. Interviewer behaviour may be shaped by
training and evaluated by compliance with guidance. The literature shows specific
phenomena associated with ABE interviewer behaviours, in particular that much
practice which is evaluated as being positive, is often set aside by practitioners in the
field. The way in which ABE interviewers interact with children during interviews may
also have a bearing on how children are able to give their best evidence, and this
relates to how practitioners understand children and their needs.

2.8.1. Training ABE interviewers
Training ABE-type interviewers shows a consistent lack of positive outcomes. Criminal
justice system professionals, such as police officers, ABE interviewers and lawyers,
were found overall to have limited knowledge in relation to interviewing children (Ahern
et al., 2015; La Rooy et al., 2011). This lack of knowledge is especially acute in relation
to specific legal issues in individual cases (Buck et al., 2014). La Rooy and colleagues
(2011) found that most ABE-type interviewers in their study felt that training had
positively equipped them for conducting interviews. However, further research
conducted after the interviewers had been trained showed that several areas of good
practice, such as appropriate questioning techniques, were missing from the interviews
that had been conducted by the participants. It is unlikely, therefore that the officers’
perceived positive results of the training had been obtained.
In some cases, major differences were noted between ABE-type interviewers' knowledge and their behaviour in interviews. The use of open-ended questions has consistently been found to result in significantly better quality evidence in terms of the answers from children and there is evidence of an increase in the conviction rate in court proceedings when open ended questions are used (Hill and Davies, 2013; Korkman et al., 2006; Myklebust and Bjorklund, 2009). Despite ABE interviewers acknowledging the practice as being associated with best results, they do not adhere to asking open-ended questioning when conducting ABE interviews (Lamb et al., 2007). In some instances, evidence elicited through open-ended questions or free-narrative prompts was less than a quarter of all that given by the child (Powell et al., 2010; Korkman et al., 2006). This means that most information in ABE-type interviews was elicited through "closed" questioning. Closed questioning relates to questions that limit the number and type of responses that can be given (MoJ, 2011; 2022), they are not necessarily inappropriate but should be used less frequently than open questions. Closed questioning is considered less evidentially reliable than direct or minimally prompted accounts given by children (MoJ, 2011; 2022). Not all studies found a lack of improvement following training in questioning; Powell and colleagues (2016) found that online training improved an ABE-type interviewer’s use of open-ended questions in the short and longer term. However, the vast majority of studies demonstrated poor outcomes over the longer term from training.

Research also suggests that training that covers the emotional and social support of children who are victims of CSA may have benefits for children, in terms of access to support services outside of the ABE interview process (Blasbalg et al., 2019). However, training needs to be undertaken regularly and be of a high standard if it is to equip investigators to be effective ABE interviewers. There is also a requirement for ongoing support after training (Goetzold, 2017). Sporadic training has been found to be unhelpful in that trainees did not retain the learning (Davidson et al., 2006). Despite some research indications to the contrary (e.g., Powell et al., 2016), too many studies demonstrate that although ABE-type interviewers understand the need to follow evidence-based research, they often do not do so, and this contributes to the high attrition rate that occurs in CSA cases (Lamb, 2016). Goetzold (2017) found that joint training of police officers and social workers for ABE-type interviewing had overestimated the baseline competency of both professional disciplines prior to training. This may contribute to the poor standards found in ABE interviewing generally across professionals and agencies (Davidson et al., 2006). The lack of good quality
and standardised professional behaviour in respect of ABE interviews has contributed to concerns that interviews were often not of the level that was considered helpful or useful to the courts (CJJI, 2014). Interviewer knowledge and skill then is assumed by ABE trainers and by interviewers themselves to be better than it is, and interviewers do not put their training knowledge or skills into practice. The reasons for this have not been previously studied from the practitioner perspective and an aim of this research is to consider this phenomenon.

2.8.2. ABE interviewer compliance with guidance for assessment

Studies across many of the areas associated with ABE-type interviewing have shown non-adherence to relevant research-based advice, by police officers in practice (see, for example, Davidson et al., 2006; Hill and Davies, 2012; Krahenbuhl, 2008; Lamb et al., 2007; Westcott and Kynan, 2006; Yi, Lamb and Jo, 2015). Plotnikoff and Woolfson (2019) argue that the police need to be more accountable for the quality of their interviewing of children in suspected CSA cases. A recurring theme across research and reviews that have examined ABE interviewing is the lack of accountability and monitoring of practice in this area (Plotnikoff and Woolfson, 2019; CJJI 2014; CJJI, 2012). There are some references in the literature about compliance with the guidance to complete needs assessments for planning purposes for ABE interviews (MoJ, 2011; 2022) but this is an area that has not been considered outside of wider studies into ABE compliance. The CJJI (2014) explored both the likelihood of child needs assessments being undertaken prior to ABE interview and compliance rates across several needs assessment areas. It found that in only 18.8% of cases would an assessment take place prior to an ABE interview. This figure reduced to only 14.5% of cases when assessments with a focus on physical, psychological, sexual, social, cognitive and linguistic needs were undertaken. Race, religion, culture and ethnicity were considered in only 8.7% of cases and specialist needs (such as interpreter or registered intermediary requirements) were identified in only 4.3% of cases. As general compliance with guidance is low, it is unsurprising that the limited information about needs assessment also shows a lack of engagement with recommended practices. The reasons for lack of compliance by ABE interviewers in undertaking assessments for planning purposes have not been explored and this study intends to consider this gap in knowledge.

2.8.3. Child and interviewer interaction

Melinder and Gilstrap (2009) suggested that children’s characteristics and behaviour could influence the way in which an ABE-type interviewer conducted an interview and
engaged with a child. Children who were minimally communicative in the early stages of an interview were perceived by interviewers to be uncooperative. When children were viewed as being less cooperative, they were asked more leading questions to attempt to elicit an account (Hershkowitz et al., 2006; Melinder and Gilstrap, 2009). Hershkowitz and his colleagues (2006) also found that children who did not disclose CSA were less likely to receive supportive comments during their ABE-type interview from the interviewer, indicating that it was children’s behaviour that generated a particular response from the interviewer rather than the other way round as argued by Hershkowitz et al. (2006).

But there are also factors potentially outside of the interview itself that may have an impact upon a child’s behaviour. Children were found to respond better to interviewers when they [children] had knowledge and understanding of what was expected of them (Faller, 2014) and this would be an essential part of preparing a child for ABE interview. An ABE interviewer’s use and style of language was also noted to influence children’s responses (Brubacher, Malloy, Lamb and Roberts, 2013). This indicates that interviewer consideration of age and use of developmentally appropriate language may be associated with more positive outcomes for both children and interviewers. Brubacher and colleagues (2013) suggest the need for good communication on the part of both children and the interviewer and demonstrate that if one party is not considered a strong communicator, there is a potential for a negative effect on the other. Assessing communication needs in children - and not just for children who have ‘obvious’ communication needs that would warrant an intermediary request - is then essential to building an interaction with a child for an ABE interview. Promoting a good relationship with a child in an ABE interview - is seen as beneficial by children (Warrington et al., 2016). An interviewer’s approach may be particularly important to children is interpreted (by the child) as being demonstrative of warmth and support. Such an interpretation is, in turn, likely to elicit more correct information from children during an ABE interview (Saywitz et al., 2019).

2.9. Theoretical approach to study
The current theoretical underpinning for ABE interviewing research has a focus on children’s developmental psychology and to a lesser extent on interviewer behaviour. The developmental psychology approaches seek to find answers to the challenges of children’s testimony by managing children’s developmental and psychological needs in the interview setting (e.g., memory, communication, suggestibility). A second dominant focus for traditional ABE interviewing studies is on how individual ABE
interviewers overcome the noted difficulties (e.g., reliability, credibility) presented by a child through their use of techniques (e.g., open-ended questioning). Thirdly, a focus on the individual ABE-type interviewer, their ability to put training and theory into practice, their manner and behaviour is also considered in the literature.

The assessment of children’s needs as advised by guidance, which is supported by research, is rarely carried out in practice, meaning that ABE interviews are often undertaken on an uninformed basis. Disclosures of CSA in ABE-type interviews are affected by a child’s age, socio-emotional issues such as fear or threats, the nature and type of CSA experienced, and the relationship between the child and the perpetrator (Paz-Alonzo, Ogle and Goodman in Cooper et al., 2013). These issues suggest that ABE interviewing needs to take account of numerous factors that may impact upon each other. The evidence also suggests that adult attitudes about children’s abilities and knowledge about what affects a child’s ability to disclose CSA, are essential in managing these complexities, indeed, may even be affecting the quality of interviewing and outcomes.

There is a contemporary focus on a deficit model of childhood evidenced by what is considered to be a lack of reliability and credibility on the part of the child witness. An emphasis on children to ‘deliver’ in ABE interviews and the place of the ABE-type interviewer to overcome the challenges that children present arguably supports and maintains this view. There is an inference that most children can be effectively prepared for an ABE interview but little evidence to demonstrate that in practice this occurs. An alternative, strengths-based approach could usefully be developed based on positive, rather than deficit, views of the child that seek to explore how to assess children’s needs in ways that could more productively guide the ABE interview process. This includes recognising the needs of children in post-traumatic scenarios.

2.10 Trauma informed practice in ABE interviewing, planning and assessment
There has been increasing awareness in the last decade of the of the impact of trauma on victims, survivors, offenders and vulnerable members of the public. As noted by Tsur and Katz (2021) there needs to be an acknowledgement of “trauma and dissociation in the context of forensic interviews with abused children and the urgent need to implement unique responses to trauma within practical guidelines.” (p.2). The latest version of the ABE guidance (MoJ, 2022) reflects the need for ABE interviewers
to be *trauma informed*, yet not all professionals or organisations are trained or supported in this way.

Policing has had to adapt to offering services to people in need, including children, as crime globally shows trends of decline whilst harm caused to vulnerable individuals increases (Ford et al., 2018). Better training for police in trauma understanding has been called for by the Victims' Commissioner (2021). However, developing a trauma informed organisation is not a simple or linear task (Treisman, 2020). An organisation that is trauma informed must recognise the impact of violence and victimisation on individuals and this should be understood across all staff levels and positions (Elliot et al., 2005). In respect of child victims and those abused in childhood, the focus of police efforts to understand trauma and its impact has been centred on Adverse Childhood Experiences (ACEs) (Blackpool Better Start, 2020; HMICFRS, 2019; Welsh Government, 2021).

ACEs were first developed in 1988, in a study primarily concerned with health outcomes, particularly obesity in children. Original ACEs included all categories of abuse and neglect, domestic abuse, mental health and substance misuse, having a relative imprisoned, and separated parents. Over time, homelessness and community violence, amongst others, have been added (Whitters, 2020).

Police officers are increasingly aware of the impact of trauma, particularly that resulting from Adverse Childhood Experiences, on brain development and behaviour later in life (The Police Foundation, 2022, p. 104).

An increase in reliance on ACEs as a basis for improvements in service delivery and interventions with children and families outside of policing has been noted since 2010 (Whitters, 2020). But the trend within policing shows an over-emphasised approach in the use of ACEs in developing practices (Bateman, McManus and Johnson, 2020). Although there are benefits to adopting the ACE framework – a common understanding and language to be used within and across agencies – there are also pitfalls. There are risks associated with “epidemiological health research being prematurely translated into frontline police practice through misinterpretation of statistical concepts” (Bateman, McManus and Johnson, 2020, p. 134) and a critique that the ACE framework can undermine the complexity of childhood experiences (Welsh Government, 2021). The ACE framework focuses on numbers and categories of adverse experiences of children, and this might undermine the quality and/or impact
of each individual experience. As a result, some adverse experiences may be undervalued in terms of impact or unrecognised because they are not specifically noted in ACE templates (Bateman, McManus and Johnson, 2020). In addition, the ACE framework does not always produce clarity amongst agencies and may lead to stigmatising some sections of society (Welsh Government, 2021), making it an unreliable tool if used as a standalone concept. A reliance on the ACE framework in policing may then have contributed additional knowledge of childhood trauma, but a lack of ability to apply the knowledge in practice and an over-reliance on a singular approach can cause problems.

ABE Interviewers are required to assess the “likely impact of recalling traumatic events” (MoJ, 2022, paragraph 2.62) on a child when undertaking an ABE interview. There should be no conflict between providing trauma informed care to victims and survivors and delivering quality policing (Rich, 2019), but it is necessary that organisations do not consider themselves trauma informed when there is a primary focus on a singular type of measure for trauma. Treisman (2020) clarifies that many organisations describing themselves as ‘trauma-informed’ believe they are so because they understand one element or measurement of trauma. An over-reliance on ACEs to develop trauma informed practices might be limiting the understanding of child victims’ experiences, the ability to adequately assess individual children and to implement that assessment in planning and execution for ABE interviews. If ABE interviewers are required to adopt trauma informed approaches, then they also require skills and knowledge to be embedded within their training and support so that they can apply knowledge in practice; they also require more than one approach to understanding trauma in child victims (Triesman, 2020; Tsur and Katz, 2021). This does not appear to be the case as although a general increase in trauma knowledge in policing has been noted, there is also a lack of understanding of the impact of trauma on child victims involved in ABE interviewing (HMICFRS, 2019). Asmussen et al. (2022) found that there was limited information to support trauma informed activity leading to trauma informed interventions, meaning that even where there is wider knowledge base in place, evidence based intervention does not necessarily follow. Police officers investigating child abuse were found to focus on single presenting incidents of child abuse and failed to recognise the cumulative effect of harm on children (HMICFRS, 2019). This lack of insight into cumulative effects may negate the complexities for polyvictims and those who are revictimised. Such findings from HMICFRS may be explained in part by the reliance on ACEs as a single theoretical
approach to child trauma and by a lack of robust evidence to support trauma based training having an impact in practice (Asmussen et al., 2022).

Reliance on ACEs to influence policing policy and services for vulnerable children may also mean that issues such as toxic stress are not considered (Treisman, 2020). Toxic stress is the result of “strong, frequent, and prolonged trauma, adversity, and trauma without adequate support” (Treisman, 2020, p. 42) and is particularly evident in child abuse victims. It leads to children managing themselves by either withdrawing from, or being adversarial with the world (Bowlby, 1969; Treisman, 2020). Some children who are victims of CSA are abused over a significant period of time, are polyvictims and are re-victimised. These issues are contributors to toxic stress and should then arguably be considered in each case of CSA investigation. In turn, an assessment of the impact of toxic stress on the ability of a child victim to engage in an ABE interview and how this may affect their reliability and credibility as witnesses might assist with conduct of an ABE interview. Arguably, not considering toxic stress leaves children with even less support during an acknowledged stressful ABE process (Davidson et al, 2006; MoJ, 2011; 2021) and potentially further compounds trauma.

The ability to recognise the impact of trauma, and therefore to be trauma informed, is further complicated by how children present. Children who are traumatised may behave in ways that seem counterproductive to their best interests (Javier et al, 2020), for example, they don’t disclose CSA despite remembering incidents (Leander, Christianson and Granhag, 2007). Child victims’ relationships with perpetrators influence their behaviour because they may feel loyalty or fear threats (Foynes et al, 2009; London et al, 2005; McElvaney et al, 2014; McElvaney, 2015; Reitsema & Grietens, 2016) and this may impact upon their ability to disclose in CSA cases. These types of presentation may lead ABE practitioners to disbelieve children’s accounts of CSA, despite evidence that a child’s behaviour cannot be relied upon as an indicator of whether they are telling the truth (Zajac, 2013).

2.11. Involvement of non-police professionals in ABE interviews
 Dating back to the first publication of forensic interview guidance for child victims, the Memorandum of Good Practice (MOGP) (Home Office, 1992), there is a history that supports the value of social worker involvement in ABE interviewing and investigation of CSA crimes. Over time however, there has been a minimisation of the social work role and many ABE interviews proceed with a single agency (police) lead (Children’s Commissioner, 2015; HMICFRS, 2019; Somerville and Eason, 2018).
Professionals who engaged in this Inquiry regularly stated that Achieving Best Evidence interviews were frequently Police-led [sic], with very limited input from social workers… participants highlighted the perceived dominance of the criminal investigation, where the role of social workers in the interview process was sidelined (Children’s Commissioner for England [CCfE], 2015, p.6)

Somerville and Eason (2018) also noted that when social workers were contacted by police officers conducting ABE interviews in CSE cases, social workers were often given information rather than being invited to contribute to planning, assessment or CSA investigations more generally. It was further found that police officers did not engage social workers in the planning and needs assessment for ABE interviews, even when a child had an allocated social worker. Noting the decline in joint ABE interviewing, HMICFRS (2019) have recommended that social workers should be used more in the conduct of ABE interviewing.

2.11.1. The Victoria Climbie Inquiry Recommendation 99
This demise of joint ABE interviewing has been arguably influenced by Recommendation 99 of The Victoria Climbie Inquiry (2003)15 which stated:

The Working Together arrangements must be amended to ensure the police carry out completely and exclusively any criminal investigation elements in a case of suspected injury or harm to a child, including the evidential interview with a child victim. This will remove any confusion about which agency takes the ‘lead’ or is responsible for certain actions. (Laming, 2003, p. 382)

John Fox (2019), one of Lord Laming’s advisers to the inquiry, clarifies that the intention of the recommendation was never to remove joint working across child abuse investigations, nor to prevent social workers from conducting and being involved in ABE interviews. Although a letter was sent to the Home Office, Chief Constables and children’s social care directors soon after the publication of the recommendation to advise that it should not be used to discourage joint investigation training or involvement, the effect has been the opposite. By 2015, it was common practice that ABE interviews were conducted solely by police officers (Fox, 2019).

15 The Victoria Climbie Inquiry: report of an inquiry by Lord Laming (2003) was a national inquiry following the death of Victoria Climbie, aged 8 years.
Of the few studies that consider other professionals’ involvement in ABE interviewing (such as mental health professionals or social workers), the focus remains on the mechanics of the ABE-type interview (see, for example, Goetzold, 2017; Price and Roberts, 2011; Rohrabaugh et al, 2016; Rivard and Schreiber Compo, 2017). This means that when considering the roles of other professionals, most studies see the non-policing professionals as interchangeable ABE interviewers as opposed to practitioners bringing unique and valuable skill sets. Consequently, most ABE-related studies concentrate on how non-policing professionals follow investigative interviewing protocols and the types of questions they employ. The contribution of non-policing professionals in terms of bringing distinct and complementary skills to the ABE process, and particularly to planning and needs assessment for children has not been explored previously to the author’s knowledge.

2.11.2. Joint working with trauma informed professionals in CSA cases
It is an accepted professional view that vulnerable children in need, including those in need of protection, require joined-up services and decision-making that are both multi-agency and multi-disciplinary (Graham, 2015; Johansson, 2017; DfE, 2018). This is particularly true when considering services for children involved in CSA investigations:

Investigators must learn to merge the collective expertise of the multi-disciplinary team in order to piece together the medical, social, and legal facts available. It is through this collective knowledge that a maltreated child can best be protected, and the abuser held accountable for his or her action (Graham, 2015, p. 2)

There is much written about the positive aspects of working together in child protection and the negative consequences of a lack of cooperation across agencies (Blyth, 2014; Munro, 2011). Working together in child protection is difficult partly because not enough credibility is given to the complexity of the work (Walker, 2018; Blyth, 2014; Munro, 2011). A lack of cooperation between professionals has been shown by Ham and colleagues (2020) to result in subjective decision making by individual professionals as to whether children have suffered CSA or not. Subjective views that suggest children have not been victims of CSA may play a part in the finding that CSA police investigation outcomes can curtail children’s access to CSA support and recovery services (Ofsted, 2020; Social Care Institute for Excellence (SCIE), 2016). This is a further complication of poor CSA investigation practice. If lack of disclosure in an ABE interview leads to a view that a child is not a victim of CSA, a child is unlikely
to access non-policing services for support and recovery. This further adds to a lack of access to justice for child victims of CSA.

The Children’s Commissioner for England (CCfE) has noted specific challenges for ABE interviews and working together practices.

…the practical challenge of bringing together the relevant police officers and social workers for an interview given the time constraints of a criminal investigation; a general lack of recent training on conducting Achieving Best Evidence interviews among police officers; a shortage of suitably trained social workers; and delays and shortages in skilled intermediaries to assist with interviews of younger children and children with physical/learning disabilities (CCfE, 2015, p. 6).

Although there is a background of support for other professionals, particularly social workers, to be included in ABE interviewing processes, there is scant literature on what benefits or challenges might be presented by working together. There is evidence that working together has declined but again little knowledge available to suggest why that might be. These are gaps in current knowledge and this study aims to explore these further.

2.11.3. Assessment and planning for ABE interviews

In Plotnikoff and Woolfson’s view, the current gap between what is stated as best practice standards and what occurs in practice is larger than ever. CJJI (2012) reported finding little evidence of planning and needs assessment for young witnesses and victims. This was further evidenced in 2014 by the CJJI when - and, despite the recommendations from 2012 - improvements were still lacking in ABE interviewing practice. Somerville and Eason (2018) found that planning and needs assessment was not considered for most child victims of CSE (child sexual exploitation) who were subjects of ABE interviews. In Somerville and Eason’s study (2018), adherence to the ABE guidance by police officers (MoJ, 2011) was routinely lacking. Across these publications that critique the standards for child victims and witnesses in the justice system (Plotnikoff and Woolfson, 2019; CJJI, 2014; CJJI 2012), the message is clear: the methods that would result in best practice are embedded in guidance and advice that is readily available to practitioners, but these approaches are regularly disregarded.
Professionals in many disciplines working with children conduct assessments of children’s needs in order to decide the best approach for their intervention with a child: considering behavioural, emotional and social domains in a child’s life allows for the attainment of good quality, evidence-based professional standards (Whitcomb and Merrell, 2013). According to Fiore (2012), an assessment should draw upon a variety of sources of information gathered through observation and documentation or other avenues. Assessment may occur in formal and informal settings and should be framed in terms of evaluation and understanding (Fiore, 2012). Assessments take place for different purposes and Kraus and Thomas (2011) note the difference between assessments conducted for forensic processes and those conducted for clinical purposes.

The typical aims of the child forensic evaluation are to identify the stated reasons and factors leading to the referral; to obtain an accurate diagnostic picture of the youth’s developmental functioning and the nature and extent of the youth’s behavioral difficulties, functional impairment, and/or subjective distress; to identify potential individual, family, school, peer, or other environmental factors that may account for problems that have resulted in the legal involvement or claimed impairment or distress; and to rely as much as possible on research and scientific studies rather than subjective hunches in coming to an opinion (Kraus and Thomas, 2011. p. 1300)

Although written with young defendants in mind, the above quote resonates with wider forensic areas and points to a need for forensic assessments to be grounded in research and not individual subjectivity and opinion. It demonstrates the concern associated with inadequate assessment and shows the need to think widely about a child’s circumstances to provide adequate details for court processes. Professionals who work with children who are defendants, witnesses and victims in the justice system could benefit from more clarity about assessment processes and how these can inform planning for a child and provide information for professionals and courts.

The lack of planning and assessment for ABE interviews is a consistent theme across inspections and studies and resonates with other forensic areas involving children. However, although the importance of planning and assessment is recognised in the literature, there are few studies addressing why this does not take place. This study aims to contribute to knowledge in the area by considering what the reasons may be behind the failure to plan and assess for children who are subject to ABE interviews.
2.11.4. Social work theory and trauma informed practice

Social work sits across micro, mezzo and macro levels of engagement, playing an important part in shaping services to individuals (micro), families and communities (mezzo) and impacting on societal change designed to support people’s wellbeing (macro) (Maschi and Leibowitz, 2018). Developmental psychological theories, ACEs and other theoretical knowledge bases (for example, toxic stress) are all essential areas that contribute to social work, but the additional influence of society, social policy and philosophy, amongst others, also play a role in social workers’ thinking (Thompson, 2018).

The benefit of using any theory in social work is not solely to have a supply of background knowledge contained within a theoretical context, but to ensure that there is an application of that knowledge to a practical situation.

“The aim is not just to know more, but also to use what they [social workers] know. In practical fields of work, therefore, theory is about supporting reasonable judgements with thought-through arguments based on knowledge … This leads to a kind of practical wisdom. We develop this by a constant use of everyday practices using local knowledge that allows for constant minor readjustments of formal rules by feel.” (Payne, 2021, p.5)

Deciding on the best action to take in a social work context does not come from knowledge and theory alone. Social workers must choose which knowledge, theory and skill should be applied and in what situations, and use their professional decision-making skills (Payne, 2021). The social work approach to working with people may be considered eclectic, choosing from a range of knowledge and theory, depending on the situation. This is also reflected in the holistic style of practice encouraged through social work core guidance, such as the Framework for Assessment of Children in Need and their Families (DoH, 2000) and delivered by social workers working with children and young people. This means seeing a child or young person in light of many considerations, some that are informed by theory, but also those that take into account matters such as children’s rights, the law to protect children and a critical analysis of the world in which they live. Arguably, the most important way in which social workers consider children is as individuals, shaped by their various direct and indirect experiences, both internal and external.
As noted by Payne (2021), repeated practise in social work leads to an accumulation of ‘practical wisdom’ (p.5) that can then be used to improve the way in which services can be delivered whilst considering the individual needs of children. It can be argued that social workers have not had access to the repeated experience of ABE interviewing, and this has limited social work development in this area. The application of social work theories to ABE interviewing may have decided benefits and not only in understanding a child’s internal world.

2.12. Summary
Child abuse is considered a major public health and social concern. CSA is an area of specific concern where distinct complexities exist in the types of CSA and the response to CSA which can support victims to bring about justice and prevent continued offending by perpetrators. There is a year-on-year increase in attrition rates for CSA in the criminal justice system demonstrating that child victims of CSA are not accessing their right to justice in this area. There is a ‘knock on’ effect of child victims of CSA not being seen as credible because of the failure to progress a criminal CSA case. A lack of progression of CSA cases leads to perceptions that CSA has not occurred, and services are not then forthcoming from other agencies that would give children access to support and recovery services. The lack of justice outcomes in the criminal justice system supports a secondary injustice by preventing access to these services.

Child victims are the principal witnesses to their own CSA, and this is a vulnerable position that requires thought to be given to their needs. Child witnesses are entitled to special measures under the law that should support how they are able to give their testimony. The inability to gather credible evidence from children via ABE interviews means that cases fail, often due to lack of evidence, which is cited the main reason for CSA case failure. There is much research based on what occurs during the conduct of an ABE interview and how children’s developmental issues may impact during an ABE interview. There are also several studies relating to training of ABE interviewers as discussed in this review. However, there is much less research evidence available about planning, assessment and how trauma informed knowledge is applied on behalf of children involved in ABE process. There have been few improvements in attrition rates for CSA cases in the 30 years since the inception of special measures, and this suggests that a different focus for research may bring previously unidentified insights. This study will focus on the gaps identified by exploring organisational and practitioners’ views about planning and assessment for children involved in ABE interviewing and this will make a significant contribution to the field.
The research evidence shows that interviewers do not follow protocols, models or guidance as advised and this is a long-standing and entrenched issue and there are calls for further inquiry.

[There is a] need for systematic research that investigates the implementation of the recommended ABE guidelines and the associated training needs. This should ensure that child witnesses are supported and interviewed in the most appropriate manner by skilled interviewers, increasing well-being for the child, enabling them to provide their best evidence, and ensuring that the ends of justice are met. (Hill and Davies, 2013, page 70)

Even the most recent developments (e.g., Barnahus) may be showing early signs of not contributing to an improvement in ABE interview quality. Whether or not ABE interviewers adhere to guidance has been the focus of some research, but professional attitudes as to why they may or may not implement guidance or research-based practice have not been considered. Calls for additional research that considers guidance and training from the point of view of practitioners will be a useful contribution to the field of ABE interviewing (Fessinger and McAuliff, 2020). This study will contribute further to the debate about barriers to implementation by seeking a deeper insight into the personal and professional attitudes of those interviewing children to explore the reasons behind this challenge.

There is no research on non-policing professionals in a supportive or joint interviewing capacity and their contribution to ABE interviewing as distinct from that of police officers. Multi-disciplinary working in child protection investigation and in ABE interviewing is an area consistently encouraged and supported by guidance, but research suggests that this does not happen in practice. There is evidence that multi-disciplinary working in ABE interviewing has declined over time. There is little research about the attitudes of professionals to working together in this field. This study takes a multi-disciplinary approach to seek the views of a range of professionals involved in the ABE interviewing field to bring a greater perspective to some of the challenges noted in this chapter.
Chapter 3 - Methodology

3.1. Introduction

This chapter outlines the research approach; the theoretical orientation of the work; the research design, the process of data collection and analysis and ethical considerations for the study.

3.1.1. Research and ABE interviewing

There are two dominant approaches in the research around children’s testimony – those studies that look at supportive and developmentally sensitive interviewing and how this affects what children can tell interviewers, and studies that consider the negative impacts on testimony, such as suggestibility and interviewer behaviours (Lamb et al., 2018). Both types of approach are rooted primarily in developmental psychology theories centring on the developmental capabilities of children and focus on ensuring reliability and accuracy and minimising false testimony from children. Many studies undertaken in ABE interviewing research, have hence focused on the accuracy of children’s recall as a measure of success, but accuracy is hard to determine in circumstances where there is often no substantive corroborating evidence of CSA (Lamb et al, 2018). Studies also focus on interviewer behaviour and quantify adherence to guidance as a measure of the successful conduct of an ABE interview. Interviewer behaviour has not yet been shown to increase the number of cases that would progress successfully through the criminal justice system and no studies were found that pointed to behaviours that were evidenced to positively affect attrition rates.

The present study recognises the importance of these issues but proposes that a dominant psychological focus in ABE interviewing research has not contributed to an understanding of, and transfer into, practice of other important factors that may assist in supporting children and interviewers during the ABE interview process. Some studies and reviews point to a lack of planning for, and assessment of, children undertaking ABE interviews and correlate this with poor outcomes, such as attrition rates for CSA cases in the criminal justice system (for example see Plotnikoff and Woolfson, 2009; CJJI, 2015). In the opinion of the author, the planning and assessment stage of ABE interviewing is where there is opportunity for practitioners to consider the many impacts upon children, their rights and needs, and what will contribute towards their general well-being. It is for this reason that the methodology for this study was focused on trying to develop a more in depth and ‘real life’
understanding of the experience of the ABE interview process, and what practitioners considered when they were faced with a potentially vulnerable child and the many challenges associated with eliciting evidence in criminal allegations of CSA. In ensuring an effective ABE interview process, some observers note the importance of non-policing professionals (HMICFRS, 2019). Yet policing has moved further away from multi-disciplinary working in ABE interviewing, particularly that undertaken with social workers (CCfE, 2015; Fox, 2019; HMICFRS, 2019). There was a need to understand why this might be occurring and what the impact of this might be, particularly given social workers’ (and other support workers’) skills in the assessment of children’s needs.

Therefore, this study aimed to establish if, and how, needs assessments of children were incorporated into planning for ABE interviews, and the impact this has on access to justice for child victims of CSA. The study sought to establish this from the perspective of police organisations, those working as ABE interviewers, supporters and stakeholders in the field of ABE interviewing for child victims of CSA. The approach to this inquiry into the dynamics involved in assessing and planning for ABE interviewing practices has been designed to seek in depth knowledge of the areas in question (Braun and Clarke, 2021; Levitt et al., 2017). Furthermore, the research considered the experience of the participants in light of the organisational policing context in which ABE interviewing takes place, and this was informed by a survey across multiple police services in England and Wales.

The study was registered with the College of Policing in England and Wales. The author’s intention was to ensure that the findings of the study could be used to contribute to positive change in ABE practice.

3.1.2. Developing the research aim and questions
The overall research aim of this study was therefore:

To understand the process of assessment and planning in ABE interviews of children and to what extent it brings about justice

To achieve this aim, the study explored five research questions:

i) What is current practice across policing services in England and Wales with regard to the assessment of, and planning for, children’s
needs when a child victim of suspected CSA is to be subject to an ABE interview?

ii) What knowledge and guidance do police officers use when conducting ABE interviews with child victims of CSA?

iii) How do police officers implement knowledge and guidance about assessment and planning in ABE interviews with child victims of suspected CSA?

iv) What role do professional support workers play in ABE interviewing, planning and assessment of child victims of suspected CSA?

v) What is the experience of child victims of suspected CSA who have given ABE interviews?

3.2. Research Approach

3.2.1 Philosophical underpinnings

Understanding the philosophical underpinnings of any study involves appreciating the ontological and epistemological position being taken. Ontology is, in simple terms, the study of what makes up reality. Ontology is not confined to what becomes human knowledge rather is about how the reality of human existence is understood (Fletcher, 2017). Epistemology in contrast, is the study of how human knowledge is known (Robson and McCartan, 2016; Gibbs, 2018; DeJaeghere et al., 2020). Positivists argue that reality can be understood by a set of rules that are applied in the natural world and that, as such, the research approach to a study should be to determine what these rules might be (Robson and McCartan, 2016). Social constructivists, on the other hand, assert that reality is not bound solely by rules, but that the people engaged in an environment interact with one another and within systems, and do so within a particular culture of norms, values and practices (Robson and McCartan, 2016). For the social constructionist, studying and analysing all these relevant dynamics leads to an understanding of the reality of people’s experience. Neither of these approaches purely fitted the needs of the current study as ABE interviewing processes involve complex dynamics between the actors concerned (Aheren et al., 2019; Catz and Fieldl, 2021; Korkman et al., 2006), as well as organisational environments and systems.
(Rasmussen, 2010). As a way of mediating these competing positions, critical realism offers an alternative approach (Fletcher, 2017) that was adopted in the framing of this study.

Critical realists do not subscribe to the view that reality is simply understood through scientific experiment, nor solely what human knowledge or discourse can construct, but through a combination and interaction of the two (Fletcher, 2017). A critical realist approach can explain patterns, and show interactions and interdependencies, in the data that are studied, and this was key for understanding the complex phenomena arising during preparation and execution of ABE interviews. The critical realist perspective also views reality as complex and layered, meaning that individuals, social groups, institutions and society are not understood unless looked at as a whole.

Critical approaches to research can counteract a focus on individuals being seen as having problems or being problematic. The problem locus in individuals is often associated with psychological based research, whereas critical approaches allow for the wider contributions from society, culture, political and economic influences to be considered (Levitt et al., 2021). By noting that understanding of a research subject might change over time, critical realists also focus on how different perspectives can be compared. Critical realism seeks not only to establish the reality of people’s experience, but also how any outcomes from research can be used and understood to make a positive difference for the future (DeJaeghere et al, 2020; Gibbs, 2018; Robson and McCartan, 2016). As such, critical realism is not associated with a specific set of methods but allows for explanation and analysis and is therefore a suitable approach for social research, (Fletcher, 2017) and in turn, this study. In response to the emphasis of studies in the field of ABE interviewing grounded in psychological theory, this study by contrast adopts a critical realist approach in order to achieve a deeper understanding of the wider issues at play in affecting children’s access to justice via the current criminal justice system.

3.2.2 Theoretical framing

Bull (2010) notes that child witnesses’ access to justice via the legal system in England and Wales is through the processes in place to give and hear their evidence. The extent to which children’s rights are upheld in the legal process is therefore central to this inquiry into ABE interviewing processes. Children are competent social actors with distinct entitlements to child rights and can express a view about their experiences (UNCRC, 1979; James and Prout, 1997). In child protection cases however, children
are most often perceived by professionals through deficit approaches (Jensen, Studsrød and Ellingsen, 2020), this does not consider children’s strengths and affects perceptions of their competence. Power differentials were also significant in this research in terms of how police power and authority may be perceived by child victims and how this impacted upon children’s ability to participate safely and adequately in the ABE processes.

Additionally, several theoretical viewpoints that are covered in the literature review were crucial to the context of the research. These include psycho-social theories relating to the impact of CSA, trauma informed practice and adverse childhood events (Bowlby, 1979; Finkelhor, 1984; Triesman, 2021). Social work and sociological theories and the implementation of social work practice that is guided by theoretical understanding (Maschi and Leibowitz, 2018; Payne, 2021; Thompson, 2018) are also key to the study, particularly in that these theories guided the frame of reference of the researcher and some of the participants. A critical approach (Fletcher, 2017) was then necessary for this study because the theoretical bases were multiple and layered and influenced and interacted with each other. For example, there is an individual impact upon a child victim of CSA but also costs to other groups (e.g., investigators of CSA, families) and wider society that can be expressed in terms of justice, health and social outcomes. An understanding of how the above impacted on individuals, but also how wider societal constructs interacted with the issues, provided the background to this research and was central to understanding the way in which ABE interviews were prepared and managed in cases of alleged CSA.

3.3. Methodological considerations
The current study used a mixed method design using qualitative and quantitative methods, with the primary emphasis on qualitative methods. There are authors who argue that a mixed method design reduces the validity of any study (Gelo, Braakmann, & Benetka 2008; Guba, 1987; Sale, Loheld and Brazil, 2002). But this view has been challenged and Howe (1998) states that there is no incompatibility between quantitative and qualitative methods at a practical or epistemological level, and that multi-strategy research designs are valid; indeed, have become commonplace. Combining methods leads to a more thorough understanding of a subject (Denzin, 1970) and different methods can enhance each other by adding different details to the research picture (Morgan, 1998). In the present study, the phases were clearly defined, the purpose was laid out for each approach and structure was applied to analysis of the data collected. Defining methods in detail at the various stages of the research
allowed for the validity of the mixed methods design to be evidenced (Howe, 1998) and contributed to establishing methodological rigour. The quantitative part of the study related to the survey which sought to establish a general view of ABE assessment and planning practice in England and Wales in policing organisations.

In terms of considering ABE assessment and planning practice in depth, the use of qualitative approaches to understand the lived reality of individuals’ experiences is common and effective (Gray, 2013; Robson and McCartan, 2016; Hollway and Jefferson, 2000). ABE interviewing of children is a subject matter that is complex, specialist and sensitive; three areas that Ritchie et al. (2013) suggest are well suited to a qualitative research design. To access the reality of those involved in a study, the researcher also needs to create a relationship with the research participants. In order to do this, it is best that participants are seen in their own settings and any methods used should facilitate this goal (Yilmaz, 2013) and this occurred during the current study with support being offered by the policing organisations to use their premises for interview.

When research seeks to transform the lives of those involved in the research, then using mixed methods is a positive approach (Marti and Mertens, 2014). “Real world research is a cornerstone of applied learning, evidence-based policy and informed decision-making” (Robson and McCartan, 2016, p.10). Real world research can be appropriate for small scale, applied research that reflects participants' personal experiences (Robson and McCartan, 2016). It is also an appropriate choice for academic social science research, a category in which this study belongs. The approach to gathering data must acknowledge the requirement for techniques that can elicit these ‘real’ and ‘lived’ experiences (Yilmaz, 2013).

3.4. Research design
This study used a flexible design requiring detailed pre-planning and the ability to adapt the plan as the study demanded (Robson and McCartan, 2016). As a solo researcher there was a clear overview of the process of the study throughout all the stages of the research, the procedures to be used for collecting the data, well-developed research questions and a good understanding of how the data was to be recorded, all essential elements of a successful flexible design (Robson and McCartan, 2016). The researcher was open to allowing the design to be changed in response to emerging themes where this was necessary. Interpreting the data throughout the collection process was fundamental to being able to see emerging themes during the process of
the study (Robson and McCartan, 2016). Flexible designs can be vulnerable to bias because they can operate outside of the discipline that is found in fixed designs. This can be even more so when the researcher is close to the subject matter of the study, as in this case (Robson and McCartan, 2016). To address these concerns in this study and provide a check on potential bias, a group of stakeholders who were specialist professionals working in the field of CSA and who had specific experience of working with police officers involved in the ABE interviewing of children, were consulted about the themes emerging from the data. The stakeholder group process further added to the validity of the findings.

Triangulation of different types of mixed method collated data, including the reflexive contribution of the researcher, is a technique that strengthens the findings of a study and adds to credibility (Noble and Heale, 2019; Nowell et al., 2017). Triangulation involves using more than one element of data, methodology, researchers and/or theory (Noble and Heale, 2019) to establish the strength of a phenomena. In this research, methodological triangulation was achieved by using several methods to collect the data. For example, using data obtained from the surveys sent to several police services and data from interviewing a range and number of participants resulted in some key findings that were made stronger because of the number of unconnected sources from which the findings emerged. This allowed for confirmation of data using more than one independent measure (Heale and Forbes, 2013). The key data collection methods in this study are shown below:

Table 2: key data collection methods

| Surveys to explore whether ABE standards exist and are used across policing organisations in England and Wales (Appendix C) and to establish participant experience and background (Appendix F) |
| Secondary data analysis of a freedom of Information request about the use of registered intermediaries (RIs) (Appendix D) |
| Semi-structured interviews with police officers Appendix H) |
| Semi-structured interviews with support workers (Appendix K) |
| Reflective analysis with Stakeholders (Appendix N) |
| Researcher positionality |
3.4.1 Surveys

Surveys and questionnaires can be used in qualitative studies, but they are more regularly seen in quantitative work. The main purpose of a survey is to establish the breadth or range of phenomena, as was the case in the current work. In qualitative research, surveys assist in describing elements of what is examined and identifying the causes of any systematic differences across the data (De Vaus and De Vaus, 2013). Surveys can be used to obtain specific detail, and in the present study they were used to establish whether standards existed in policing organisations across England and Wales. (These standards were those set out in national guidance and identified as best practice for ABE interviews in England and Wales (MoJ, 2011; 2022). A brief questionnaire was also carried out among the police officer participants to establish their professional background. This questionnaire asked about the participants’ qualifications and their organisation’s approach to conducting ABE interviews of children. Conducting a brief survey with police officer participants prior to the semi-structured interviews meant better researcher preparation for the interviews and more time was used to probe deeply into participants’ experience.

3.4.2 Semi-structured interviews

Semi-structured interviews are commonly used in qualitative, flexible and mixed method research designs (Robson and McCartan, 2016). It is a method that is well suited to real world research and to circumstances when the researcher is responsible for conducting the interviews (Robson and McCartan, 2016), as was the case in the present study. Semi-structured interviews lent themselves to the small samples that were used in this study (which were made up police officer and support worker participants). They also allowed the researcher to use her knowledge of the subject to drill down into the experience of the participants.

Self-reporting by police officers in other ABE related studies (see, for example, Lamb et al, 2002a; Lamb et al, 2002b; Le Rooy, Lamb and Memon, 2011) has been shown to be inaccurate. To assist in counteracting inaccuracy in self-reporting, in addition to using a stakeholder group, the current study has reported in detail what participants have stated. Offering substantial detail allows for the reader to consider whether the reflection of the participant is applicable to their situations (Rubin, 2008). Charman also (2017) noted that a cautious approach has been adopted regarding research interviewing of police officers and their reliability has been questioned. She argues that in seeking police officer views, the researcher is looking for “perceptions, beliefs and ideologies of those who have control and power over citizen’s lives and act as the
gatekeepers of the criminal justice system” (p.174) as opposed to seeking fundamental truths. Considering the perceptions of police officers in depth and having a group of stakeholders reflect upon these brings fresh insight and perspective to this field of research.

3.4.3 Secondary analysis
Secondary analysis is the analysis of data collected by another researcher for a project other than the one in which it is being considered currently (Robson and McCartan, 2016). The secondary data used in this research was originally collected for an academic dissertation by another researcher (McCullough, 2017). The data was used with full permission from the researcher. The secondary data contained responses from a Freedom of Information (FoI) request to all police services in England and Wales about the use of Registered Intermediaries (RIs) in ABE interviewing. The use of secondary analysis was a small part of the present study but it added to the data obtained from the questionnaire in phase one. The secondary data analysis legitimately added value to the study by confirming some of the data obtained from the survey for all policing organisations.

3.4.4. Stakeholder group reflective analysis
Peer review groups are a legitimate approach in research, and they can strengthen the validity of findings in research studies (Robson and McCartan, 2016). The peer review group was of assistance in providing support for the researcher (Robson and McCartan, 2016) by peer debriefing and this contributed to the assurance of academic and professional rigour in the study (Yilmaz, 2013). The use of a peer review group meant that there was involvement of others who were close to the subject of study and were able to assess whether the findings resonated as true in their experience, but also to add a depth of analysis in the sense making process. Guadagno, Powell and Wright (2006) used a stakeholder process in their study of ABE interview question typology. Guadagno et al (2006) chose a sample of police officers and then explored the police officers’ perceptions about question typology. Guadagno and colleagues sought to explore police officers’ perceptions further by considering them in light of external criticism of their ABE interview performance made by legal stakeholders, such as judges and lawyers. This strategy assisted them in verifying or rejecting the police officers’ perceptions by considering wider ‘expert’ views. However, they noted that by selecting stakeholders with more experience in the field than the research participants the results might not be representative of a majority professional opinion that would be influenced by less experienced colleagues (Guadagno, Powell and Wright, 2006).
reflecting on this as an area of learning for the current study, the researcher took the view that the stakeholder peer group represented experienced professional opinion, which was not used to generate a representative opinion but to validate, add to, and/or challenge the participants’ views in this study.

The research plan consisted of six elements. There were some challenges that meant that two elements that were initially considered could not be executed as planned. However, the researcher was able to use the flexible design described above and work around the issues, offsetting some of these challenges. The fieldwork for the current study took place between November 2018 and July 2020. The police officers and support workers were interviewed between January 2019 and April 2020, and the stakeholder group was consulted up to July 2020. One police service required a sponsor (a named supporter and link person for the researcher) from the police service at the rank of superintendent. A formal process was undertaken, and a sponsor was identified allowing the research interviews to take place.

3.4.5. Survey of England and Wales policing organisations

The purpose of the survey of policing organisations was to establish the practices and standards used across the 44 different police and law enforcement agencies in England and Wales charged with the duty of undertaking evidential Achieving Best Evidence (ABE) interviews with children who are suspected as having experienced child sexual abuse (CSA).

Questionnaires were sent to forty-three police services and the National Crime Agency (n= 44). Twenty-seven returns were received from these law enforcement agencies (61%). Four policing organisations use a combined Achieving Best Evidence (ABE) interview resource and two responses combining results from these four policing organisations were received. This resulted in returns received from 29 policing organisations (66%). Ten policing organisations required research requests to go via a specific research data request site. Of the ten policing organisations approached in this manner, only two responded to the requests. One of these two policing organisations responded from the data site request and the other was contacted directly by the researcher. One additional form was returned blank although supporting documents were included in the response. Another police service stated that it did not respond to individual requests for data from students and although a request was sent, no response was received. Three policing organisations who responded to the request provided access to senior staff who had responsibility for running units supporting and
improving ABE practice. Three informal telephone discussions were undertaken, and these offered additional insight into some developing practice areas. Notes were kept of these discussions, but the discussions were not taped or planned as research interviews. These notes were kept as memos (see data analysis below) and were incorporated into the findings.

The researcher made a request for support for the research to the National Police Chief’s Council (NPCC) lead for Child Protection and Abuse Investigation and Violence and Public Protection, Chief Constable Simon Bailey (Appendix A). Mr Bailey wrote a supporting letter that was then included in the initial approach to all English and Welsh police services asking for their support (Appendix B). Where a research request pathway was available for requests to policing organisations, this was utilised. The success of this route was limited and resulted in a response rate of less than 20%. The researcher was able to use professional contacts and was able to directly approach the Chief Constables’ offices of several policing organisations. Other than those policing organisations that had a designated pathway for approach, the request to complete the questionnaire was sent to all the policing organisations through the chief constables’ offices directly to the named chief constables’ staff officers, by email with a copy of the supporting letter from Mr. Bailey. The survey commenced in December 2018 and results were forthcoming in January 2020. Non-responders were re-contacted on two occasions.

The questions in the survey were designed to explore whether there was any standardisation in undertaking assessments of children prior to ABE interviews across law enforcement agencies consisting of police services and the NCA in England and Wales. Standardisation was explored in relation to whether and when assessments prior to ABE interviews were undertaken, whether policing organisations were completing common written documentation for assessments and whether assessments involved any multi-disciplinary input. The questions in the survey are at Appendix C.

3.4.6 Secondary data
A police colleague who had undertaken research across policing organisations in England and Wales shared relevant data that she had gathered via a Freedom of Information (FoI) request. The colleague’s research had obtained data from 28 law enforcement agencies. Some of the responses were from policing organisations where data had not been obtained in the Phase One questionnaire (of the present research)
and some areas were relevant in that they offered some additional insight into ABE practices. 11 policing organisations had responded to the FoI request but had not responded to the request to answer the Phase One questionnaire in the current research. The data was made available to the researcher and the data was searched for any information that would respond to the original questions in the questionnaire. The data extracted referred to the routine conduct of ABE interviews, assessments for a registered intermediary prior to ABE interview and occasions when ABE interviews were not conducted (see Appendix D). This was useful in supporting gaps where some policing organisations had not responded to the questionnaire. There were limitations in using this data in that the questions for the FoI request were related, but not similar to, the questions in the survey. Where the data from the FoI request was used, this is clarified in the findings chapter.

3.4.7. Overall representation of police/law enforcement services included in data
Research on the rate at which policing organisations respond to national surveys could not be found. However, Nix et al. (2019) reviewed available research that had used surveys with police officers and reported that police may be distrustful of outsiders and that their support for researchers seeking to use surveys is generally limited. Nix et al. (2019) commented that generally it is difficult to establish what a “good” response rate to a police-based survey should be. The average response rate for police surveys was 48% for surveys not administered in person, although it should be noted that this represented all types of studies of policing, there was a wide range of sample sizes and no national policing organisational responses were reported (Nix et al., 2019). The response rate in the current study for the surveys to all police services in England and Wales was 66% (n=29). In addition, data about the existence of some level of assessment of children’s needs prior to ABE interviews was obtained from a further 11 police services via the secondary data. Of the 11 responses, five contained data about the conduct of assessment prior to ABE interview. In total, data about ABE interview practice and standards was obtained from 90% (n= 40) of all policing organisations and data in respect of planning and assessment was available from 77% (n= 34) of policing organisations in England and Wales.

3.4.8. Police officer questionnaire and semi-structured interviews
The purpose of the police officer questionnaire and semi-structured interviews was to examine police officer participants’ experiences and views of the ABE interviewing process with a focus on the planning of interviews with, and assessments of, children where there were suspicions of CSA.
A sample of five police officers with recent experience (i.e., minimum of within the past two years) of ABE interviewing of children where there were suspicions of CSA were chosen for semi-structured interviews. All policing organisations approached to take part in this stage of the research accepted and no participants withdrew. There were four female officers and one male police officer selected for interview. All the police officers were White British. The police officers were each working in different policing organisations across England and Wales. The police officers were given pseudonyms and any identifying details of workplaces, including area location, were removed from the interview transcripts. Anonymity was important as it allowed the police officers to speak freely about sensitive subjects. (For further details of the participants please see Appendix E)

The purpose of the questionnaire (appendix F) was to establish the five police officers’ experience and training, and what type of support they could access in their policing organisations for ABE interviewing. The questionnaire was used to identify the areas that did not require a more in-depth approach and deal with questions that could be answered in a straightforward manner. The questionnaires were designed to assist in establishing what had been the police officer’s scope of ABE interview experience and training. Policing organisations work within the ABE framework, but they also operate in a way that suits local needs in terms of how the ABE interviewing is carried out. Some policing organisations use specialist officers and units for all ABE interviews. Other policing organisations use specially trained officers who work in different areas of policing when not conducting ABE interviews. Police officers who had day jobs in interviewing units were likely to have more experience of ABE interviewing than their colleagues who worked as investigating police officers who occasionally interviewed. Understanding by the researcher of police officers’ different ways of working allowed for the potential impact of the different policing organisations organisational structures to be explored and considered in more detail in the semi-structured interviews. Other questions in the questionnaire focused on the participant’s experience, training and supervision in ABE interviewing. These practical questions assisted in the preparation of the interviews with police officers and allowed for more time in the interviews to be spent on ‘drilling down’ into experience.

Following the questionnaire, arrangements were made to conduct semi-structured interviews with the police officer participants face to face. The interviews were between 50 and 75 minutes long. Officers were given the research information sheet (Appendix
G) by email a few days prior to the interview and were invited to ask questions about any area of the study. The semi-structured interviews were guided by an interview schedule (Appendix H).

A request was made to the Chief Constable of the relevant policing organisation to conduct the research interviews with the above police officers. Five police officers were invited by email to take part in an interview. The policing organisations were asked to identify the police officers for the research interview and no criteria other than the need for officers to have a minimum of two years’ experience was set by the researcher. All the participants put forward by the organisations were female. The male officer was approached directly by the researcher with permission from the organisation. The researcher knew that a male officer worked as an ABE interviewer in this organisation - there had been no previous contact between the participant and the researcher until the researcher approached him with a request to take part in the study. The police officers were offered a choice of venue for the research interviews. All the interviews took place face to face in organisational accommodation, either that of the participant or the researcher. Permission was obtained from the organisations for use of their offices. The interviews were all audio-recorded and transcribed by the researcher.

Consent forms for police officers were sent with the introductory emails. An information sheet providing an outline of the research and the processes involved, including the right to withdraw, was also included with the introductory email.

3.4.9. Interviews with support workers

Social workers and Independent Sexual Violence Advisors (ISVAs) provide support to children involved in ABE interviews. The purpose of including support workers’ experience in the research was to obtain a further and possibly different perspective (from that of the police) on how children are considered in assessment and planning prior to ABE interviews where CSA is suspected. The reason for including professionals who work with children before, during and after ABE interviews was to examine the impact of the whole process of child engagement in the CSA investigation from a different viewpoint to that of the police officers. The support workers’ opinions were informed by what happened to the child following the ABE process. Unlike support workers, police officers were less likely to be involved in a supportive capacity at the post-ABE interview stage.
Semi-structured interviews were conducted with five professional support workers. The participants comprised one ISVA, and four qualified and registered social workers. All the support workers were identified via the researcher’s professional contacts. Two of the support workers had knowledge that the researcher was undertaking a study and offered to participate. The ISVA was an experienced manager of ISVA services and had experience of working with a range of agencies. The four social workers worked in co-located police and social worker teams that conducted ABE interviews of children where there were suspicions of CSA. All the professional supporters interviewed were female. There were no male professional support workers with the level of experience required that were able to be identified by the researcher. One of the support workers identified as south Asian in background; the other four identified as White British. The support workers were given pseudonyms to maintain anonymity.

The support workers had a range of experience. Three had been involved in ABE interviewing whilst working in previous organisations, whilst two were working in their first post gaining ABE experience. One of the support workers had previously worked as a police officer and had been involved in CSA investigations and ABE interviews during that time. Two of the social workers had been involved in ABE interviewing whilst working in local authority settings. All the support workers had experience of working in several geographical locations and with police officers from a range of law enforcement organisations. Not one of the support workers had led an ABE interview in their current role, although some had been more actively involved in conducting the interviews than others. Two of the social workers had engaged in questioning children during ABE interviews but had not been the lead questioner. All four of the social workers had been involved in ABE interviews as controllers. (Controllers generally sit in the room where the ABE interview is recorded. It is usual for the lead interviewer to ask the controller at the end of the ABE interview if there are any other areas that they should cover with the child in terms of questioning.)

The aim of the interviews was to elicit the opinion of the support workers about their experiences of conducting ABE interviews alongside police officers. To achieve the research aim, there was a focus on gathering detailed information via the use of examples from the participants’ lived experiences. The interview schedule (Appendix K) covered the following main areas: the experience of the support worker, their views on the assessment of children, and their experience of conducting assessments and using them in ABE interviews.
The researcher wrote to the ISVA’s senior manager to request permission to conduct the research interview. The researcher obtained permission from the managers of the support workers and her own manager to use their respective offices to interview the participants. The interviews were recorded and transcribed by the researcher. These semi-structured interviews lasted from 60-90 minutes. Three of the interviews took place face to face in the workplace of either the participant or of the researcher. Two of the interviews took place by phone due to circumstances beyond the control of the participants and the researcher. (One participant had to take unexpected leave and was therefore interviewed by telephone. Another participant was interviewed by telephone because of the restrictions imposed during a pandemic.)

Consent forms for the support workers were sent to them by email (Appendix L). An information sheet (Appendix M) giving an outline of the research and the processes involved, including the right to withdraw, was also included with the introductory email.

3.4.10. Stakeholder group
The stakeholder peer review group comprised four professionals with substantial but differing experiences of working with the children, adult survivors, support workers and police officers who had been involved in ABE interviewing. The overall purpose of the group was to ground the research findings in current practice. The task of the group was to focus specifically on the findings from the organisational survey, semi-structured interviews with the police officers and support workers, and to express views as to whether the findings were reflective of the wider experience of ABE interviewing actors and environments. The stakeholders were encouraged to reflect on the findings, interrogate and critically question the significance of the findings in light of their individual experiences. The purpose of this phase of the research was to assist with addressing researcher bias, and to maximise the opportunities to make recommendations that were relevant to future policy and practice. This approach was essential in ensuring that the research was robust, valid and could be translated into the ABE interviewing field.

Six stakeholders originally agreed to participate in the stakeholder group. However, two participants did not respond to the requests for interviews despite two prompts. One stakeholder participant who did not engage in reflective discussions had previously provided some data about child participation in research. This was compiled as a written memo (see data collection below) and is referred to in the discussion chapter. The engagement with the stakeholder group was significantly affected by
early and unexpected restrictions imposed due to a global pandemic. This meant that plans to meet as a group and face to face were not realised and this may also have affected the ability of two of the participants to respond to requests to be interviewed as an alternative.

The stakeholders were chosen because they all held doctoral qualifications in their area of expertise, and they were all considered to be specialists in their field and at a national level. One of the members of the group holds a national post responsible for the ABE interviewing and policing involving vulnerable victims and witnesses and is a major contributor to the national guidance on ABE interviewing (MoJ, 2011; MoJ, 2022). Two other members of the group are practising psychologists whose work involves supporting adult victims of CSA. One of the psychologists works with child victims of CSA and has experience of working on several national high profile CSA investigations alongside law enforcement colleagues, advising on witness interviewing and providing training for ABE interviewing. One psychologist works as a specialist in organisational and workplace stress management with a focus on psychological well-being at work. Their work brings them into contact with numerous police officers working in the field of CSA investigation and ABE interviewing. This psychologist has developed a programme to provide mandatory psychological support to police officers working with CSA and CSA material. The fourth group member holds a doctorate in child protection policy. They are an experienced child protection and safeguarding senior manager who has managed multiple mixed professional teams across law enforcement and children’s organisations working with CSA and they have contributed to numerous high-level developments in child protection at government level throughout their career. They have managed numerous child protection and CSA investigations involving ABE interviewing.

The instrument was adapted (as per the flexible design) to take account of challenges associated with the global pandemic. The amended design involved the stakeholders being sent draft findings from the semi-structured interviews by email alongside brief anonymised information about the research and the participants. The stakeholders were given two main areas to consider designed to focus their thoughts about the findings (see Appendix N). The researcher then sought feedback from the individual stakeholders via telephone interviews that lasted 60–90 minutes. The original intention was to bring the stakeholders together as a group; however, this was not possible with the result that interviews were conducted by telephone with individual stakeholders. The researcher took written notes during the telephone interviews. One of the calls
was audio recorded but the recording was not transcribed. Three of the stakeholders contributed additional information by email. In addition, one member of the stakeholder group shared four documents containing relevant research that they had discussed during the feedback. These documents consisted of a professional PhD thesis and three articles and where these are referred to in this thesis, they are referenced. The notes, the written feedback and the audio recording provided by the stakeholders were read and listened to respectively on several occasions by the researcher. The contributions from the stakeholders are contained in the findings and discussion chapter and any references that the group contributed are clearly identified. The participants gave their written consent to take part in the research by email.

3.5. Sample
This section deals with the sample selection of the semi-structured interviews. The study also used surveys from a high number of police services across England and Wales and reflexive, insider research. It is the combination of these methods, the use of triangulation and reflexive thematic analysis that resulted in methodological rigour of the study. Researchers who have expertise in the chosen research topic can legitimately reduce the need for higher numbers of participants in a study (Jette, Grover and Keck, in Mason, 2010) as less basic detail about context is needed about the subject matter itself.

3.5.1. Sample for semi-structured interviews
The semi-structured interviewee sample totalled 14 individuals who worked across ABE interviewing as police officers, support workers (ISVA or social worker) and stakeholders. The stakeholders were acknowledged experts who had experience of managing and/or supporting ABE interviewers and support workers. The original sample was 16 participants however, two additional members of the stakeholder group were unavailable at the time of research.

The research sample for semi-structured interview participants was purposive and meant choosing participants from a specific population, namely those working in ABE interviewing, either directly or in support of those directly involved. A purposive sample is one chosen to represent “salient characteristics” (Ritchie et al., 2013, p. 113) in line with the research objectives and give priority to them for choice of participants. Those salient characteristics were defined through the research questions and pointed to police officers and others with responsibility for conduct, assessment and planning for ABE interviews of child victims of CSA. Purposive samples are required when logically,
random sampling would be ineffective (Miles and Huberman, 1994), as in the case of the current study. It is usual that samples seeking qualitative research outputs are small, “nested in context and studied in depth” (Miles and Huberman, 1994, p. 27).

Furthermore, the researcher chose purposive sampling that would reflect diverse groups across the field (Bryman, 2012; Cresswell, 2013; Patton, 2002, cited in Ritchie et al., 2013). This allowed for learning to emerge across three distinct participant groups whilst noting the homogenous nature of the subject under study although having some expectation that there would be variation of views across the groups (Ritchie, 2013). Although it was expected that the groups would demonstrate some points on which they might agree, the review of the literature suggested that there were also differing views, for example, about working together across the professional disciplines involved and this may be a source of some tension (see for example CCfE, 2015). Seeking out views from those from different disciplines and with varying levels of experience led to the identification of values that differed across the sample.

Several studies of ABE interviewing use ABE interview transcripts to explore practice (e.g., Ahern et al, 2014; Baugerud et al., 2020; Orbach and Lamb, 2007; Westcott and Kynan, 2004). In Ahern et al. (2014) only seven ABE-type interviewers were in the sample, but the researchers noted that over 1,400 ABE interviews had been achieved by the participants. The study by Ahern et al. demonstrates the levels of experience that some ABE interviewers can have and that the number of individuals in a sample is not always an indicator of the level of data that may be obtained. It does however suggest that sample criteria should focus on experience, and this is further discussed below.

The more usual methods used in ABE-type interviewing research can be found in studies that utilise surveys (e.g., Wheatcroft et al., 2014; Rivard and Schreiber Compo, 2017), case studies (e.g., Somerville and Eason, 2018) or focus groups (e.g., Cassidy et al., 2020). Some survey-based ABE research focuses on a specific geographically bound area, for example, Wheatcroft, Wagstaff and Russell, (2014) used 33 questionnaires across a small sample of three police services. In mixed professional populations research in ABE interviewing, large samples can be seen where surveys are used for data collection (e.g., Buck et al., 2014; Starcher and Stolzenberg, 2020; Perron and Hiltz, 2006). There are some very large samples in US based research (e.g., Fessinger and McAuliff, 2020, n= 781) using questionnaires across all geographical regions, but although there have been qualitative outputs from such
studies, the ability to obtain detailed, in depth description is necessarily limited (Fessinger and McAuliff, 2020). The author found that few researchers in the ABE field used semi-structured interviews as a main method for research. The studies seen by the author that did use semi-structured interviews were geographically limited to a single police service or a very small number (under five) of regions. In acknowledging the different types of practice across England and Wales’s police services, of which the author was aware due to her working history, it was considered necessary to focus on a geographically diverse group of participants.

Sample size in exploratory research that is seeking in depth views on a complex area of practice can be varied, however for semi-structured interviews that will be subject to thematic analysis there are several examples of smaller samples being used. The sample for this study was similar in number to other studies seeking ABE interviewers’ views in depth. For example, Cassidy et al, (2020) spoke with 16 police officers across two focus groups. Roberts and Cameron (2015) spoke to 9 police officers and 3 social workers in semi-structured interviews. Similar sample sizes have been used in non-ABE interview related qualitative study with practitioners working with children in complex circumstances and where thematic analysis (Braun and Clarke, 2006) has been used. For example, Briggs, Slater and Bowley (2017) interviewed 10 practitioners from a single geographical area. Other research with practitioners using thematic analysis shows a greater number in the sample (e.g., Allen et al., 2020, n=44) but the use of focus groups and shorter (30 minute) interviews which are arguably seeking less in depth insight than was required for this study.

As pointed out by Roberts and Cameron (2015) in their work looking directly at ABE interviewer’s practice:

> the focus here is not on the objective quality of [ABE] interviewing; rather it is a qualitative analysis to understand the reasons behind interviewers’ use (and avoidance) of certain practices. (Roberts and Cameron, 2015, p.34)

In a similar manner, the current study entailed an in depth qualitative analysis of the practice (and potentially the avoidance of good practice standards) associated with assessment and planning for child victims of CSA.

3.5.2. Police officer sample
The key criteria for selecting police officer participants were the area of work (with child victims of CSA) and experience of conducting or being involved with ABE interviews over the last two years. Two years was chosen because in some police services there is a system of tenure which allows for police officers to stay in child abuse investigation teams for a maximum of three, four or five years. Tenure is specifically advised in IIOC investigation teams (College of Policing, 2019). There was a need to seek a balance of length of experience and target those with current, up to date experience. To meet the criteria for the research also meant finding those with enough time served in child abuse investigation work and not to exclude certain police services due to tenure rules. The participants needed to be able to speak to the core subject of the research, a primary requirement for purposive sampling (Ritchie et al., 2013). Secondly, there was a need to ensure some diversity in the participant sample (Ritchie et al., 2013) and this meant that police officer participants were chosen from different organisations and regions. Working location was an important factor because there are suggestions from policing research that culture within specific police services or teams may be affected by “uniquely strong interpersonal bonds that build up particularly between officers of the same shift or unit” (Caveney et al., 2020, p. 1220). To ensure that any findings about cultural attitudes in policing were as balanced as possible, the choice was to seek participation across several police services. Variability was ensured by selection of size of the police service (based on how many police officers were employed). To state the actual sizes of the services chosen could identify where the participants came from and so the services included are relatively described as small (1), medium (2) and large (2). The Office for National Statistics (ONS) groups police services into geographical regions (e.g., North East, North West, Wales, East of England, South West etc). Each individual participant came from a different region and the services covered a variety of rural and urban areas. All the services chosen had a socio-economic mix of population, this meant that the police officers would have potentially interviewed children from diverse backgrounds. Environmental factors are key in needs assessment for children (DoH, 2000) and therefore seeking diversity in the experiences of child witnesses was a factor.

All the police services approached offered only female police officers for interview. To ensure some gender diversity in the sample, the researcher made specific enquiries to identify a male officer who was currently involved in ABE interviewing and approached his organisation separately. To some extent, this involved some bias (Miles and Huberman, 1994), but having only one male participant in a small participant group could not bring about strong conclusions related to the gender of
3.5.3. Support worker sample

For the support workers, the sample was purposive and the criterion for selection was that they had to be actively involved in ABE interviewing in the past two years. The selection of two years was to achieve a similar time frame of experience as the police officers, so in part was determined by the potential for tenure systems to influence the selection. However, the number of social workers, ISVAs and other support workers who were actively involved in holistic assessment of child victims for ABE interview was limited. The number of support workers, particularly social workers, involved in ABE interviews has diminished over time (CCfE, 2015; Fox, 2019). The impact of the lack of social worker or ISVA involvement in ABE interviewing processes was reflected in the attempts to identify practitioners with relevant experience to match that of the police officers. There is then a small number of workers in this category with the correct experience making this a restricted pool from which to select participants. Many support workers who get involved with ABE interviews, do so on a very limited basis. For example, it has been found that social workers were not included in decision making when child victims are interviewed (Somerville and Eason, 2018) and as a result, many did not have the required amount of experience to be included in this study. The researcher was advised by senior staff at the ISVA services that many ISVAs would not have the requisite experience to participate. Only one of the ISVAs approached had the requisite experience to participate in the study. This resulted in a change of strategy, supported by the flexible design, to ensure the sample selected had relevant experience of undertaking ABE interviews in the requested time period of two years. The sample was geographically diverse and each of the social workers and the ISVA worked across or in different police service regions, meaning that they had worked with several police officers from more than one police service. The geographical spread was important as some of the support workers specifically mentioned that some police services worked in different ways, for example some police services were considered generally more effective than others in ABE interviewing.

16 Registered intermediaries were not selected for this study because the focus of their assessment is about communication with the child victim. Registered intermediaries would not have a role in the ABE interview as an investigative interviewer, nor would they have a longer-term involvement with the child outside of the ABE interview process.
3.5.4. **Stakeholder sample**
The individuals that made up the stakeholder group were highly specialised in their areas of practice and knowledge. There are few independent people with the level of knowledge and background as specialists in the areas identified and relevant to the current study. The researcher used her own knowledge of the field to identify those people who were active in their area of expertise at the time of the study. The sample choice was driven by the gaps emerging from the literature review and related to the research questions. For example, there were indications that ABE interviewers would not identify their own practice as weak, so the choice of the stakeholders focused on those who worked with groups of police officers and social workers and may offer a more objective perspective. The research questions were focused on the experiences of police officers, support workers and children who were involved in ABE interviews. The stakeholder group participants were representative of those who worked closely, and at a specialist level, with the key participant groups and with children. However, it is notable that where specialists are used in research, that they may skew results as experience and specialism leads to developed viewpoints that may not be reflective of the general population of ABE-type practitioners (Guadagno, Powell and Wright, 2006). It was then necessary that in reporting on the stakeholder views, these were clearly aligned to the stakeholders.

3.5.5. **Sample size**
It is legitimate to have a small sample size in qualitative research and suggestions for sample size range from two or three to 50 participants depending on the study (Ritchie et al., 2013). Although the semi-structured interview and stakeholder samples were on the smaller side (14 interviews), the interviews were complemented by the responses to the survey sent to all police services and additional secondary information collected from participating police services for example relating to guidance and procedures for conducting ABE interviews. The material from the semi-structured interviews was also enhanced by ethnographic, reflexive and insider researcher reflections as discussed further in this chapter. Although the sample might be considered small, the levels of experience and knowledge of the participants across a range of disciplines and organisations offered a unique insight and contribution to this field of research.

3.6. **Researcher positionality**
Hollway and Jefferson (2013) caution that there can be unconscious dynamics at play when researchers work in a familiar area. These dynamics can negatively affect the
choices that are made about the direction of the research. Researchers with experience in the field should seek to separate out what is data gathered from a study and what is prior knowledge, views or experience, because this contributes towards establishing the dependability of the project (Hollway and Jefferson, 2013). Anastas (2004) states that the relationship between the researcher and participants should be well documented to ensure transparency and methodological rigour by identifying the potential influences of the researcher (Anastas, 2004; Guba and Lincoln, 1994; Braun and Clarke, 2022.

I am a qualified and experienced social worker, ABE interviewer and trainer, and manager of ABE interviewers. My professional background is in social work and law enforcement, spanning a period of thirty years and is pertinent in reflexively bringing to bear a consideration of social work theory and practice to this study. I have conducted ABE interviewing, both as a lead and as a second ABE interviewer; have been an investigator in complex cases of CSA and have supervised, managed and trained ABE interviewers who have been police officers and social workers. Throughout the data collection period, I worked in, and across, multi-disciplinary settings in CSA investigation and management of specialist teams who conduct ABE interviews. In addition, I have provided advice and consultancy on complex ABE case management to police forces. None of the individuals or teams provided with consultancy participated in interviews for this study. I have also drafted policies, procedures and practice guidance in ABE interviewing and CSA investigation at local, national and international levels. I have led and developed specialist ABE processes for use in complex enquires alongside the Crown Prosecution Service, law enforcement agencies and specialists in ABE interviewing. This background has provided an in depth knowledge of the subject matter, access to law enforcement agencies, access to specialist support workers and specialist stakeholders with relevant experience and knowledge. This knowledge and experience could potentially impact on how the researcher is viewed by participants. It was therefore important to be candid with the participants about my background and details were contained in the letters sent to police services and to participants.

Having a similar professional and organisational background to participants, meant there was a shared understanding between participants and researcher reducing the need to explain basic concepts, which saved time in the process (Robson and McCartan, 2016). However, there was a need to ensure that prior knowledge did not become a finding in the absence of other data. For example, I was aware that planning
and assessment and inclusion of non-policing professionals in ABE interviewing appeared to have become more limited over time. There is some support via other research for this phenomenon (e.g., CCfE, 2015). I held views about the inclusion of other professionals but needed to ensure that these views were not influencing the data collection in participant interviews. In reporting on the study, I have been explicit about any personal or professional viewpoints or opinions that may have resulted in any bias in the research findings, in line with advice from Yilmaz (2013).

The use of mixed methods and a flexible design helped to negate the negative impact of unconscious dynamics (Robson and McCartan, 2016). In this study, the use of surveys and questionnaires, some secondary data, semi-structured interviews and input from stakeholders – allowed for the views of the researcher to be supported or challenged by data from a wide range of sources, allowing for triangulation of findings. A researcher’s views can be used legitimately to reflect a realist approach to research (Guba and Lincoln, 1994), and a researcher’s experience can also legitimately be added to the perceptions of research participants (Anastas, 2004), as was the case in this study. In conducting this research, and as noted elsewhere (e.g., CJJI 2012; 2014; Hoyano, 2020), there were some misunderstandings about guidance that was mistakenly reported as fact by some participants. For example, one questionnaire respondent reported that ABE guidance stated that the purpose of an assessment was to see if the child could give substantive evidence of CSA during an ABE interview. The researcher’s background knowledge meant that misunderstandings such as these did not enter the data as fact and could be addressed either directly with participants or in the writing up of the data.

This study was also influenced by an ethnographic perspective as the researcher was working with and within the organisations involved in the research before and during the field work. Such ‘insider’ research (Nix et al., 2019) in policing can capture what is often hidden from those outside the organisation (Cox, 2020) and in the current study, the researcher’s professional involvement in development of ABE processes within a law enforcement environment and close working with partner agencies such as CPS, informed the study. Fleming (2018) notes that research conducted by those inside organisations being studied brings greater access to more detailed data. However, Oliver (2010) and West et al. (2013) suggest that researchers with a similar background to their participants can also demonstrate a lack of objectivity. This meant that triangulation of data and stakeholder challenge were important components in ensuring academic rigour.
Having in-depth knowledge of the law enforcement organisational context leads to research recommendations that are more likely to be compatible with policing requirements and are then, more likely to be enacted (Powell and Barnett, 2015). The ability to influence and change practice for the better was one of the researcher’s key motivators for carrying out the study, so informing the study with professional and current knowledge was important in structuring the recommendations. Nix et al. (2019) have also suggested that cooperation in policing research is more likely to be forthcoming when researchers are trusted, and that this may be more likely if the researcher works in policing. An example of generating trust with participants was the emergence of opportunities to explore how professionals perceived their own and others’ power in the ABE processes. However, it was also key to recognising the power differentials between the researcher and the participants and this is considered further below. Considering power differentials gives researchers new ways of understanding problems (Gray, 2013).

3.7. Data analysis

“[A]nalysis is a creative and organized process of generating insights” (Ballestero and Winthereik, (2021, p. 3).

There is a great deal of data produced through qualitative approaches and this almost always requires the use of a coding management approach (Elliot, 2018; Robson and McCartan, 2016). In considering how best to approach data coding, Elliott (2018) states that any decisions need to be based in the context of the research being conducted. The use of several data sources and a mixed methods design for data collection, suggested that a thematic approach to analysis would be most appropriate for this study (Robson and McCartan, 2016). Clarity about the use of theory is important when using reflexive thematic analysis approaches (Braun and Clarke, 2021), which was the choice for analysis of the data for this study.

Thematic analysis is not a singular approach but an umbrella term that describes several approaches to data analysis that define, organise and interpret research data (Braun and Clarke, 2020; Brooks et al., 2015). Thematic analysis provides “rich, detailed and complex accounts of the data” (Braun and Clarke, 2006, p.78). A challenge associated with the use of thematic analysis is the lack of a definitive
attachment to specific methodology (Brooks et al., 2015) and therefore to an array of literature that can support methodological rigour (Nowell et al., 2017). Despite this, there is no reason that thematic analysis cannot be used if researchers provide clarity as to the epistemology and theoretical frameworks that guide the study (Braun and Clarke, 2020; Nowell et al., 2017), as have been set out at the beginning of this chapter. Thematic analysis also offers flexibility to the researcher and the ability to provide detail of similarity and difference amongst the data whilst allowing for emergence of insights not previously expected (Nowell et al., 2017). For this study, thematic analysis allowed the researcher to take full advantage of the reflexive and insider positions that she held whilst simultaneously encouraging the researcher to approach the data with an open mind and expect unanticipated themes to emerge. To hold a view at the outset of the research that something unexpected would emerge meant viewing the data critically and being conscious of the potential for researcher bias throughout.

Braun and Clarke (2022) use the term reflexive thematic analysis to describe a process of thematic analysis that is iterative and organic, where coding is fluid, flexible and evolving. The researcher is central to the process of reflexive thematic analysis and is key to the interpretation of the data, making this a good choice for this study. The coding of data in reflexive thematic analysis therefore reflects the researcher’s understanding of, and immersion in, the data during and after its collection. In this reflexive process, the lens through which the researcher interprets the data is exploratory and deep (Braun and Clarke, 2022). Reflexive thematic analysis allows for codes and themes to emerge and is not constrained by fixing codes early in the process. However, there is also flexibility in the method, and this allowed for some a priori themes to be established as described below. Reflexive thematic analysis is also a good fit for research with an explicit social justice component, which is the case for this study. It is also a positive method for single researchers (as opposed to teams) because the active and immersive role of the researcher is key to the development of the data outcomes.

Coding for this study involved an approach to thematic analysis called template analysis (King and Brooks, 2016) which lends itself to a flexible study, such as the current research (Brooks et al. 2015). According to King and Brooks (2016), and Brooks et al. (2015), template analysis is undertaken in stages. First, it is essential for the researcher to be familiar with the data (Brooks et al, 2015; King and Brooks, 2016). For the present study, compiling all the written transcripts without assistance and
repeated reading of transcripts and other data and listening to interviews, increased familiarity with the data. A solo researcher with experience of the field can also be more accurate in coding data than a team of researchers (Campbell, Quincy, Osserman and Pedersen, 2013) and use of template analysis as an approach offered increased rigour to this process.

Second is the selection of a priori themes. In contrast to reflexive thematic analysis, template analysis is understood as a ‘family’ of approaches where variations can include combined elements of the techniques (Braun and Clarke, 2020). In this research, there were some a priori themes that came from the original research questions and questions asked of police services and the participants. These were then supplemented by addition of further themes emerging from detailed analysis of the data. The a priori themes in this study were identified areas that had informed the design and aims of the research (Brooks et al., 2015) and were:

(a) standards and guidance.

(b) training, support and supervision.

(c) experience and expertise.

(d) working together across agencies

(e) children’s experiences and access to justice.

These ensured rigour in responding to research questions whilst remaining open to new insights from the field work.

3.8. Organising the data
The written transcripts from the semi-structured interviews were initially inputted into NVivo. However, when trying to develop the themes, there was a high level of duplication of some of the data and this led to a concern on the part of the author that the meaning of some of the data was being lost. Gibbs (2018) argues that the use of software coding can leave the researcher feeling disconnected from the data, highlighting a pitfall with computerised software. By way of contrast Robson and McCartan (2016) support the use of manual coding as an appropriate approach for
smaller studies involving detailed evaluations as was the case in the current study. As a result, the author reverted to manual coding for this research.

3.8.1. Familiarity with the data and coding
The semi-structured interviews were taped and transcribed, and notes were made that reflected the participants’ demeanour or activity during the interview, and the researcher’s thoughts during the process. These notes were made as memos (Birks et al., 2008; Robson and McCartan, 2016; Gibbs, 2018). The memos were completed using the headings suggested by Gibbs (2016), concerning observational, methodological, theoretical and personal notes. The interviews were read and listened to on several occasions to develop the best understanding of their content as a whole and to ensure that any codes had not been missed. Listening repetitively to transcripts led to deeper and better understanding and insight into the people that have been interviewed and the data (Orellana, 2019). The task of coding was easier to conduct by hand, particularly when reviewing the oral recordings and reflective notes made during the semi-structured interviews. The author listened to the transcripts repeatedly and sometimes listened with the written notes taken during the interviews. This process allowed the researcher to become immersed in the data and engaging with the data in different ways produced different insights (Braun and Clarke, 2022).

The preliminary coding (Brooks et al., 2015; King and Brooks, 2016) was completed manually by marking transcripts and transferring coded data to separate documents under coded headings. The manual method undertaken in the study consisted of drawing out the codes from the data using both the *a priori* themes and additional codes that emerged from initial overviews of each transcript, memo or piece of data. Codes with similarities were clustered (King and Brooks, 2016) and added to during further reviews of the data. The codes were then considered in light of the research questions and how the information in the codes answered the questions.

3.8.2. Organising emerging themes
Although template analysis that requires a linear approach to coding and developing themes is an option, Trainor and Bundon (2021) suggest that if the development process contains the six phases of analysis - these being data familiarisation, generating codes, developing themes, reviewing themes, defining and naming themes and reporting – then it is a legitimate approach to adopt a more flexible stance. This type of approach is typical of reflexive thematic analysis. In this study, the six phases of analysis were followed but not always in a linear manner. At the start of the analysis,
the familiarisation with the data resulted in some codes being identified quickly. Some survey data and the police officers’ semi structured interviews were completed prior to the support workers, stakeholder and some of the police service data being available and analysed. These early codes were mostly subsumed into similar codes as more data became available, and some early codes were further developed through triangulation with the other data. This demonstrates the flexibility required to analyse the data for this study and confirmed to the researcher that the choice of thematic analysis was a suitable approach.

A mixed methods approach that utilised a national survey, individual questionnaires, semi-structured interviews, researcher positionality and peer review group produced findings that were analysed and structured via reflexive thematic analysis. The findings are presented in the following chapter.
Chapter 4 - Findings: ABE interview practices

4.1 Introduction
This chapter focuses on the findings of the research. This chapter reports on the trends in pre-interview practices, police officers’ use of knowledge and guidance during assessment and planning for ABE interviews, the contributions of support workers, and the experiences of children, as reported by those involved in ABE interviewing. A survey was conducted across all police forces in England and Wales to understand pre-interview practices. The responses were considered a reflection of the police organisations’ positions as opposed to that of individual participants and therefore provided a picture of organisational views across the two countries. Key findings from the survey were explored in more depth in interviews with police officers and support workers, and through further inquiry with the stakeholder group.

4.2 Trends in pre-interview practices
4.2.1. Current practices for assessing children’s needs in ABE interviews
The data gathered from the survey sent to all policing organisations showed that 33 out of 44 organisations stated explicitly that they were undertaking assessments of children prior to ABE interviews. This does not mean that the remaining 11 organisations did not undertake assessment prior to ABE interviews – this is simply not known due to lack of responses from these services. All but two of the survey respondents reported that they completed assessments as a matter of routine for children prior to an ABE interview. Most respondents additionally stated that it was good practice to conduct an assessment prior to ABE interview and that this was mandatory for police officers conducting ABE interviews. There were several comments from respondents that stated that as a result of it being mandatory, an assessment would always be carried out. Almost one-half of the survey responses mentioned that the assessment process was a good way to get to know a child and thereby helped to build a rapport prior to an ABE interview, and this would be of benefit to the interview process. This insight showed that a significant number of policing organisations placed value on the assessment process for building a relationship with a child prior to interview. However, on asking if there were occasions when assessments were not carried out, all the survey respondents gave examples of when children were not assessed. In some responses, reasons were given for the lack of assessment. Most examples given by survey respondents related to timing of ABE interviews and the need to carry them out quickly for various reasons, and this area
was also explored with individual participants and stakeholders. The responses to the
survey demonstrated a belief on the part of all organisations that assessments would
be a part of the planning for ABE interviews. However, the responses also showed that
what was understood by respondents as constituting an assessment varied.

4.2.2. Variables in ABE assessment
Several respondents reported that they would consider wellbeing factors when
deciding whether to conduct an ABE interview. Most frequently the survey respondents
and participants cited mental health, age, and suspected offenders and offences as
factors. This supports a finding of diversity of practice across police areas in England
and Wales. In commenting on the variation in practices, stakeholder (3) stated “It is
not ok for criminal justice for children to be a lottery”.

One survey respondent noted that there were a total of three assessment opportunities
prior to an ABE interview. These were at the point of initial referral, where an
assessment was undertaken with other professionals; at the initial visit to a child, where
their competence and ability were assessed; and on the day of the ABE interview itself,
when the child’s demeanour would be assessed. If a child was clearly distressed on
the day of the ABE interview, it was unlikely that an ABE interview would proceed. This
response demonstrated an acknowledgement that an assessment was an ongoing
process but there was not a formal process that might be available to all staff
conducting assessments. This response demonstrated a better understanding of the
dynamic process of assessment, however this was an exception to responses from
the 33 police organisations.

Mental health
Just over 12 percent (n=4) of survey respondents made mention of mental health
issues, but all the police officers, support workers and stakeholders mentioned this as
a primary factor for assessment.

Although uncommon, if an ABE interview is considered to pose a significant risk
to the welfare of the child, it will not be requested. The general information that is
considered in such cases, history of mental health or emotion distress, self-harm,
suicide attempts verbalisation by the child and history of both family or
professionals with close links to the child … will be reviewed throughout the
investigation for reconsideration. The existence of these factors would lead them
to believe that undertaking an ABE interview would not be in the child’s best interest. (Survey response)

Two of the social worker participants and stakeholder (2) noted that where child mental health concerns were identified, this was often given as a reason not to undertake an ABE interview, rather than to seek to support a child through the ABE process. Stakeholder (4) stated that police officers’ lacked grounding in psychological understanding; that this led to decisions not to undertake interviews where there were child mental health concerns, and this protected officers from “making mistakes” that negatively impacted children. Stakeholder (3) agreed that deciding not to ABE interview children where there were mental health concerns demonstrated a risk averse approach on the part of police officers.

Examples were given by three of the social workers who worked directly with Child and Adolescent Mental Health Services (CAMHS) in respect of specific cases when ABE interviews were conducted. In each of these instances, children were already receiving a service from CAMHS prior to the social worker’s involvement. The social work participants gathered information from a wide range of agencies, in addition to CAMHS, and actively sought out information about additional services. All the social work participants thought that information gathering from services was an essential first step before interviewing children. This contrasted with their police colleagues who mainly relied on their own observations to make assessments as to whether a child’s mental health concerns precluded an ABE interview. Only one survey respondent and one police officer suggested that a child who was traumatised would need longer to undertake an assessment prior to ABE interview and that they may require more than one assessment visit to ensure that their needs were met.

Josie gave an example of where gathering information had identified the fact that the child in question had a complex mental health issue. Josie had followed up by having a discussion with the allocated psychologist and other professionals involved with the child. Josie then used the information in the planning of the ABE interview, and she considered that this had resulted in a positive experience for the child. The child had been identified from an indecent image (IIIOC) that had been seized by police. The
image was a first generation\textsuperscript{17} image and the risk of continued CSA to the child was assessed as high.

\textit{[Initial checks showed] there's [a] mental health issue, she has tried to commit suicide twice this month. She's got a lot of involvement [from mental health services], so significant, acute mental health difficulties. In the last four to six weeks, she'd been hospitalised, so there was a lot going on. They gave me the name of the allocated CAMHS worker and her psychologist, a clinical psychologist … I was able to say there are acute issues here. [What do] you [psychologist] think? What risk are we [who are conducting the investigation] going to present? (Josie, Social Worker)}

Josie went on to say that the police officer stated that they [police and social worker] should not make any approach to the child for an ABE interview because she had recently been hospitalised due to the suicide attempts. Josie discussed the child's mental health issues with the psychologist and decided that an ABE interview with the child should be considered. Although the mental health information had led to the police officer being reluctant to proceed with an ABE interview, Josie said she was pleased that she had gone ahead because the child was relieved when approached.

\textit{As a social worker, you “crack on” [keep going]. If you have an intervention to undertake and it's about reducing the risk and this could be part of that… She [the child] knew why we were there. We hadn't told her, but she knew. She burst into tears the moment we got there and... She [said] “I've been waiting to tell someone this” (Josie, Social Worker)}

Josie's experience reflected comments from the survey respondents and the police officer participants that the existence of child mental health concerns can lead to a decision not to undertake an ABE interview. Two stakeholders commented that this example demonstrated the value of social workers who would be more likely to look further into the impact of any mental health issue and try to work around any concerns to allow a child a choice to participate in the legal process.

\textsuperscript{17} A first generation indecent image of a child is that which has been taken by an adult of a child and is not previously known to law enforcement (IICSA, 2020). These images may have been circulated or been taken more recently. As a result, first generation images may denote higher risk offenders and higher risks to the children involved.
The above examples demonstrate that the presence of a singular factor - in this case mental health needs - can determine whether children are given access to their rights and support for giving evidence. Two of the stakeholders commented that to exclude a child from the ABE process because there were mental health needs was potentially counter-productive for the child. The stakeholders considered that a supported opportunity to engage with the criminal justice system may offer therapeutic benefits to a child. For this reason, an assessment should be made of how mental health issues can be managed. In the stakeholders’ opinion, it was not acceptable to rely on the presence of mental health needs as a rationale for not undertaking an ABE interview.

Age
Almost half (n= 15) of the survey respondents and all participants reflected on age as a factor in assessment. One respondent thought that very young children would require more visits prior to an ABE interview to prepare them for ABE interview although a precise age was not clarified. The same respondent indicated that an assessment might take place on the same day of the interview if the child was older and more mature. The age where this would be appropriate was given as being between 15 and 17 years. However, even where the child was considered mature, if assessment took place on the same day, the offence would have to be a ‘low level’ offence. However, one survey respondent commented that an assessment would not take place at all if a child were over a certain age, this age was not stated. The significance of this response is that all children over a certain age in this police organisation area will not receive an assessment prior to ABE interview. This showed that for some factors, such as age, there appeared to be detailed consideration for individual children in some police organisations. In other areas, the age of a child led to blanket determinations about ABE provision and support.

Two of the police organisations noted the use of Fraser guidelines or Gillick competence assessments when engaging with children prior to undertaking an ABE interview. Both considered that police officers were well equipped to undertake an assessment of a child’s competence based on these principles. Stakeholder (1) commented that the use of these processes, which were designed to assess medical needs of children, was not appropriate for an assessment of a child for an ABE

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18 Fraser guidelines and Gillick competence are references to the legal ability of a child or young person to make their own decisions about medical treatment. They are often referred to when considering whether a child understands enough about risk to make a competent decision. The guidelines are used widely to refer to whether a child has the maturity to make their own decisions and understand the consequences of that decision (NSPCC, 2020).
interview. Stakeholder (1) added that this was further indicative of how sometimes police officers simplified processes. Stakeholder (1) considered that applying medical competency standards resulted from a misunderstanding of what is meant by a ‘competent’ witness (MoJ, 2011; 2022) when referring to a child and did not reflect what was required to establish legal competency for children. Adopting forms of guidance that were not appropriate were considered to unnecessarily complicate the assessment and planning task.

**Age and offender relationship**

There were also occasions when judgements as to the level of severity of offending or relationships to the offender resulted in decisions that meant the child was not offered an ABE interview.

[This] constabulary rarely interview under 11’s as often the offence is between their parents and it’s a very difficult position to be in to give evidence. The more serious the offence the more likely the Constabulary is to consider this option. That said the Constabulary do not automatically use an intermediary for these cases. (Survey response)

Three stakeholders commented that they were surprised to see such an unambiguous statement about age and familial offences, and they were not of the opinion that there was any guidance or frame of reference that could support the position. However, two police services responded that there would be reluctance to interview a child under the age of 11 years who made allegations against a parent, because this was too emotionally difficult for a child of that age. This finding shows that in at least two police services, decisions were made that age and relationship to a perpetrator were decisive factors in deciding on children’s access to ABE interviews. These decisions were policy on the part of these two police organisations, a position that two stakeholders believed was contrary to ABE guidance (MoJ, 2011; 2022) in that all children are entitled to an assessment to determine their own circumstances.

**Offence considerations**

Three survey responses (9 percent) referred to the investigation of ‘low level’ offences and that suspected child victims in these circumstances would be treated differently. One police organisation expanded on ‘low level’ stating that if case was thought unlikely to progress to court proceedings, a child would be interviewed without any special measures and not have a recorded ABE interview.
In cases of low level offences that are considered to be suitable for out of court disposal or indeed that are not considered to be appropriate for investigation, either due to lack of threshold evidence or public interest consideration … then an ABE will not be requested, and the child’s voice captured through questions and answer, as this is considered to be a less invasive and more organic form of evidence gathering. (Survey response)

The above quote also shows that taking a written statement and avoiding ABE was seen by this respondent to be less impactive on a child. Although the author states that this is perceived to be a better way to gather evidence, there was nothing further included in the response to support this view. The expressed view is contradictory to the wealth of research evidence that shows that children are better served by child centred interviewing and in England and Wales this means via ABE processes. Another police organisation stated that an interview with a child would not proceed at all when a suspected offence comprised ‘low level’ crime. Another respondent stated that if children were older and there was a perceived ‘low level’ offence, the child was unlikely to have an assessment prior to their evidential interview. However, an ABE interview would still be conducted. None of the respondents gave any examples as to what specific offences would be considered as ‘low level” or how this might be determined prior to the child giving an account.

**Disability and special needs**

There were four responses (12 percent) from police services that considered children with disabilities or special needs. Most respondents referred to registered intermediary (RI) assessments that would be considered for children with communication needs. One police service had invested in specialist training for interviewing officers around children with disabilities, and several others had invested in ABELS. This was said to have assisted the police officers in considering such additional needs during assessments and ABE interviews. Another police organisation reported that special educational needs and any previous traumatic incidents that had resulted in a child having mental health needs would be considered by the police and other engaged professionals prior to any ABE interview. ABELS and RIs are further discussed later in this chapter with reference to training and multi-disciplinary working.

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19 ABELS – Achieving Best Evidence Language Screening (see also page 135)
Some examples of planning around children with special needs also emerged from the interviews. Lucy spoke about an experience where she had planned an interview with two children who had both been diagnosed with ADHD and autism. Lucy said she had worked very closely with the parents, a social worker and the RI to plan and undertake the ABE interviews. Although the parents had suggested that they accompany the children in the ABE interview, Lucy had decided against this course of action:

[Mum said] ”you might need me or his dad in there with you because otherwise he’ll be a nightmare and he won’t sit still”. [I said] “right okay”. [Mum said] “In fact ask dad because he does as he’s told for dad” - but I don’t want him thinking he has to answer my questions just because his dad’s sat there (Lucy, DC)

Lucy went ahead with the ABE interview without the parents and her opinion was that the interview was successful (there was no case outcome at the time of the research). Colin had also had experience of working with a child diagnosed with ADHD and autism. He recounted an ABE interview that was poorly managed where the child had become distressed and had thrown a cup of tea. Colin believed the supporter for the child had not understood the child’s needs well enough to manage the child’s behaviour in the ABE setting. These references to planning by police officers also show that an assessment of needs for children with autism did involve more multi-disciplinary interaction, however both examples point to management of behaviour of children rather than a view of how best to meet their needs. Overall, apart from the examples above, participants had limited experience of undertaking ABE interviews with children with additional needs or disability.

**Socio-economic factors**

None of the survey respondents mentioned socio-economic factors in their responses. As this was not covered at all in survey responses, a direct question was asked of the police officer and support worker participants. Two of the five police officers said they considered the socio-economic circumstances of the child’s family. Sharon suggested that socio-economic circumstances could lead to making assumptions about children’s experiences that could be incorrect and therefore giving some consideration to this was necessary. Lucy reported that most families that she encountered for the purposes of investigating CSA were “poor” families and she did not include this as a specific assessment factor. Two participants thought that almost all the children they had worked with in cases of CSA came from the most disadvantaged socio-economic backgrounds and they aligned this background with inappropriate exposure to sexual
content. Lucy recalled that in one case she had been shocked that some children had been exposed to an environment where sexual activity was discussed, and sexual terminology was used and understood by young children.

You've got a 6-year-old or a 7-year-old saying “yeah, he asked me for a blow job and [said] he'd give me 50p” and [you think] “What?” (Lucy, DC)

Reflecting further on some of the backgrounds of the children that she had worked with, Lucy said:

I think that [there is] a stereotype that these offences are more prevalent in that type of [lower socio-economic] environment, but I think it’s because of the chaotic lifestyle they live in more than anything … A lot of the children because of their background, they'll talk to anybody about anything. (Lucy, DC)

Jane considered that the environment that a child lived in might impact upon the child’s credibility in ABE interviews.

Our only concern with that is especially with kids, if they are in and around family members and obviously parents, they're all going to have their opinion of that individual and you don't want that to be mixed in with the kid’s actual views of the case. (Jane, DC)

Jane also thought that parents from lower socio-economic backgrounds might speak more freely about both sexual matters and the ongoing criminal case than other families. Jane expressed that one of the reasons that she would look to conduct an ABE interview as soon as possible with a child was because a parent from a lower socio-economic background might be more inclined to discuss CSA case details openly with a child. Such open discussion, in Jane’s opinion, could affect the child’s testimony in a negative way. Two stakeholders thought that the views expressed about socio-economic background stereotyped the child and were indicative of the view that children were easily suggestible and prone to lying based on adult influence.

**Race and ethnicity**

There was no reference to race and ethnicity in the survey responses, but some of the blank assessment documents included a question that referred to consideration of race. All the police officers noted the issues of race and culture but confined consideration to communication and language needs. The police officers did not
specifically report on any other race or cultural matters that might otherwise affect children preparing or engaging in an ABE interview.

Three social workers, including Dina and Sarah, reflected on specific cultural issues that they had experienced in working with children involved in ABE interviews. All the social workers stated that they would consider individual needs around language, but their perception of culture was wider than communication needs. Three of the social workers referred in detail to assessments and planning that considered specific cultural needs of the children and families concerned. The specific cases had involved families from a Black or south Asian background. Dina spoke about the complexities of a particular case, and the pressures on some communities and families when the discussion was about CSA. Dina gave an example of where it had been challenging for her to explain to parents about online CSA. The greatest challenge was to help the parents understand that their child had not been responsible for the CSA. Dina commented that it was difficult for children generally to accept that they were not to blame for CSA, and that this could be additionally challenging in some cultures where sexual issues were not discussed openly. She described her approach to the child in such cases and commented that more time was needed to address these types of challenge:

[I] put them [children] at ease really, and just introduce who I am and make sure they [know they’re] not to blame. That they have done nothing wrong, that I need help with the investigation. They help me rather than me just coming in and doing something to them. (Dina, Social Worker)

In another example, Sarah had noted that when investigating a transnational child sex offender (TCSO), the child he was suspected of abusing had difficulty in being able to distinguish the TCSO from other white European males. In addition, an amount of time had passed making this more challenging. Despite sharing this assessment with the SIO, the ABE interviews and suspect identity processes still went ahead despite Sarah making the assessment that the child would not be able to identify the suspect. No evidence was forthcoming, and Sarah considered that this had impacted negatively on the child and placed the investigation requirements above the interests of the child.

I did quite a bit of research about getting children to pick suspects out when they are from a different culture and that is very difficult. And we are going back about seven or eight years [from the time of the alleged offences]. So [the time lag] would
have impacted on [the children’s ability to identify a suspect]. That was something [the formal identification process] we didn’t want to go ahead, but the [police] officer in charge wouldn’t listen. (Sarah, Social Worker)

Stakeholder (2) commented that this example was indicative of the role of the social worker being “played down because they are perceived as having a lower status in the process”. Stakeholder (2) also commented that this example was not surprising and there were many examples in her experience where social workers’ views were dismissed and resulted in harm and distress being caused to children.

Where a child lives, how old they are, mental health concerns, relationships to offenders and so-called ‘levels’ of offences can be decisive in ensuring that assessment and planning takes place - or not - when children give evidence as suspected victims of CSA. These findings demonstrate that a diversity of practice exists across police organisations which means that ABE services delivered to children across England and Wales is inconsistent. The findings also demonstrate that although some children have needs associated with background, disability, age, health and ethnicity, the assessment of these factors is minimal, sometimes non-existent, and assessment outcomes were not used in planning an ABE interview.

4.2.3. When assessments did not take place

A question was included on the survey to ask if there were occasions when active decisions not to conduct an assessment prior to ABE interview were made. This was to enquire into decision making processes around assessment. Only one police organisation responded that an assessment would always take place. They stated that they thought it was possible that where an urgent ABE interview was needed that it could take place without an assessment, but they added, that “something” would be done to assess the child’s level of communication, the most appropriate questioning style and the need for a RI. This respondent also stated that:

Assessment should always be carried out even if it were 15 minutes before the ABE at the interview suite. All interviewers are taught this during training courses. (Survey response)

If there was not enough time to undertake an assessment prior to an ABE interview, some participants stated that they would try to combine the rapport building stage of the ABE interview with a “quick time” assessment. The rapport stage of an ABE
interview is designed to allow officers to build a rapport with a child and allow for practice answering questions in the ABE setting (MoJ, 2011). This would mean that they would conduct the assessment during the beginning of the ABE interview itself. Suggesting that it is possible to conduct an assessment for interview during the rapport stage of the interview itself, demonstrates a lack of understanding as to the purpose of assessment that is intended for planning of an ABE interview.

Two survey respondents stated that it would be rare for an assessment not to take place prior to an ABE interview, but that if such a situation arose it would be because officers working outside of the specialist ABE units had undertaken the interview and these officers may not work to the same standard as colleagues in specialist teams. One respondent commented that there must be occasions when an assessment prior to ABE interview did not occur but could not comment further, indicating that although it was acknowledged that assessments might not take place, there was no decisive reasoning that could be identified. In one police service it was not considered necessary to assess some children for ABE interview at all, and this decision was based simply on age. This is a significant finding as it relates to a whole police service area. Three of the stakeholders believed this to be a considerable departure from all noted good practice standards and they did not think that it could be supported by any guidance. It may be that given other findings that assessment as a term is misunderstood, that this response referred only to specialist (i.e., RI) assessments, but this could not be confirmed. However, whether it refers to specialist assessments or not, a blanket decision not to undertake an assessment based on a sole characteristic of a child was believed by the stakeholders to be potentially harmful to children, to the conduct of investigations and the quality of evidence.

Some reasons for not undertaking assessments involved balancing other requirements and the need for evidence to be available quickly.

Assessments should be carried out prior to the interview unless the investigation is time critical, and evidence could be lost. (Survey respondent)

… in ABE interviews … I feel we rush them [children] – there’s a mentality of “let’s do an ABE today” rather than doing an effective assessment in the first place (Colin, DS)

Four survey responses (12 percent) expanded on this, stating that when the police sought to remand a suspect in custody, evidence, by way of an ABE interview, might
need to be obtained within a tight timeframe and this could limit the opportunity to undertake an assessment and plan. One respondent commented that the CPS required an ABE interview to have taken place if they were seeking the remand of a suspect in custody and given custody clock timings this meant limited or no time to complete the assessment and ABE interview. Colin gave an example of a case in which he had been instructed by a SIO to conduct ABE interviews with two children, aged four and seven years of age. He had been asked to interview the children at the end of the working day. He considered this was too late in the day for the children and he did not think the children could give their best evidence in those circumstances. The SIO rationale for conducting the ABE interview was because they hoped for a disclosure of CSA from the children that would facilitate the remand of the suspect into custody. Colin challenged the SIO decision, but he was instructed to proceed with the ABE interviews.

[The children] hadn’t had food and it was too late in the day for them - they were both exhausted and had been through traumatic events. They’d just seen their dad get dragged out of bed at 6 o’clock in the morning by men wearing goggles and helmets – never a great thing for any kid – I don’t know why we took that approach. That was an operational decision [the SIO] had taken (Colin, DS)

Colin said that the decision to proceed meant that he could not plan or do an assessment prior to the ABE interview. Colin had managed the ABE interview by making it as short as possible and only taking an initial account from the children. Because of this approach, it was necessary to conduct further ABE interviews with the children some days later. This account gives credence and depth to the findings of the survey which suggest that it is practice in some police services to seek ABE interviews in the hope that suspects will be remanded. Colin believed that the SIO’s lack of understanding meant the investigation was prioritised over the children’s needs and resulted in poor decision-making that did not serve the children or investigation well. In the above example, the children did not disclose any CSA in the ABE interviews and the suspect was not remanded. Two stakeholders commented that in their experience it would be unusual for suspects to be remanded based on initial ABE interviews. The stakeholders considered that it was unlikely that children would be able to disclose CSA with enough evidential detail to make it unlikely that further investigation was not required. In these circumstances, CPS would be unlikely to charge a suspect based on a child’s account alone.
Two survey respondents noted that a child’s account about their suspected CSA might be important in assisting the investigating officers in establishing if any other children were at risk. Trying to identify other children at risk was also considered to be a factor that would influence decisions about the timing of the ABE interview and specifically whether enough time was available to permit an assessment to be undertaken. These reasons (remand and safeguarding), where it was thought that there was a time pressure, meant that an ABE interview would take place without any assessment. In some responses, this was directly contradictory to the respondents’ earlier answers when it was stated that assessments would always take place. It is arguable as to whether safeguarding other children would be affected by the speed of an interview. Two stakeholders considered that a better quality interview that may emanate from a well-planned process brought about by assessment could provide more actionable detail for safeguarding.

Rushing to get an ABE done is indicative of the momentum for the investigation to be the priority. They’re [police officers] not understanding the point of assessment and what comes from it and how it helps. They don’t understand what’s needed for welfare…children need to be safe physically and emotionally (Stakeholder)

Stakeholder (2) further commented that although there were reasons given for undertaking ABE interviews immediately, they had not known of a situation where this had resulted in the proposed outcome being achieved. These external pressures to complete an ABE interview meant that some of the practitioners also considered that they were unable to engage in what they considered was the best practice regarding undertaking an assessment. The reasons associated with not undertaking assessments and timing of ABE interviews, were not supported by good practice recommendations for managing children’s needs. They were not based on research or guidance but on subjective decision making by investigating officers.

4.2.4. Current practices for planning for children’s needs in ABE interviews

It is a statement of the obvious, but these findings demonstrate that there is a clear absence of planning for children’s ABE interviews (Stakeholder)

All the survey respondents said they would plan for a child’s ABE interview, but all the police officers and support workers reported that in reality, this was not taking place as much as organisations believed it to be. The stakeholders were all in agreement that
this was not a surprising finding, stakeholder (2) believed that this amounted to a failure on police organisations to manage police officers' work. The stakeholders believed that police officers may think that they were planning in some circumstances but their lack of understanding of what constituted a good plan, meant that they were not.

Teresa said she had had experience of working with police officers when there was no written plan for the ABE interview, and she felt that a lack of planning increased the likelihood of case attrition due to a lack of evidence.

[Police] officers are supposed to do interview plans. What is the point to do all that work … then you don't do an interview plan? If you don't do a plan and [don't] take into account those factors [that may affect a child during an ABE interview], you are not going to get … best evidence. You plan meticulously with the suspect, so you should do the same in relation to the victim. (Teresa - ISVA)

They [police officers] vary a lot. There are some officers who just don’t take account of the child’s needs. There's probably about 5 or 6 times where they've said “we'll go, do a quick visit and then do a quick ABE”. And they've used that terminology – planning to basically do a disclosure visit where they believe the child’s a victim and do an ABE on the same day. So, it’s that sort of attitude. There are some [police] colleagues who are really good, some [from a specific police service] that I have worked with on a couple [of cases], and they’re really good at planning and building that rapport [with children]. (Sarah, Social Worker)

The support workers all recognised that there were some police officers who were not dismissive of planning, but all had had more experience of police officers who did not plan. Sarah’s experience pointed to one police area being better than others, but she had also noted that there was not consistently good planning by all their officers.

Colin was the only participant who described an approach to conducting a detailed assessment for planning an ABE interview. He noted that the factors he needed to cover ranged from basic needs, such as how many breaks a child might require, to considering more complex aspects of such as the impact of CSA and how trauma might be manifested in an ABE interview. Colin also noted that to undertake assessments, he needed access to other professionals:

Once I’ve identified the very basic factors that might affect the interview with children: age, nationality, language – language is a massive one, especially with
communities like the Indian community - these are very basic considerations. Then I need to look at more in-depth considerations, such as the issue around trauma, linking in with [social workers], check if there are social services records or any support that [children] may have on going. (Colin, DS)

Jane would plan an initial visit to the child to obtain an indication of the criminal aspects of the complaint and preferred that the ABE interview took place as soon as possible after this initial visit. Jane believed that others, particularly the child’s parents, might influence the child’s testimony in a negative manner if there was a gap between the visit and the ABE interview. Jane did not undertake any additional assessment prior to ABE interview, other than establishing if there was a criminal complaint.

**Planning and gender choice of interviewer**

Two police officers mentioned that they also considered the gender of the child, particularly when it came to the choice of the gender of ABE interviewing officers. This is highlighted in guidance (MoJ, 2011; 2022). Colin was the only male ABE interviewer police officer to participate in this study. Colin described when he became the first male officer in his organisation to become qualified to interview vulnerable witnesses.

When I did my ABE course, I was the only male officer in [the police service] and we were a cadre of about 15 officers ... That has expanded a lot now. At the time [I trained], there were hardly any ABE-trained officers here. As the only male officer to be trained, I got a lot of stick for it. (Colin, DS)

Sometimes we will have this big [negative] thing of a male interviewing a child, but it works. It’s obviously what the child is comfortable with as well, [for example] with teenagers. Sometimes it’s about [a female child] talking about sexual stuff in front of a guy, so then you would change [the gender of the interviewing officer] (Chloe, DS)

All participants and two stakeholders noted a cultural and organisational leaning in the police services towards ABE interviewing being perceived as more suitable for female police officers. Chloe thought that this should be challenged because there were benefits of having both male and female officers available to conduct ABE interviews with children. Stakeholder (2) thought that some of the attitudes towards social workers were impacted by gender stereotypes. Social workers were likened to the old cultures of female officers in policing being aligned to work with children. Stakeholder (2)
referred to experiences of social workers being treated as ‘babysitters’ for children as opposed to bringing professional advice to the ABE or CSA investigation processes.

**Trauma considerations for planning**

Four survey respondents (12 percent) mentioned considering child trauma in their planning. Colin, Chloe and Sharon all thought that they would also need to consider a child’s experience of trauma, if any, prior to an ABE interview, regardless of whether the trauma was as a result of the crime being investigated or any other incident. The three officers referred to not wanting to “trigger” further traumatic experiences for children during an ABE interview. They also referenced the need to be able to plan effectively for children who might be likely to experience or re-experience trauma during the ABE interview. How trauma impact was factored into ABE planning was not so clear. The social workers and stakeholders all commented that although an awareness existed around some assessment factors, police officers failed to evaluate what the presence of trauma factors meant in terms of planning for an ABE interview with a child. Even where documents were used and had been seen by the participants, these assisted in identifying trauma as an area to consider, but there was not a process to implement planning based upon a child’s needs as a result. There was limited evidence of planning even in prescribed areas such as interviewer gender.

**4.2.5. Standards and Records**

This study aimed to review samples of uncompleted and completed assessment documentation regarding ABE interviews of children across the policing organisations to establish if there was any routine, commonality or standardisation across policing organisations. Furthermore, the aim was to explore if there was any standardisation in the conduct of assessments and planning amongst the participants who were interviewed. Where available, samples of blank assessment documents were provided by each policing organisation that responded to the questionnaire. Not all policing organisations used assessment documentation. Despite most policing organisations’ respondents stating they used documentation to complete assessments of children, there were no completed assessments available from the sample of five policing organisations chosen for more detailed study. Only one police officer participant stated that the completed documentation was available, but this meant that the sample was too small to obtain any meaningful data. Most of the police officer participants agreed that they should complete assessments for planning purposes as a matter of course, but in practice they did not, nor did they record or keep records of assessment and planning for ABE interviews. Stakeholder (3) reflected:
This is indicative of the amount of latitude that the police have. Forces develop their own cultures and practice, and there are no consequences for doing so. There needs to be greater regulation and professionalisation of police services. There is no accountability” (Stakeholder).

**Standardisation**

Most survey responses indicated the use of forms and/or guides for police officers conducting ABE interviews. Four of the respondents (12 percent) indicated that there were no standardised forms in their organisation to complete for the assessment of a child prior to an ABE interview. Two police services (6 percent) recorded assessments as part of the log of the criminal investigation on the appropriate local system and no specific form was provided. One respondent stated that there was a form for an assessment but that it was never used. Another respondent stated:

> Each case is assessed on an individual basis and there is no blanket process used for every case as each child has their own needs … [there is no] specific form to record this decision making nor is there a set process that [police officers] should follow. (Survey response)

Despite the above, the same respondent noted that the expectation for police officers to conduct an assessment and where to record it on a file was clear, this would seem contradictory given the stated lack of process. Two respondents said there was a choice of forms available for police officers to use for assessments. These forms were not specific to any characteristic of the victim or witness. The form used for any assessment was at the discretion of the police officer. There was recognition that the existence of more than one form could be confusing. Recording of assessment and planning processes was described by one respondent as being overly bureaucratic, whilst the absence of forms or direction of where to record was evident in other police organisations.

A plethora of documentation was used across the police services but there was no consensus as to what definitive guidance should be. There was a wide range of local practices, with some respondents having several methods for recording and others a lack of any structure for recording assessments or planning for children prior to ABE interview. The findings suggest that recording of assessment and planning information is a confused area. The stakeholder group were not surprised that there was such
diversity in recording, stakeholder (1) commented that this lack of recording may fall out of compliance requirements for disclosure for criminal trials.

**Recording compliance**

There was no indication from any of the survey respondents that any police service regularly reviewed the practice of undertaking assessments for ABE interviews, although there was not a direct question to that effect. One survey respondent stated that they were unable to answer the survey questions due to lack of ABE process review. It would seem unlikely that reviews are undertaken because assessments, if completed, are unlikely to be recorded. Compliance can also only be assessed when appropriate standards and records are in place, and this does not appear to be happening. The findings from the survey show that there are no consistent standards across police services and that within some police services practice is likely to be more diverse because there are no definitive guidelines or structures for police officers to follow. The results of the survey supported the researcher’s view that to better understand practice in this field, it was essential to consider the day to day experience of practitioners.

Four of the five police officers stated that they would not generally record any information they gathered for planning or assessment for an ABE interview, this was contrary to the expectations of police services, most of whom indicated in survey responses that recording standards were clear. Colin was the sole participant to regularly record child assessment information, but he also stated that he knew many of his colleagues in the same organisation did not. All the police officers considered some of the pertinent assessment factors about children’s ages, backgrounds, family circumstances, health and education, but for four out of five, this information was not recorded on any documentation or system.

Chloe reflected on her lack of recording:

Courts could say, “How do we know [that what you’re saying is true]?” I’ve never had it come up and I suppose it's only when … you have an experience at court, and you think, “Oh my God, I need to start doing that”. I’ve never had the defence or a judge saying, “where is it recorded that you've had that [planning/assessment] meeting?” I know that I have never primed [prepared a witness - usually inappropriately] or done anything like that, it’s not been an issue, but yes, it should be recorded on that form. It should be about the questions that you asked. (Chloe, DS)
Chloe then could see the benefits of recording all contact with a child involved in a CSA investigation. She explained for example, that an assessment outcome could be that a child was not ready to give their best evidence. If detailed records were made contemporaneously about the assessment of the child, it was possible that this information could be used in the future should the victim disclose later. Chloe thought that this could be an important factor in supporting victims of CSE in “historical” or “non-recent” cases.

That would be massive later on, knowing that this is a problem with our historic jobs [investigations], [it] is getting that golden nugget. And that will be a golden nugget that is documented somewhere… you pull [it] out in 20 years’ time and you’ve got that assessment (Chloe, DS)

This reflection demonstrated that in Chloe’s case, she had not given prior thought to the recording of assessment information and that there might be obvious benefits to children and investigations over time if this were common practice.

I’ve used [an assessment form] once. I’m being completely honest. I’ve just been told that they’re mandatory – who knew that?... [my colleagues] don’t use [the assessment forms]. (Chloe, DS)

The other three police officers could not see the benefits of using forms or documenting assessment factors. Three police officers knew the use of forms were mandatory in their police service but were clear that neither they nor their colleagues used them. Only Jane worked in a police service that did not require the use of forms.

I’ve got a job at the moment where [another police service] have done an ABE for me. They sent up a pre-ABE initial assessment [form] and it’s this bloody long document, I said to my colleague “where’s this come from, do we have one?” (Jane, DC)

This finding demonstrated a significant divide between the expectations of police services and the reality of ABE practice. Only two of the officers could see the value of using forms and/or recording assessment information. One of the officers stated that

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20 In this context, historical or non-recent child abuse refers to adults making complaints of child sexual abuse that occurred when they were under 18 years of age.
until the research interview she had not really considered recording or documenting assessment information and that considering this would change her future practice because she could now see the value. Stakeholder (1) suggested that as most CSA cases do not progress to court, many police officers involved in ABE interviewing have little court experience. This may have the effect of making them less familiar with the advice and rules on evidence and disclosure. Stakeholder (1) also thought that police officers with limited court experience may not recognise the potential negative impacts of not adhering to guidance because their exposure to criticism in court was restricted. A lack of compliance then may be a both a driver and a consequence of attrition rates. Lack of compliance is a driver of attrition as it may prevent CPS from being able to take a case forward. It may be a consequence as court experience is limited and that impacts expertise.

All police officer participants believed that their practice in recording ABE assessment and planning was typical across the police organisation in which they worked. For two of the officers, although their practice seemed consistent in their service, they did not think that they were operating in the same way as colleagues in other police organisations who may be using what they perceived as “better” assessment tools. Their perception was that, as a result, they might not be practising to as good a standard as other police services. This is not borne out by this and other research, which suggests that police practice in ABE interviewing deviates from organisational expectations and national standards.

Keeping written records was a practice that the social work participants considered vitally important to the success of cases.

You need to articulate that [decision] by putting that into writing … at the very least evidentially to set out why you are doing something the way you're doing it. (Josie, Social Worker)

All the social workers stated that, in their experience, the police officers they worked with did not document the assessment process relating to a child to be subject to an ABE interview. Social workers gave two reasons for recording the assessment. First, they considered that documenting the assessment allowed for the sharing of information amongst relevant professionals and interviewers, and it meant that all involved had the information they needed to support the child adequately. Secondly, they considered that the length of time between assessments for ABE interviews and
the case coming to court meant that the information could be forgotten if it was not documented. They saw availability of records as being crucial in being able to support the decisions that had been made about the ABE interview for individual children.

4.1.6. Evaluation of assessment information

Colin said that mainly assessment forms were not used but when they were, the forms would often be treated as a ‘tick box’ exercise as opposed to a tool for generating information for planning and assessment of children’s needs.

My big bugbear is people not completing the [assessment forms], even if you are highly experienced at assessing people, that [assessment form] will talk you through it step by step. As long as you tick the boxes and comment on what you’ve done, it is the framework of a very basic assessment and good assessment.

(Colin, DS)

The stakeholders all commented that assessment forms, when used, were treated as tick box exercises and without evaluation, these forms did not prove to be useful to the ABE process. Each of the social workers saw the assessment checklists as a series of prompts for possible more in-depth enquiries into issues considered pertinent to the appropriateness of the child taking part in an ABE interview. The support workers also appreciated, though, that the use of checklists could result in a “tick box approach”. All the support worker participants had experience of police officers who had used assessment checklists without having the ability to utilise the information to assist children in ABE interviews. There were examples given of information, which had been gathered using the checklists, that had subsequently been ignored or bypassed.

I think they [checklists] have been really useful since they’ve come out. They have enabled us to think, sit down and think, rather than just going in thinking you’ve done it, you have to think: “have I done that and what does it mean for the young person?” Having all the information in one place is good. (Beth, Social Worker)

I thought that [the checklist] was helpful because it helps them [police officers] more consciously think about it [assessment] and what that might mean. So, it helps them think about what they’re doing ... So, I think it is helpful, but on the flipside, the social worker part of me, when I saw that [checklist], it's a tick box. There is not a lot of space to elaborate on certain things, like mental health. You just tick and it's like “well what's mental health?” - You know, we've all got “mental
health”. It’s just “what does that mean and how does that influence that particular child?” (Josie, Social Worker)

Sarah was the only social worker who did not use the checklist in the logbook, although she did use a checklist supplied via the training in which she had taken part.

I … take notes to ensure I have covered all of those [factors on the checklist] in any assessment with a child prior to an ABE. It’s things like the child’s age, gender, sexuality, have they got emotional or behavioural difficulties that we need to be aware of, are they on medication? Just things like that (Sarah, Social Worker)

Josie’s view was that the checklists were filled in by some police officers with little regard to the spirit of the task. She thought that the checklist should guide the police officer to obtain more detailed information that could then be used to plan the ABE interview around the child’s individual needs. In her experience, this did not happen when the checklist was used as a tick-box exercise.

I filled those [checklists] in before with an officer. He had filled it in, and he came to me and said, “I’ve done that, it’s filled in, it’s done” and it was literally just a tick box. There are sections to actually write information in, but it was like “that’s complete, we don’t need to do it now”. And I looked and I thought “where is the thing? It is just black ticks in the box, nothing stands out to me”. It says something like “Have you considered age?” And it’s a tick to say “yes” but what is it about their age, have you thought about how does that influence, how are you going to do you what you are about to do? And the same with gender, yes, I’ve thought about gender - but what about gender? It made me laugh in a way because it was so shocking. (Josie, Social Worker)

The social workers used checklists to focus the questions asked of the children, their parents and relevant professionals. This could have been achieved in a single visit or sometimes involved more contacts with the child. Josie explained how she and other social workers would use what she referred to as the “social graces” in elaborating on the factors contained in the checklist.

[Assessment factors] are the things that as a social worker you think about, you live and breathe it. It’s ingrained in your training to think about those [factors] and

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21 The term ‘social GRACES’ is an acronym used in social work and therapeutic supervision to refer to differences in an individual’s lifestyle, background and beliefs. They comprise: Gender, Geography, Race, Religion, Age, Ability, Appearance, Class, Culture, Ethnicity, Education, Employment, Sexuality, Sexual orientation and Spirituality. See John Burnham in Krause (2012).
you know it's not a conscious thing, whereas for police officers, they don't necessarily have that. (Josie, Social Worker)

Dina did not consider the checklist to be that helpful and she suggested that it could be improved by adding elements from the Common Assessment framework (CAF)\textsuperscript{22}. Dina thought that her background in using social work assessment tools, in particular the CAF, gave her a better understanding of children’s needs in preparing for an ABE interview.

The main thing I use is my 'bible', which is the common assessment framework (CAF). That helps with [everything]... Any home visits I go to, I use that as guidance. Even if some parts aren’t relevant, there are lots of relevant parts to it, which I can explore and use … I use the CAF and write down things, I take it and write it down … and show the police officers [the finished result]. (Dina, Social Worker)

Beth said that she drew upon her experience as a social worker in carrying out her assessment work. However, when working with complex cases that involved complicated family histories, or multiple victims, witnesses or suspects, she found some specific tools that she had used during the ABE interview to be of assistance. She gave the example of using an Ecomap\textsuperscript{23} as a specific tool often used in social work.

Background, knowledge and experience, I’d say it is relied on more so [than assessment tools/checklists]. With that you can gain a quick understanding and [do a] quick assessment with the young person. I wouldn’t say there are particularly any tools [that] I have used to gain that understanding or knowledge. I have used Ecomaps with a young person if there’s a lot going on for them, and they are quite talkative about naming lots of different people or they’re involved in a larger thing – so they are connected to lots of other people. By doing an Ecomap that enables it [the child’s situation] to be a bit more clear about what the link [is] if they talk about another person. (Beth, Social Worker).

\textsuperscript{22} The Common Assessment Framework (CAF) was an approach used across agencies in England and Wales to identify support needs for children and families. The Early Help Assessment (EHA) has replaced the CAF (Collier, 2019).

\textsuperscript{23} An Ecomap is a drawing that shows familial and social relationships between CYP and other individuals in their environment.
The social workers demonstrated that when they worked with children involved in CSA investigations, they gathered information, recorded it, evaluated it based on evidence-based assessment tools and used outcomes of assessment to try to support children. The stakeholder group considered the findings demonstrated the strengths of the social workers, but they did not think that this was acknowledged by police officers and therefore the benefits for children were not always forthcoming.

4.2.7. Supervision and organisational support

Only two of the police officers were offered a level of supervisory support specific to ABE interviewing, whereas all support workers had regular supervision. Police officers’ managers did not provide ABE supervision and where it was provided it came via the interview advisor role and focused on the mechanics and questioning for an individual, specific interview. None of the police officers had experienced, or had access to, supervision that encompassed child assessment needs. Two stakeholders commented that some police officers developed poor habits associated with ABE interviewing over time and these became embedded in their practice and that bad habits went unchallenged by supervisors or managers. All the officers had worked CSA cases under managers or Senior Investigating Officers (SIOs) who were not qualified in, or knowledgeable about, ABE interviewing. This lack of supervisory support came from a lack of experienced ABE qualified staff who progressed in police services and was a source of frustration for all the police officer participants. The police officers felt that this inadequate supervisory support often led to decisions being made by inexperienced supervisors that had negative impacts upon children and officers. For the social workers, their managers had not necessarily had ABE training and therefore they did not always have the relevant supervisory expertise available for their interview practice. Only the ISVA considered that they were well supported by knowledgeable management. The findings would suggest that a combination of child centred supervision for assessment and interview advisor support for interview may offer an effective approach for police officers and social workers undertaking ABE interviews.

Colin was part of a group of ABE trained officers working across the police service and had regular contact with colleagues undertaking ABE interviews. Colin found this group very supportive and stated that he could discuss cases and frustrations with this group, and this also improved his practice. The creation of a group of ABE interviewing officers seemed to offer a lot of support. Colin gave examples of times when there were complex interviews, and he was able to seek advice. A major benefit of the group for
Colin was to vent frustrations about the lack of understanding about ABE interviewing by other officers (who were not ABE trained) and how this impacted his practice.

Some participants developed a greater understanding of children’s needs via work with other professionals. Chloe had been given an opportunity to develop her skills in interacting with children by working jointly with a psychologist to undertake an ABE interview. Chloe had habitually taken toys into ABE interviews as part of her practice. She had traditionally used toys that belonged to her own child, such as building blocks. The psychologist used a puzzle with a picture of a house to engage with a child in the case in question. As the child put the puzzle together, the child was asked questions about their own house. In Chloe’s opinion, this had worked well, and she noted that the child had been engaged in the puzzle and that they appeared less anxious about answering questions.

[The psychologist] was explaining it's more about engaging [children] in conversation and just letting them play, rather than [using] things like construction and blocks for example (Chloe, DS)

Being involved in a situation that brought new skills to her repertoire was beneficial for Chloe in that it made her feel more confident about engaging with children. This type of incidental learning was both beneficial and supportive. The participants mentioned a few incidental learning examples, and this highlighted that there were unmet needs in police officers’ skill development. It was rare that ABE interviewers encountered opportunities to observe specialists in action because the amount of time they conducted joint assessments or interviews were limited.

4.2.8. Measures of success
All five of the police officers considered that disclosure of offences by children in ABE interviews was important. Three of the officers thought that a child making a disclosure in an ABE interview was what amounted to that ABE interview being considered “successful” by themselves and other police officers involved in the investigation. Colin stated that the perception of obtaining disclosures in ABE interviews did not necessarily reflect the strength of evidence in a case. In Colin’s view, even where a child made a disclosure of CSA, more evidence was required to build a successful case. He said that sometimes he had been put under considerable pressure to obtain a disclosure from a child as though the success of a case was dependent solely on the disclosure. He thought that this stemmed from a belief by SIOs that without a
Disclosure, that a suspect could not be charged and remanded in custody\textsuperscript{24}. Colin stated that in his experience the CPS often required more evidence than a disclosure to proceed with a charge. Three stakeholders supported Colin’s view.

Lucy gave an example of interviewing a child on two separate occasions after a suspicion of CSA had been reported by a GP (general practitioner). The child was said to have a sexually transmitted infection (STI). There was a belief by the investigation team that the child was a victim of CSA. Lucy conducted the ABE interview independent of the investigation team and was convinced that the child had nothing to disclose. Lucy had then insisted that all the evidence be reviewed. On review, it was noted that the medical tests had been contaminated and following a re-test the child was found not have a STI. A disclosure was reported to be the ultimate “success” of an ABE interview, but on probing this aspect further with the participants, this example emerged and showed that on occasion the ABE interview was used to challenge what appeared to be strong evidence. This demonstrated the need for an open mind on the part of ABE interviewers even where this may go against the opinion of their colleagues.

\textsuperscript{24} It is necessary for a charge to be brought before a suspect can be remanded in custody.
4.3. Police officers use and implementation of knowledge and guidance

4.3.1 Knowledge of purpose of assessment for planning

There was no consensus as to the purpose of assessment prior to an ABE interview. There were various reasons given in the survey for the purpose of an assessment prior to ABE interview which provides an important perspective on practices across police services. There was not a specific question on the survey as to purpose of assessment, but several organisational respondents proffered an opinion. The survey responses included that the purpose of conducting an assessment was variously to determine of whether a child wished to make a complaint prior to the decision being taken to conduct an ABE interview; to determine the most appropriate method by which the interview should be undertaken; to determine what support was necessary for the child; to decide whether appropriate resources were available; to establish the communication and recall ability of the child and a child’s general level of understanding. One response stated that the purpose was to ensure that a child was a “suitable candidate” to undertake an ABE interview and could give evidence in line with the standards required by ABE guidance. Two stakeholders commented that the reference to suitability of a child reflected the onus on the child to be suitable rather than the ability of the interviewer to prepare the process in an effective way for a child to achieve their best evidence. These findings suggest that most respondents had some understanding relating to some areas that should or could be included in an assessment prior to ABE interview, but there was no consensus among the participants as to a definitive view of the purpose of assessment. This finding shows a lack of cohesive understanding at national and organisational levels as to the purpose of assessments prior to ABE interviewing. This is likely to have an impact on standardisation and quality of ABE assessments.

4.3.2 Experience and expertise

It was noted by two survey respondents that sometimes ABE interviews were undertaken by officers who were not specialised in the field. This was given as a potential reason that assessments may not be undertaken. A finding that in at least two police force areas, children may be ABE interviewed by non-specialised police officers points to further evidence that where a child resides may impact on the quality of service they receive.

Lucy reflected that most police officers came into CSA investigation work and ABE interviewing from generic policing backgrounds. She thought that other police officers
perceived her as an expert when she was not, and this meant that she was given credibility without having had relevant experience to gain expertise.

People say, “oh you’re a child abuse investigator, you’re the expert on speaking to kids”. No, I’m not, no I’m not. I’ve just done it a lot. I’m not an expert. It’s like saying on Friday I was investigating fraud; Monday I’m investigating child abuse. (Lucy, DC)

Sharon thought that she had changed her practice over time and had not been experienced or informed when she started interviewing children for CSA investigations. As a result of gaining a better understanding the impact of ABE interviewing on children through training and experience she reflected:

I didn't think of the impact of that [ABE interviewing] on that child [before I was trained] … because police are notorious for being ‘greedy’ and just wanting the evidence and not thinking about the impact (Sharon, DC)

These reflections on their early days as ABE interviewers and CSA investigators, demonstrated that ABE interviewing for Sharon and Lucy had involved “on the job” informal learning. It also suggests that there is a perception that police officers who interview children have experience and expertise when this is not necessarily the case, and that officers without experience and expertise are responsible for the complex task of ABE interviewing.

The support workers thought that police officers were sometimes not confident in dealing with children. Three support workers expressed that police officers did not always have the requisite skills to communicate well enough with children. Referring to an ABE interview where she had earlier conducted an assessment about the child’s ability to communicate, Beth stated:

I supported that [police] officer by opening up a different avenue of conversation and the child then opened up like a waterfall. The child then came out with every bit of the information that the officer was previously trying to dig for. I think it was the language [the police officer was] using and I don’t think they have the confidence to change the language. (Beth - Social Worker)

Stakeholder (4) thought that gaining experience and expertise was hampered by limited training and tools available to police officers. Stakeholder (4) commented that
the practice examples given by police officers and support workers strengthened their view that officers conducting ABE interviews were likely to become “burned out” over time. If police officers were not furnished with an understanding of how to “do the job”, they were not likely to achieve good outcomes and over time this could lead to burn out. If police officers were to be burned out, they were less likely to care about children in interviews (compassion fatigue), leading to further poor outcomes for children and police officers.

Training

ABE guidance (MoJ, 2011) recommends that all ABE interviewers are formally trained. All the participants and - to the participants’ knowledge - all their colleagues had participated in formal training provided by their own police organisation. These courses were classroom-based and were between one and three weeks in length. One course also required the completion of a portfolio to demonstrate practice competence following the classroom learning. Jane did not think that the formal ABE course had addressed the most significant areas for her learning.

Training is a problem for ABEs. One of the most useful days we had was when a barrister came in and said “I will tell you exactly what I look for from the prosecution and defence side” – we had half a day on that (in a three-week long course). That was the most useful bit of information going and it should have been a day or two days. On one course the barrister wasn’t available, so we had the trainer deliver the same information – [it was] like “[I’m] not really getting this”. [Police officers] need to get [the case] into court, we’re not here for “Jackanory” [to listen to a story], we need the barrister to tell us what they want, and we will do it. That needs to be more focal [to the training]. (Jane, DC)

Two police officer participants had completed some additional training - the Specialist Child Abuse Investigation Development Programme25 (SCAIDP) course and reported favourably on this course. Two of the survey respondents also stated that all police officers in their service were expected to do the SCAIDP course. The SCAIDP course takes place over a period of two weeks and requires completion of a practice based portfolio. Three police officer participants however considered that they had been given sufficient training to allow them to undertake the role of ABE interviewer competently.

25 SCAIDP is a college of policing child abuse investigation course that has a focus that includes child development, multi-agency working and applies a child centred and sensitive approach to child abuse investigation. For further detail see https://assets.college.police.uk/s3fs-public/PL-D-101-SCAIDP-v4-0.pdf
Jane and Lucy questioned how valuable any training additional to an ABE course could be.

Once you’ve done your [basic ABE] course, you’ve done your course and that’s it, you’re out in the big wide world, which is okay because you can’t keep going back. (Jane, DC).

I don’t think you could ever train for it [communicating with children] personally… You just have to go with what you know. And, yes, you can train in “this is what you need to get, this how you want to get it, this is how you set it up, you need to get your truth and lies…” but to train somebody to speak to a child - you can’t… you can speak to that five year old today, another five year old tomorrow and they’re completely different. Like teenagers, they’re in a world of their own anyway, so it's difficult, I don’t think you can train for it really. (Lucy, DC.)

Chloe also questioned whether it was possible to “teach someone how to speak to children”. These views reflected a lack of knowledge about what training was available for professionals working with children.

There were two police officers who had received some specific training on the impact of CSA on children, and they had found this beneficial. They reported that it had changed their practice positively allowing them to better understand children in CSA investigations and their reactions in the ABE interview more fully. The police officers who had not received any training on the impact of CSA, believed that their life and work experience gave them a level of competence in the assessment and planning of ABE interviews of children where CSA was suspected. The perception that the assessment of children was ‘common sense’ was a view held by all the police officers to some extent. This view was reinforced by the culture in some of the police services. This was shown by comments demonstrating a minimisation of the value of training or development that had a focus on children.

We are not qualified, or we are not given the insight. We are told to use common sense or life experience. (Sharon, DC)

There were examples of more senior officers promoting the view that there was no requirement for specialism when working with children.
My sergeant was asked in court how she assessed a child for interview, and she said she “just used her brain”. She said, “I just used my brain to say this kid’s alright” (Jane, DC)

Jane expressed the view that she was supportive of the sergeant’s response, and she was dismissive of the suggestion that there could be a more appropriate response that related to assessing a child’s needs.

The stakeholders all reflected on the understanding by police officers of the value of child specific training. In addition, two stakeholders questioned why police officers may think this way. Stakeholder (3) said:

this is unsurprising, but it delineates and evidences ‘hunches’ that we have known… To say that you can’t teach working with children is interesting and compelling…if you can’t have the tools… [how can] you use them? Is it a defence mechanism? If I don’t know anything, I am not doing anything wrong. (Stakeholder)

Stakeholder (4) stated that distancing oneself from understanding child victims as children could be a protective measure for police officers and concentrating on a linear task process – such as using an assessment form as a tick box – allowed for practitioners to ‘show’ they had done the job.

However, not all the police officers dismissed specialist and additional training. There was evidence of how additional training had changed perceptions and practice. Sharon thought that the input on the formal SCAIDP course had been the most valuable training that she had attended and that it had transformed her practice. She thought that she had benefitted greatly from the child psychologist input. She thought that more of this type of training would be helpful to all police officers who worked with children. She also noted that use of personal or “life” experience was promoted in policing as a suitable replacement for professional training, she did not fully discount this view, but could see benefit in some child psychology training.

[Prior to the SCAIDP course] I was thinking as a police officer, I was going in and I was making these children or vulnerable people tell me their innermost secrets and then I was walking away. I wasn't looking at long term support for that victim after having “ripped that scab off” in the interview, I was walking away. I was saying “I'll update you in four weeks time”. It wasn't good enough … I was very evidence-
focused as a police officer and lack of training made me look for “the kill” as it were, so I was thinking of [gathering evidence to convict] the suspect. (Sharon, DC).

Sharon said she had previously prioritised of the requirements of the investigation over the needs of vulnerable victims, something that she recognised following training input and was able to change. During the semi-structured interview, Chloe reflected:

I think we are realising there may be a gap in [our training] there because our training is about how to obtain information and how to obtain those disclosures, and it's about interviewing children and I haven't had any input about that kind of stuff [child development or trauma impact of CSA] (Chloe, DS.)

Chloe’s comments reflected her general concern, and that of Colin, all the support workers and stakeholders, that the emphasis in training for police officers is upon obtaining a disclosure from children who are suspected victims of CSA. This reflected that a focus of training was the mechanics of producing a disclosure of CSA, rather than supporting children or understanding their requirements.

**Continuing professional development**

Three of the police officers had access to a continuing professional development (CPD) structure that focused on ABE interviewing. For two of the officers, this included refresher sessions and additional practice development in the area of vulnerable witnesses. Jane, had access to three monthly generic (not ABE interview specific) CPD. She stated that sometimes she found this training particularly limited because it was irrelevant, rushed or too basic to meet her needs.

[The] last CPD event we had section 28 [cross examination by VRI] information delivered. It was rushed, done in an hour [or] half an hour. We don’t know how it’s meant to be used; we are fumbling our way through it. (Jane, DC)

This was indicative of complex training material being delivered in a rushed manner and the session could not have encompassed all Jane needed to know to carry out a section 28 ABE interview. Jane was not aware of any other training that was to be

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26 Lack of training and support, including CPD, is noted as a factor in the literature affecting the quality of ABE interviewing.
27 S 28 Youth Justice and Criminal Evidence Act, 1999
28 Visually or Video Recorded Interview
provided on section 28 cross examination; this left Jane in a position where she would be undertaking section 28 interviews with little guidance or support.

Only Colin considered that the CPD provided covered what he needed for supporting his ABE practice. None of the police officers had been given any specific or dedicated training or support concerning child development, other than that delivered in the training courses mentioned above. The police officers talked about planning ABE interviews and making assessments having regard variously to the age of children, their social circumstances, sexual maturity, sexual identity and the impact of any CSA that they might have experienced. However, a lack of training pointed to police officers being ill-prepared in relation to considering assessment factors and how they could inform planning. Despite this, the police officers felt confident that they could evaluate children’s needs and they demonstrated a commitment to children to do so. The police officers referred regularly to their personal experience in interacting with children as contributing to their understanding of children and thought they could apply their experience when undertaking ABE interviews. Three of the police officers held strong views that being able to understand children and work with them was not something that could be taught. When asked what training might be helpful, the police officers could not envisage what type of training could offer the opportunity to learn about child development that would be relevant to ABE interviewing.

The two police officers who had most experience of ABE interviewing, Chloe and Colin, both expressed the view that additional and continuous training was needed but not always provided. The more experienced officers placed more value on training and were more reflective of how training contributed to their development and expertise. Those with less experience, placed the least value on training input outside of the formal ABE interviewing course.

4.3.3. Undertaking interviews with children

Engaging with children

The participants used several methods to engage with children they spoke of using different techniques based on children’s ages and of working creatively:

I’ve found that most of the teenage girls tend to like my tattoos - I think they think I’m some type of “hippy” kind but I’m not. (Lucy DC)
I’ve had children where I’ve ended up on the floor where their heads are so far down here (indicating bent head to the floor) so if I’m on the floor saying “please look at me” - you’re upside down on the floor just to try and engage them. (Chloe, DS)

By the time the interview came, he [child] tried to bounce around a bit, I said, “I need you to sit still”. He said, “I want to sit upside down”. I said “fine, talk to me” and he did. (Lucy, DC)

Probably an hour or so was [spent] playing. We played in the garden, played football, [he] showed us toys. I take toys wherever I go. It was colouring, drawing and just chatting and just trying to build up that rapport. (Chloe, DS)

Lucy also described a specific technique she used with teenagers that she believed elicited more information from them. This involved Lucy deliberately stating something that was incorrect to a young person.

I’ve also done things where I’ve asked them a question, they’ve told me and then I repeated something back that wasn’t right, just for them to correct me. And then they’ll tell me more because they think, “hang on a minute are you really listening to me?” even though I am, “are you really listening to me?” It’s a little mini battle going on. (Lucy DC)

The use of self-developed techniques such as that described by Lucy above may be more likely to become part of police officers’ repertoire because there is little formal training or skill building. Stakeholder (2) commented that if there is no training available it is likely that police officers “fill in the blanks” but that “bad habits are as easy to develop as good ones”. It is difficult to know whether some techniques are effective and/or how it might be assessed as appropriate to use them. It is questionable to use techniques that are designed to manipulate children, particularly children who may have experience of being manipulated by adults as a form of grooming for CSA.

There were differing views on the use of tools and toys in ABE interviews. Sometimes the police officers had found this useful. On other occasions, toys in particular had been found to be distracting for some children. Three of the police officers regularly used or considered the use of toys and tools during an ABE interview. Lucy gave the following example of working with a five year old in an ABE interview.
I had one particular child, she was very shy, [she] would talk, would tell you everything that was going apart from what we wanted to her to say, and she felt more comfortable with the intermediary… Once we’d had the intermediary assessment, we tried to take away the toys or distractions or whatever but she wanted her teddy to come in with her, that was her comfort. So, teddy came in and we were chatting, and we were talking, we were talking about everything else, who the perpetrator was, how he was there and everything. But she knew that the next thing was going to be about what had happened, you could see straight away that she knew that because teddy was grabbed and made very close, and the only way that she would tell me what happened was through teddy. She told teddy and then teddy whispered it to me even though it was her voice. I mean, for a video interview it was your worst nightmare, because she was whispering it… So I had to sit next to her, normally I’d sit across from her like we are now, but I had to sit next to her and then she whispered to teddy and then teddy whispered it to me so thankfully we had repetition of what she was saying on the microphone (Lucy, DS)

Supporting children

Although the police officers recognised the importance of parents as supporters of children, they also had to consider as to whether parents were best placed to offer support during the ABE interview. Three of the participants expressed a general reluctance to allow parents to be present in ABE interviews.

Different forces allow family members in. That’s not something we are doing in our force. We are quite strict with that, with the kids. Parents are told “you’re not coming in” … I’ve had it before when you get in there [with a] teenager… I make it clear to them: “This is going to be played in court, so it's really important” and then suddenly the truth comes out. But it doesn’t come out in front of the parents. (Jane, DC)

The response from Jane indicates that in some police areas there are likely to be practices that evolve into unwritten rules about support for children from parents. The more experienced officer Colin was more likely to plan for appropriate support for children in the ABE interview, this included assessing the appropriateness of parents’ presence.

[I think about] how [we are] going to manage the interview process in itself in terms of supporters: who should be present, who is appropriate to be present? Often if the father has an allegation [made against him], mother might not be appropriate (Colin, DS)
When suspicions of CSA were intrafamilial, the police officers were much less likely to contemplate parental support in ABE interview. However, the relationship with a perpetrator was not the sole factor considered, and the police officers felt that a parental relationship could often inhibit or cajole a child and was therefore not conducive to achieving best evidence.

All the support workers were critical of the police for being overly focused upon gaining evidence to the detriment of other aspects of a case, including the support of children. In Teresa’s opinion, support workers were not only responsible for assisting in supporting the ABE interviews but were also left with the aftermath of poor experiences had by children.

It is not just going in and saying, “we have to do this interview”. They [children] have got the whole process, it can trigger [remind children of past trauma]. Then the police just go off, then everyone else has to deal with the support. If we can do anything which means that reduces the impact on them [children], that is great.
(Teresa, ISVA)

Police officer Jane thought that she was often left with supporting children after an ABE interview without the necessary organisational support structures or knowledge. Jane thought that even when a social worker was involved, she was left to make referrals to other services without assistance. When there was no social worker, Jane considered herself responsible for trying to find support for children outside of the ABE interview.

**Suspected crime knowledge**

When it had been decided to undertake an ABE interview, three of the officers, Colin, Chloe and Sharon, considered that having information about the nature of the suspected crimes under investigation was necessary. They stated that they would want to have all relevant information, but two of them went on to clarify that they meant having a “basic understanding” of the investigation but not needing to know “all the ins and outs” of a case. They did think it was necessary to know what suspected offences the investigating officers may be considering. Colin said that they had heard several colleagues state that they were “going in cold” to an ABE interview and that this was not a position that he supported. However, Jane and Lucy considered that the less they knew about the case, the more likely they were to avoid the pitfalls of asking leading questions. Jane and Lucy also stated that they would not want to know about
the child’s circumstances or background. They said that this was to avoid pre-conceived notions that might result in bias. For example, if they knew that a child was from a particular local area that the police were regularly attending, this might result in them thinking that child from that area were more streetwise than a child from an area with less regular police intervention. Lucy stated that she liked a “blank sheet”, and it was preferable for her not to want to know any detailed information about the child or suspected offence prior to conducting an ABE interview. Some of the social workers’ reflected on diverging views on whether ABE interviews should take place with little or no prior knowledge of children or suspected offences. Again, there were positive and negative views expressed about the level of knowledge prior to ABE interview.

When I did my training, the trainer said the best interviews she had done was where she didn’t know anything. I thought, “that can’t be right – I don’t think I shouldn’t know anything”. But [sometimes] where I’ve known a bit less [about a child, it has been] easier [for me]. (Josie, Social Worker)

Stakeholder (3) stated that it was not possible for any human being to be a “blank sheet” and without information about a child, in their opinion, an ABE interview was highly likely to have a negative impact upon a child. Three stakeholders commented that the guidance around having knowledge of offence seemed to have been confused with having knowledge of a child’s circumstances. The stakeholders had had experience of working with other police officers who expressed similar confusion around offence and child related information. This finding points to a misunderstanding that offence specific and child specific information can be equally aligned to potential bias in practice, and this is affecting information gathering for assessment of children’s needs.

4.3.4. Police services use of assessment guidance

In considering what was common practice, it was important to establish whether police services referred to the same guidance when completing assessments. Nine police services (27 percent) who responded were aware that there was a mandatory requirement to carry out an assessment, but where this need emanated from was less clear. Some suggested that all officers were aware of the mandatory requirement to assess children because it was clearly stated during the delivery of the ABE training course. Other respondents stated that ‘guidance’ was clear that assessments were mandatory. The respondents referred to over ten various pieces of ‘national
guidance. Not one respondent referred to the same documentation, other than ABE guidance (MoJ, 2011). Supplementary forms to support assessment had been developed for local use in some of the organisations and this added to the total of documents said to be made available to police officers conducting ABE interviews. The respondents variously referred to the Police Online Knowledge Area (POLKA), the Police Visual Handbook, Achieving Best Evidence guidance (MoJ, 2011), ABELS, National Police Chiefs Council (NPCC) and the College of Policing Approved Professional Practice. The number of the documents referred to show that several police services used and prioritised different types of guidance for ABE interviewing compliance. The quote below shows one participant highlighting three sources of guidance relating to a requirement to undertake a needs assessment to determine the necessity for a registered intermediary (RI) assessment. The understanding of what guidance was available, how it should be used and its relationship to planning and assessment was varied across the police services.

The effect of this [court of appeal judgement] ([2016] EWCA Crim 97] is that the requirement for an intermediary assessment for children 11 and under no longer exists and each case should be decided on its own merits on the basis of the needs assessment that we are obliged to complete by virtue of the Code of Practice for Victims of Crime (MoJ, 2015) and the Witness Charter (MoJ, 2013).

(Police organisation respondent)

The above quote demonstrates a perception that there is complexity around decisions to be made when it comes to guidance and, for some, a need for specific and specialist knowledge. The wide variety of what was believed to constitute ‘guidance’ demonstrated that adherence across police services was inconsistent, some services adopted all or some nationally available guidance and some relied more on local templates for assessment. The amount of what was thought of as ‘guidance’ relating to ABE interviewing can be seen to be significant. However, there is a lack of clarity and consistency about what should be prioritised in practice and how much additional knowledge police officers need to be able to adhere to the correct processes.

29 There are a number of pieces of guidance referring to the conduct of ABE interviewing in England and Wales. Some of the guidance contains information relevant to ABE interviewing but is not primarily issued for that purpose. The main guidance documents referred to were: College of Policing, (2020); Courts and Tribunals Judiciary (2017); NPCC, (undated); NPCC, (2015); NPCC (2017); MoJ, (2011, 2013, 2015, 2019; 2022).
30 Polka closed in 2020 and was replaced by the Knowledge hub (College of Policing)
31 https://www.npcc.police.uk
32 https://www.college.police.uk
Four police services had taken part in the Achieving Best Evidence Language Screening (ABELS) assessment-training programme, and they used this to assess children. This screening tool allows interviewing police officers to effectively assess the language development and communication levels of children specifically but does not involve a wider needs assessment (McCullough, 2017). Police services had invested in training for its officers in the use of ABELS, but in one service the ABELS assessment was not always used for children over the age of ten years. The responses about ABELS also contributed further to the finding that the respondents interpreted what was meant by “assessment” for children prior to ABE inconsistently. Some police services used only ABELS and no other additional assessment tool, adding to the finding that there is no common standard applied for assessment prior to ABE interviews across England and Wales. The responses about ABELS also demonstrated that needs assessments for children were sometimes reduced to communication needs alone. The support workers and three stakeholders had no experience of ABELS, nor had they worked with police officers who had used this assessment process. Stakeholder (1) knew of the ABELS assessment and commented that it is specifically for communication and language use. Stakeholder (1) thought that ABELS was a useful tool, particularly for RIs, but it should not be confused with or replace an assessment as meant by ABE national guidance (MoJ, 2011; 2022).
4.4. Multi-disciplinary contributions to ABE interviews, assessment and planning

4.4.1. Approaches to multi-disciplinary working

I come from a different perspective to the police officers. The police officer’s view is that initially they’re evidence gathering, so although they try to put the young person first, with their training their initial thing is “where is the evidence?” They’ll be looking in the long run to get the evidence because that is to get a good outcome for the young person. If the person goes to prison or the evidence is there to get them convicted of the crime, they think in their heads they’re looking down the line “we just need to get this done, it is just one step in this line”. Whereas our perspective is the wellbeing of the child, talking to the child and making sure that they’re okay. (Beth, Social Worker)

The inclusion of other professionals was noted by the survey respondents and police officers to slow down the process and a need to gain evidence quickly had led to proceeding with ABE interviews of children without multi-disciplinary support. Being able to engage with other professionals brought tangible benefits via incidental learning according to the more experienced police officer participants, yet the findings pointed to a reluctance to engage in joint working and a lack of confidence expressed by officers about mental health professionals and social workers.

Interaction with social care

The approach to multi-agency working reported by the survey respondents was diverse but some level of liaison with social work colleagues was reported prior to ABE interviews. In the absence of a specific question, it cannot be assumed that some police services did not liaise with social care, and five respondents (15 percent) reported that police officers would visit a child with a social worker or that they would liaise with the child’s school. One respondent stated that police officers would attend a strategy meeting with partner agencies, and this would be the start of the assessment process. One respondent noted that a joint approach to assessing a child reduced the number of occasions that a child had to be visited by professionals and this reduced the overall potential negative impact of the CSA investigation process. One respondent reported that information sharing between agencies prior to the initial visit with a child was essential. The primary aim of information sharing however was to ensure that safeguarding of the child had taken place rather than seeking information for an assessment or to plan an ABE interview. These responses were indicative of a
range of differing practices on the part of police services in working with others. There was nothing in the survey responses to suggest that there was joint work with social work or other colleagues to produce a needs assessment that could be used in the planning of an ABE interview. This was then an area that the researcher chose to address in more depth with the individual police officers, social workers and stakeholders.

**Working with social workers**

Jane said that she and her colleagues also found that social workers behaved in an unprofessional manner because they “glorified and dramatised” cases of CSA. Jane said that she had experienced situations when social workers had also not wanted her to discuss the sexual details of a CSA case because they [the social workers] found it too distressing. Jane said that it was necessary in ABE interviews to elicit the detail of the CSA because she needed this information for ‘points to prove’ and therefore graphic description could not be avoided:

I’ve got this kid who’s been sexually assaulted by dad, and he’s raped him five times. When I’m in that video interview, I have to say “you’ve said he’s raped you and it’s been five times. Now, about this rape: Where about [did it happen]?” “With what?” “His penis?” “Whereabouts did he put his penis?” I’m getting minute detail. It makes [the social workers] very uncomfortable, they don’t want to hear that.

(Jane, DC)

Lucy also spoke of an experience of working with a social worker who had become emotional during an ABE interview, and she had found this unhelpful. However, and in general, Lucy reported positively on her experience of regularly working with social workers:

We have a little chat beforehand, go out, get out and see what’s what. Normally, nine times out of 10 with sexual offences it’s “right, okay, what are you going to do? Right, I’m going to look at my forensic timescale. Am I going to have to do this and this?” And then they’ll [social workers] come as the support network then. So we [police and social workers] go in together and I will take the lead…. they can butt in, especially if you’ve got a child who is a little shy…. If we are a bit blinkered;

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*33 ‘Points to prove’ refers to the points necessary to prove that an offence has taken place and the type of offence that is said to have taken place. For example, proving age to be under 18 at the time of an offence is essential to prove a sexual offence against a child has taken place.*
“I need evidence, I want a disclosure”, whereas the social worker will be “how's your day been? And school?” So, it can bring you back down a bit. The social worker will go in a bit more softly. Let’s not rush it, take it see what we get. There’s the balance between us, between us and the social worker, it’s a good thing. (Lucy DC)

All the police officers who had experience of working with social workers had fixed views on what the role of the social worker should be. There was a general feeling from all the police officers that social workers should concentrate on supporting children and not intervene in the process of the ABE interview. Chloe struggled to find an example of when working with a social worker had been of assistance:

I suppose, if they [social worker] are known to the family and they can give you background information. I've never had a social worker want to do an ABE. They'll obviously look after the welfare. But nothing has been really helpful I suppose dealing with them for interviews and stuff. (Chloe, DS)

Colin had a different view as he regularly worked with social workers. He gave several positive examples of joint working:

[There was] a girl… We identified contact offences that she had been subjected to by a suspect. At the time she was 13/14 and he was close to 23. He had been arrested for images and we identified first generation images. We had no option but to approach her blind, as we had no details for contact numbers. So myself and the social worker sat down and devised what we were going to disclose, how we were going to disclose it, what appropriate support we could offer. It went really well. She [the child] immediately disclosed to us. (Colin, DS)

Colin believed that support from social workers was also essential in being able to conduct an assessment prior to an interview. He felt that social workers were “crucial” in being able to understand the needs of a child and family and provide on-going support during and after the ABE interview. The stakeholders’ and support workers’ experience had been that social workers were often excluded from the process of ABE interviewing. The stakeholders placed value on social workers’ ability to support and engage with children and families, before, during and after the ABE interview and

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35 Colin’s usual practice would have been to arrange a visit by telephone, but he had no telephone contact details for the young person and therefore had to make a home visit with the child having no notice.
noted more positive outcomes for children when this had been the case. Two of the stakeholders gave examples of when social workers were deliberately excluded from ABE processes by police officers when more senior managers had instructed that social workers be included. Excluding social workers from ABE processes was not uncommon in the experience of the police officers. The reasons for that exclusion may be practical (e.g., working hours, availability) or attitudinal (e.g., value of social work skill set and role, emotional resilience).

I’ve met quite a few [police] officers that are really good and child-focused. Their approach is really impressive, like a social worker, and they have a clear understanding of child development needs and the context of that child, like health or whatever. But I think, at the same time, a lot of officers don’t have that understanding [and] that leaves me wondering. I’ve only been on the ABEs I’ve been on, but the ones I hear about where there was no … children’s social worker, I wonder how they [work out] for the child and how they [children] leave feeling. (Josie, Social Worker)

All the support workers had had both positive and negative experiences of joint working with police officers. The support workers all stated that in their experience, police officers tended to be either very good or poor in terms of their management of ABE interviews and in their work with victims more generally.

Work with registered intermediaries (RI)

The use of RIs to undertake and support assessments of children taking part in ABE interviews was noted by several survey respondents, two police officers and all the support workers. A RI assessment is not interchangeable as a needs assessment for a child, but this differentiation was not noted in most police service responses, sometimes a needs assessment and an assessment by a RI was considered to be the same thing. This supports the stakeholder views that the concept of assessment is not always fully understood by those responsible for delivering them.

Three respondents reported that delays in being able to access RIs could affect the timing of some interviews. Consequently, sometimes ABE interviews were undertaken without a RI, even where one had been assessed as necessary to support a child’s communication needs. One of the three respondents reporting on delays in accessing RIs stated that they would assess the impact of the delay and balance this with the needs of the investigation in deciding whether or not to proceed without a RI. More
than half of the respondents referred to the practice of undertaking their own assessment, which would then determine the need or otherwise for a RI assessment.

When a child under the age of 11 reports being the victim of crime, an evaluation of the nature, circumstances and their level of understanding is completed. If deemed appropriate under those circumstances, then an intermediary is requested. If one is not available, then an evaluation of the time delay/nature of offence/level of understanding of child is completed and it is determined whether or not to proceed to interview without an intermediary. (Survey response)

Three respondents stated that even when an assessment had resulted in recommending that a RI be used, the needs of the investigation should remain a priority. Two of the stakeholders expressed the view that this was a misunderstanding of how the needs of the criminal investigation were assessed. The stakeholders thought that if a child was able to communicate their experience better due to RI support, then this primarily served the investigation need. To not include the support for communication of a child as a major factor for the investigation’s success was considered naïve.

Many survey respondents referred to the value of working with RIs, but responses from three police organisations suggested that the purpose was not always fully understood.

If the needs of the investigation are such that any delay could hinder things, then a decision may be to go ahead without an Intermediary, though an assessment can take place afterwards with a view to the child benefitting from recommendations resulting from the assessment (Survey response)

The purpose of the RI assessment is to facilitate communication in the giving of evidence (MoJ, 2019). To suggest that an assessment can take place after evidence has been given is a misunderstanding of the RI role and of assessment for communication purposes. To suggest it is appropriate to conduct the RI assessment post ABE interview negates the possibility that this can have a detrimental effect on the investigation and subsequent criminal processes. For example, if the RI assessment were to conclude that a child needed specialist assistance with communication and this had not been provided, this could be used in a trial by the defence to undermine the child’s testimony. Teresa referenced a case\(^{36}\) where a RI

\(^{36}\) The example used is of an adult making a complaint of CSA in her childhood.
should have been used for an ABE interview but was not. During the court proceedings when the witness was cross examined, a RI was used to facilitate communication as the witness had learning difficulties. The defence suggested that the original evidence in chief could not be relied upon because the police officer did not have the requisite skills to manage the communication needs of the witness. Teresa suggested that not using RIs when appropriate might be even more impactful for children who required RI support.

Once you have done it [an ABE interview], if you have done the interviews and not had an intermediary, there are difficulties to get through. I guess even more so with children. You wouldn’t want to obtain evidence and then be saying – “well actually it’s not been obtained in a proper way so it can’t be used, it is inadmissible”. (Teresa, ISVA)

RI involvement in ABE interviews, although well acknowledged by police organisations, may also then not be clearly understood and as a result, experts in communication needs may not be well utilised.

The support workers gave several examples of the benefits of working with RIs. They rated the advice they had received from RIs about communication and gave some concrete examples as to how that had worked well in specific ABE interviews.

I’ve worked with intermediaries as well and valued their assessments. I’ve taken on board their recommendations about the young person’s understanding and recommendations about the changing of language. For example, we had one young person who was very articulate, they used very grown-up words but not really always sure what they meant. So, it was working with him to help him understand that it’s great that he is trying to use that language and that shows how mature he is, but it is probably better if he uses language that he does understand. We documented that in the assessment prior to the ABE around the words that he used quite frequently, so we would explore those words [in the interview itself]. It was documented in the pre-assessment that if he used a word that was quite an adult word, we would stop and just check his understanding, and it would be checked as to what he meant when he said it. (Beth, Social Worker)

All the police officers stated that they understood the role of the RI and how they could access RIs. Three of the officers had experience of conducting ABE interviews with RIs present. Chloe stated that she could easily talk to children, and it would only be
where their communication was limited, or she required assistance that she would look to engage a RI. Despite reported understanding the RI role, there were fixed but inconsistent views about when they could be called upon and this reflected the survey data. For example, Jane said that her organisation demanded that all children under 12 have a RI during ABE interview. However, she also expressed that despite the organisational position, officers had latitude to make an alternative decision.

I do know that under 12 year olds have been interviewed without intermediaries and that's been the officer’s call. You know, if it’s a very streetwise, savvy 12 year old…especially if that’s been a sexual case [or] if the intermediary [isn’t available] (Jane, DS)

Unavailability of RIs, usually as a result of timing constraints, was seen as a reason to go ahead with an ABE interview without them. There was no developed understanding amongst police officers of how an assessment prior to ABE interview could assist in deciding whether to request RI support.

I would say we only looked at asking for an intermediary to facilitate communication, rather than looking into trauma and how to deal with that (Chloe, DS).

The above quote also demonstrates that there is not an understanding that trauma can affect communication and for this reason RI support may be necessary. Considering the survey and participant data about RIs, there is some uncertainty amongst police organisations and officers about the RI role and when and why it might be required, and when it is necessary. This means that if RIs are not utilised when they should be, assessments on communication needs for child witnesses are not being undertaken as often as they should be.

**Working with mental health professionals**

The police officers reported that some of the children they worked with were already receiving support from mental health professionals and some as a result of a current CSA suspicion. However, the mental health professionals were not generally asked for any advice to contribute to assessment and planning for ABE interview. Despite guidance to the contrary, Jane believed that children could not access counselling until
the criminal process had been exhausted. Jane would not engage with mental health professionals in respect of any child prior to ABE interview. Chloe reflected on a case where she could have taken advantage of liaising with a psychologist, but she had not, and stated that the process of being involved in the current research had made her think differently about accessing support from mental health professionals. Chloe said she could see on reflection that engaging with a psychologist on that prior case could have assisted the child that she interviewed. Colin was in favour of seeking therapeutic support for children involved in ABE interviews but also cautioned balance when deciding.

[Therapists] tend to leak things and guide them [children] and push in the direction of where they think we want to go. They think they help them by coaching them in terms of what they want but sometimes they can inadvertently point them in the wrong direction (Colin, DS)

Colin’s view reflected some of what support workers referred to as “traditional” opinions about using trauma therapists in CSA cases. Lucy also suggested some reluctance to approach therapists for support and echoed Colin’s opinion. All the stakeholders expressed concern that mental health professionals were viewed as unprofessional. Stakeholder (4) said this attitude negated the professionalism of psychologists. None of the stakeholders considered this statement to be indicative of the reality of working with mental health professionals in their experience. The social workers experience of working with mental health professionals was more positive and social workers actively sought opinions of mental health professionals when they were involved with children.

Police officers were seeking to balance the timing of interviews and accessible support services (e.g., social work and RI) – this meant that some children were assessed as requiring professional support but not receiving it due to priority of perceived investigation needs. All stakeholders commented that in their experience investigation needs were placed above the needs of the child but doing so was likely to be counterproductive to the investigation. Some services that may contribute to better assessment and planning children are not accessed because attitudes are held towards some professionals that infer that they may negatively affect the legal process.

37 ABE guidance (MoJ, 2011) states that children may have counselling prior to a criminal trial in which they are a complainant.
38 Where a child is receiving a service from another agency, it is good practice to liaise with that service. This assists in identifying the child’s needs and potential avenues of support. It may also be helpful in supporting the police officer’s approach to questioning in an ABE interview.
Two of the stakeholders believed that following ABE (MoJ, 2011) and CPS (2020) guidance could adequately address any concerns around working with mental health professionals.

4.4.2. Social worker views on involvement in ABE planning and support

All the support workers and stakeholders had encountered police officers who were not supportive of social workers being actively involved in planning and supporting ABE interviews. The social workers did, though, also have some very positive experiences of working alongside police officers who valued social worker involvement. Sarah described an occasion working alongside a police officer for an ABE interview of a child when negative attitudes became evident. Sarah stated that although she and the police officer believed that the co-working had gone well on the occasion in question, the police officer’s view on social work involvement did not change as a result.

She [the police officer] believed that social workers shouldn’t play any part in doing ABEs. She said that social workers can’t do the “points to prove” effectively [obtain the necessary evidence for specific points of criminal law], which could result in a case being thrown out of court. So, that was quite a difficult experience … Once I got there with the officer, it [the ABE interview] turned out okay … but even coming out of that [interview], driving back to work, she was still adamant that she had had negative experiences where social workers had led ABEs and it had ruined her cases (Sarah, Social Worker)

Beth thought that police officers had some preconceived, usually negative, ideas about social workers and that the need to gain evidence quickly took precedence over getting a social worker to assist with an ABE interview. All the social workers believed that their involvement often meant that children’s needs were better considered, and this made for a less harmful experience of the ABE process for a child. The social worker view that their exclusion may impact negatively on a child was also supported by the stakeholder group. In the social workers and stakeholders’ opinions, police officers’ opinions that a slower time investigation is negative, led to a lack of insight that children require support, and a lack of support can be harmful to a child and to the investigation.

Although Beth had found it difficult to challenge police officers about social work inclusion in cases, she used a strategy of working with the police officer to engage in discussion to try to work through any problems.
I worked with some [police officers] that are approaching it [the ABE interview] differently and they come from different perspectives. They have different understandings of each person’s role. It’s trying to batter down those pre-ideas about the other person’s job. And I think time [is an issue] as well – they need to get a job done, they need to get the evidence and by waiting for a social worker to come available is taking up precious time to get that evidence. I think that [time] definitely has and is impacting it [the ability to work together]. I have seen it working with different officers - each officer likes to do it differently. It’s about feeling comfortable to have the conversation with the officer as to “okay, how do you like to have this run? How do you like to have things managed? This is how I like to do it”. And meeting in that middle ground – that’s a real difficulty (Beth, Social Worker)

Dina spoke about police officers’ attitudes towards social workers’ views as to how ABE interviews should be conducted. She said she had allowed police officers’ views to go unchallenged but as she became more experienced, her confidence in promoting what she believed to be the right approach in interviewing children had increased.

[The ABE interview process] wasn’t very social work-led, although at the time [of the interview] we stated our [social worker] views, it [our opinion] wasn't considered because it [the focus of the case] was about the suspect. It was “we have to do this, because the suspect has abused the child”. (Dina, Social Worker)

Dina believed that her lack of confidence about challenging police officers’ views had also had an impact on the quality planning of the ABE interviews in which she had been involved.

When I talk about prepping [preparing], I mean there was no consideration of the child’s wider vulnerabilities. It was more so – “we need to see this child; we need to see this child and her family at this time and that's the day we have to do it because those are our requirements and our expectations for the investigation …We have a fuller, bigger role and I think I know my rights now as a social worker. I know I should be involved from the beginning with the gathering of information. My interaction with the child and family doesn't stop once the visit is done and dusted, there's also some follow-up work and updating information to provide to families. (Dina, Social Worker)
The support workers demonstrated that they regularly challenged police officers when they thought there was a potentially negative impact upon a child. They were more likely to challenge when they had more experience which brought confidence. Stakeholder (2) reflected that it was a daily reality for social workers to have to challenge fixed views of police officers to become involved in a process that would benefit children. Stakeholder (2) thought that this impacted negatively on social workers bringing them into unnecessary conflict with police colleagues when guidance was clear that they should be involved for the benefit of children.

4.4.3 Social workers involvement in conducting ABE interviews

Joint training

The social workers had all undertaken joint ABE training with police officers and reported this as being a positive experience. The main benefit derived from the ABE training for the social workers was an understanding of how to undertake an evidence-driven ABE interview. The social workers reported that their training had covered questioning styles, ‘points to prove’, assessing the child’s ability to answer questions, the process of ABE interviews and associated ABE guidance (MoJ, 2011; 2022).

What I mean is that working together and having that mutual respect, because I think there is still a bit on [the] police officers’ side that social workers are ‘airy fairy’, talking to everybody. And they think that social workers won’t listen to them and will go and do what they want anyway. I think that working together and having those discussions in the training setting, we managed to break down a lot of those barriers. It was really beneficial. (Beth, Social Worker)

Two social workers thought that there were negative preconceptions about social workers that had been challenged in joint ABE training, and this had helped both police officers and social workers to consider the strengths of each other’s professions when involved in ABE processes.

Leading interviews

All the social workers indicated that they were confident that they would be competent in being the lead interviewer in an ABE interview. It is common for social workers not

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39 The involvement of social workers in interviews is arguably different to that of support workers, such as ISVAs. Trained social workers have the necessary accreditation to lead ABE interviews and questioning. The following findings relate, therefore, specifically to the social work role in ABE interviewing as opposed to that of social workers as supports for children during the ABE interview process.
to lead interviews, despite ABE guidance (MoJ, 2011) suggesting that this is appropriate depending on the case and may be the best decision for some cases.

I would feel confident [in leading an ABE interview]; it just takes time, as long as I knew the case and what was needed evidentially. I would sit down and ask the questions and have an understanding of what information is needed for an outcome. I’d definitely feel confident doing that. (Beth, Social Worker)

I feel confident, I'm sick of being in the control room. I just want to lead basically. (Dina, Social Worker)

Jane said that the police officers in her service were strongly encouraged by their managers to include social workers in ABE interview processes but that she and her colleagues actively chose not to do so on most occasions. Jane gave a range of reasons including some practical challenges, such as working hours and shifts not corresponding across the two professions. Jane said that she and her colleagues were reluctant to allow social workers to be a part of the ABE interview itself because they thought that social workers lacked confidence in their own ability to ask the right questions in the right manner. The social workers stated that it was always the police officer’s decision as to who would lead the questioning in an ABE interview, and they had never been “allowed” to lead.

I think [that police] officers think that social workers don’t know enough about investigation, and you sometimes get that feeling from them that they’re the lead, so what they say goes obviously. (Sarah, Social Worker)

Stakeholder (1) commented that the Victoria Climbie inquiry recommendation 99 (Laming 2003) may have impacted upon social workers being allowed to take the lead in ABE interviews:

… those forces that are good at ABE still work together with social workers, those that are bad have used this as an excuse to keep social workers out of ABE interviews (Stakeholder)

Josie had experience of participating as second interviewer but not of being the lead in the ABE interview. She believed that where a child was known to the social worker there might be benefits for the child if the social worker led the interview. She felt a
careful assessment of the situation would be required prior to such a decision being taken.

You [the social worker] are taking a lead on that because you've got that established relationship, but that's actually positive and you see it being really effective, because you're already involved with a child. Not only in the preliminary work but the actual ABE itself. Because if you've got a good relationship with that young person, it is really effective, and then equally, after the ABE, that debriefing, and that ongoing work, continues. (Josie, Social Worker)

**Social worker training needs**
The research interviews with support workers and police officers demonstrated that social workers did not always understand all the rules around ABE interviewing. Despite having completed the ABE training, two of the social workers referenced cases where they had engaged in practices outside of ABE guidelines (MoJ, 2011). One example given was the engagement and support of a psychologist in on-going work with a child without understanding the guidance around pre-trial therapy (CPS, 2020) and the impact this could have on an ABE interview. When asked by the researcher about knowledge of pre-trial therapy guidelines (CPS, 2020), three of the social workers that had engaged with, and supported children in, pre-trial therapy revealed that they had no knowledge of the guidelines. The ISVA was fully aware of the pre-trial therapy guidelines and the potential implications of operating outside of guidelines during the CJS process.40

4.5. Child victims of CSA – experiences of the criminal justice process

4.5.1. *Children in ABE interviews*
The findings below are from several examples from the police officers and social workers of their work with children during CSA investigations. The information given by the participants that spoke to the experience of children is an attempt to ensure that where possible, the voices and experience of children are highlighted in this research. This does not replace the direct voice of children, but the descriptions of the children's experiences show, to some extent, the benefits, difficulties and challenges that are faced by children involved in CSA investigations.

40 If a victim of CSA is involved in pre-trial therapy, it is important that the CPS guidelines for pre-trial therapy (CPS, 2020) are followed. The guidance states that the evidence should not be discussed, and careful notes should be taken by therapists.
Impact of poor planning

All support worker participants highlighted cases where they considered that planning practice around ABE interviews had been particularly poor. Police officers and social workers spoke of cases where children had been particularly distressed before, during or after an ABE interview. The support workers considered that in most circumstances the child’s upset could have been avoided with better planning. Sarah recounted an experience where she had been asked to support the ABE interviews for a group of children in a major investigation. The children had been asked to attend a police station for ABE interviews but were otherwise unprepared. This case was prior to Sarah being trained in ABE interviewing and she had not felt confident about addressing the issues with the SIO until after the completion of the case. She also stated that she had felt able to address the matters, which she considered serious, only with support from her managers. Sarah described the situation she encountered on the day of the ABE interviews:

There were about 12 victims, boys aged 12-17 years. One of the officers arranged for a team, including me, to go to … [a police station] to do ABEs of the victims and progress the investigation. When we got there, the officer had booked the ABEs in for the second day of our arrival. We had arrived at night and attended the local police station the following day. Children were sat around waiting to be ABE [interviewed]. There were about 5 or 6, some were crying, some were saying they had just come to tell their story, but we hadn’t even got [the necessary legal agreement to interview the children]. In the end, they had to be turned away [sent home]. (Sarah, Social Worker)

In Sarah’s opinion, the SIO was inexperienced in ABE processes. The SIO required parental permissions before interviewing the children but had not sought these prior to asking the children to attend alone. The result of this omission meant that the process was traumatic for the children involved, and according to Sarah caused emotional harm. Sarah also stated that the case resulted in no further action by the CPS owing to judging the victims’ testimonies as not constituting good enough evidence. Sarah’s view was that the testimonies were inadequate in part because the process had resulted in a lack of trust between the children and the interviewing officers. Sarah also believed that the police officers did not understand the needs of this vulnerable group of children and poor decision-making came about as a result. Sarah expressed that this example had made her angry.
There were cases where participants believed that children were not supported adequately to give an account during the ABE interview. Chloe described a case where an ABE interview was conducted with a 13 year old child who was pregnant with the child of a suspect. Chloe argued that in planning the ABE interview, there could have been better support offered to this child. The girl did not make any allegations about the suspect, and DNA evidence was relied upon to bring a single charge against the suspect.

She [victim] had a baby by him [offender] - she was 13 [years old]. We could only [prove] one rape [charge] [using] the DNA of the baby... maybe we should be looking for other help to try and understand … Maybe we should've looked at different things [before taking no other action in respect of supporting this child].

Chloe thought that in retrospect, this child would have benefitted from a full assessment of her needs and a protection plan before being brought for an ABE interview. These impacts of poor planning, according to participants, had negative effects on children and ABE interviewers.

Not all planning was poor and there was a good example of use of assessment information by a social worker to plan. Sarah had worked with a child who had been disbelieved by her mother, had fallen behind in school, had been moved to live away from her mother and had been exposed to domestic abuse against her mother by her mother’s partner. Sarah described how she had needed to spend more time explaining the ABE process and planning for the ABE interview to the child.

We spent a couple of hours explaining everything, and then we did a further visit. That was looking at what the ABE would entail, the layout of the room, just all the other factors. [We looked at] previous [police] involvement, had she been involved with police before [the CSA investigation]. Mum had been involved in quite a few domestic violence relationships, so she had a bit of a negative view of the police. So, we spent quite a bit of time trying to bring those barriers down and try to just build that relationship with her. I felt that was important. (Sarah, Social Worker)

The above example showed how the social worker identified previous domestic abuse and contact with police that had not always been positive for the family. She recognised the need for the mother’s support of the child so worked with the family and the child to bring about cooperation so the child could attend an ABE interview.
**Trauma Impact and ABE interviews**

All the participants recognised that the ABE interview process had an impact upon children. The police officers, social workers and stakeholders described more negative experiences than positive. The police officers, social workers and stakeholders suggested that the negative impacts they witnessed were indicative of trauma from CSA or from the ABE interview or a combination of both. Some children had demonstrated their distress openly but for others there were indications of the impact of harm demonstrated through their behaviours.

Some [of the children] were crying their eyes out. (Sarah, Social Worker - referring to boys aged 12-14)

He is completely in this trauma bubble, so his way of dealing with things is to repeat everything you say. (Chloe, DS - referring to a child aged four)

[The child] said her name, she said, “this has happened to me” and suddenly everything goes blank. And she is physically sitting there saying “I don’t know what happened” and she’s in tears saying, “I just don’t know” (Jane, DS)

I had one young lady, she was mid to late teens, being sexually abused by her stepfather and she just couldn’t bring back some of the stuff. (Chloe, DC)

Colin stated that for many of the children he had interviewed, the ABE was a significantly traumatic event. Colin thought that, on some occasions, the trauma of the ABE was comparable with that of the CSA. He gave several examples including the following.

Mary* made numerous disclosures… Prior to making any disclosures, she would get really worked up, ask for a break in the interview, then come back and make the disclosure, and tell you all about it. That was a repeat pattern for about three hours across the interview. She disclosed multiple contact offences including rapes from when she was 13/14 years old at a swimming pool. That went on to get a guilty plea. Throughout the court process and ongoing liaison, even after the court process, just keeping in contact, we stayed in touch with her and she went from a girl who was traumatised to moving on with her life. It was really good to see. One of the most emotional ABEs I have ever done. The social worker was in tears, it was horrific, that ABE. (Colin, DS)

* Not the real name of the child
Colin felt generally that the needs of children were not considered and that the priorities of the investigation took precedence. He believed that this led to long term concerns for children.

We take [the children], usually when they should be in school, and no matter how [nice] the ABE suite is, it is [taking them] to a strange location, we put them in what looks like a living room with a camera and explain to them what the cameras do, and then sit round and ask them a lot of questions. It is quite a traumatic experience in its own right and it sticks in people’s minds. (Colin, DS)

All the participants recognised that some of the information that children had to impart during ABE interviews was considered extremely sensitive and could cause embarrassment. The participants expressed sympathy with the children in terms of the difficulties in discussing sensitive material. The participants also discussed the potential for there to be a traumatic impact on children having to discuss sensitive information.

One child, I knew she was wearing bright pink underwear and there were certain objects that she had inserted into her vagina. …. I’ve always found it really difficult to even ask a child [certain questions] but it has to be done for the investigation.... At the same time, although I just said it's been really difficult for me, I am also very much aware that it must be really difficult for the child to actually disclose such horrific situations… She wanted to tell more. And she wanted to give full details and even the horrific parts of it she wanted to share information on. (Dina, social worker)

Lucy had dealt with a case where a child had been the victim of suspected CSA over several years.

It sounds an awful thing to say, but thankfully, the boy that did disclose, [he] disclosed [that it had been] 24 hours [since] the last time he was raped, so we had the forensic [evidence] as well. (Lucy DC)

At the time of the ABE interview, it was established that the latest assault had taken place within the previous 24 hours. This had led to a medical examination to retrieve forensic evidence and although this was noted as being traumatic for the child, it was also seen as positive because it created a stronger case for prosecution. The
perpetrator pleaded guilty in the case and was sentenced to 18 years custody for the rape of four children. The above example demonstrates the complexity of some CSA cases, with children abused over long periods of time, recent assaults and need for medical and legal interventions. It was recognised that cases were very difficult for children.

Children regularly expressed their concerns to the participants about giving their accounts in ABE interviews. For some children, there were issues that impacted upon their ability to feel safe. Chloe described a case of one child, Sunita* who was in her teens; Sunita was from a south Asian community and identified herself as transgender.

… she was really scared. Her mum is a police officer, and the suspect is her uncle. It would have brought shame on the family. (Chloe, DS)

Sunita was experiencing mental health issues for which she was receiving on going treatment, but she gave an ABE interview after making a complaint that her uncle had sexually assaulted her. Chloe said that Sunita’s immediate family considered that both the disclosure of the CSA and her gender identity were shameful. Sunita had revealed to Chloe that she was frightened about the consequences of what would happen to her following the ABE interview. All the participants had experience of working with children who they described as being afraid, scared or fearful during the ABE process. This was reported as a frequent and common occurrence. The participants thought that for children, fear might be a barrier to accessing justice through the ABE process. Sarah summed up the position of children involved in ABE interviewing “[Doing an ABE interview is] scary – I wouldn’t want to do it as an adult.” (Sarah, Social Worker).

In addition to describing negative life experiences, including CSA experiences, the police officers and social workers gave many examples of experience of negative impacts for children emanating from the episodes of CSA under current investigation. In one example, a child had an indecent image (IIOC) of herself shared amongst her peers in school. The IIOC was taken as part of the CSA that was being investigated. The social worker working with the child reported that in her opinion, the sharing of the image had as much a detrimental impact upon the child as the original offences that had included direct CSA.

* pseudonym
The police officers and support workers also noted hope for children, even when they had been involved in traumatic events.

Poor things, they're so resilient, they do just bob on and carry on with everything they were doing before. (Lucy, DC)

Although it’s in the back of their minds, I think children and young people are so resilient in many ways. Because they are still growing and learning, they tend to bounce back and have their lives changed. (Beth, Social Worker)

Although the participants recognised the negative and potentially traumatic impact of ABE interviews on children, they also considered that children were resilient. Stakeholder (4) also believed that children were more resilient than they were given credit for. The social workers, two police officers and two stakeholders thought that the ABE interview process could support children and when it worked well, the process could aid a child’s recovery and support further resilience.

**Interviewing children who are known to social workers**

Three of the social workers had experienced supporting children in open cases and where they had existing relationships with the children. Josie highlighted the potential positive and negative implications of having a previous relationship with a child and family.

[When you know the family], you are taking a lead [in the engagement of the child in the CSA case] . . . because you've got that established relationship. That's actually positive and you see it being really effective, because you're already involved with a child. Not only in the preliminary work [of preparing a child for an ABE interview] but the actual ABE itself because if you've got a good relationship with that young person, it is really effective. And then, equally, after the ABE, that debriefing and that ongoing work continues. [You're] also linking with the police, so that communication continues really effectively. However, I can see the other side of that is if you don't have good relationship with the child or parent, as the allocated social worker, which can be the case, sometimes there can be crossing over and different agendas at play [with ongoing work and the CSA investigation work] - you might have a child protection plan. In one case I had, the children were on a child protection plan but the police [ABE] interview was around something which was actually not to do with the child protection plan, it had happened at school. I had a good relationship with that family, they wanted me to be part of that
even though I was involved in their lives dealing with at a different issue at home. They wanted me to be part of that. My point is that if I didn't have that [good] relationship [with the child] that [having someone else to support the ABE] might be the best for that child and family (Josie, Social Worker).

Josie acknowledged that prior to receiving her ABE training she had not always thought through the tensions involved in trying to fulfil these different social work roles (of allocated social worker and supporter in an ABE interview). She was, as a result of her training, more likely to consider the impact of this dual role on children and their families.

If you’ve got that good relationship [with a child], that can also have an influence in one way or another. For example, the child, if you’ve got a good relationship, the child might think, “I don’t want to say [that] in front of them and upset you [the social worker]”. They are aware of your feelings, or they don’t want to disappoint you. There may be other issues at play. They might want to say something, but it may affect your work with the family. So, it’s not necessarily that you [the social worker] shouldn’t do it [be involved in the ABE interview]. It is why the preliminary work before ABE is so important (Josie, Social Worker)

Beth gave an example of supporting a child that she knew prior to the ABE interview. Beth explained that the child had been very distracted during the ABE interview and the police officer was struggling to manage the interview and the child’s behaviour. Additionally, the child was answering questions in a distracted manner, and saying only “yes” or “no”. Beth stated that both the police officer and the child were becoming frustrated at the point she intervened.

Because I knew the child, I knew the way that he [had] processed the information [what had stuck in his mind about the incident]. It [the incident] had linked into something very exciting for him [and] that was the fact that he had been airlifted from his home. He had come out of the top bedroom window and fallen through something and hurt himself. But he covered all of the fear that had made him fall out of the window and the injury that had hurt him with this great thing of “I got to go in a helicopter”. So, by knowing that [he was excited about the helicopter] . . . [the police officer] was trying to get him to explain what had happened to make him fall out of the window and he didn’t want to talk about it. So, I just re-worded it and said, went on the excitement side, and “Tell the police officer about that thing when you went in the helicopter” and from that moment, he just went “whoa” and gave all the information (Beth, Social Worker)
Beth said that her intervention enabled a different approach to be taken in the ABE interview and that this facilitated the child in being able to describe the incident of abuse in which he was involved in detail. Although these experiences were positive, the social workers recognised that the ABE interviewers should always be considered as part of an assessment, rather than assumptions being made about what was best for a child.

4.5.2. Supporting children through the justice process

Initial approaches and responses from children

All the police officers, support workers and stakeholders thought that the initial approach to a child could have a major influence on their subsequent engagement in the criminal justice process. The initial engagement was seen as being key in building and maintaining a rapport with a child which could continue into the ABE interview itself, as also stated by two of the survey respondents. On most occasions, when initially approached, children had agreed to speak to the participants, although children were sometimes reluctant or anxious about such meetings. There were three examples of children who appeared to view the ABE process with an element of positivity, in that they were able to express that they wanted to take part in the process, and they could see the possible benefits for them of doing so. For some children this was about empowerment and for others it was being able to have someone listen seriously to them. All the children featuring in the below examples were female and aged either 14 or 15 years.

When we went to speak to her, her first words were “I always thought someone would come and speak to me”, which was a great start for us. She actually said, “can I just get it over and done with now?” so we said “yes”. Two hours later she came [to the ABE interview suite] with a friend. (Colin, DS)

The child wanted to do it and the parents were absolutely encouraging and wanted the child to do it if she wanted to do it. The [parents] thought it would be a really good idea. The child [had] said from the beginning it would be really good to get closure… She had so many vulnerabilities and there were so many risks involved if she re-lived this trauma. But then … from the beginning, she wanted to tell her story and it actually empowered her to do the ABE [interview]. (Dina, Social Worker)

She knew why we were there. We hadn’t told her, but she knew. She burst into tears the moment we got there, and you could see visually how she’s completely
within herself and so anxious about it, and just fiddling with everything, and this is really causing her a lot of stress, but she wanted to do [the ABE interview]. She [said] “I've been waiting to tell someone this” and [she] hadn’t told her mum, hadn’t told anyone and she had been having threats [from the perpetrator] as well. (Josie, social worker)

Despite all the examples above being presented as positive for children, in each case negative impacts on children can be seen.

She didn't tell us completely what happened, but she gave us an indication that something had happened [and so we interviewed her]. (Lucy, DC referring to a child aged five years)

In the above example, Lucy believed that one young child had limited ability to verbalise, but Lucy thought that the child gave enough indication that she would benefit from undertaking an ABE interview. Despite the lack of clarity that the child had been a victim of CSA, Lucy decided that the indications were enough to suggest that an ABE interview with the child should be conducted. The ABE interview was undertaken, and this resulted in the child making a statement that she had been a victim of CSA. At the time of the research interview, there had been no CPS decision made as to charge or prosecution in this case. This example suggests that even for very young children, giving the early opportunity to engage with the interviewing officer can support them to give an account of their experience allow appropriate access to the criminal justice system. Stakeholder (4) thought that some of the responses from children demonstrated that children could deal with very stressful situations and are welcoming of supportive approaches.

**Support needs and investigation requirements**

The participants were all in favour of spending some time with children prior to an ABE interview to explain the potential justice outcomes to children, however as noted this was not always possible. The support workers expressed concerns that what they perceived as the police officers’ focus on the need to gather evidence in a timely manner impacted on the ability to ensure that a child was properly consenting to an interview.

It’s always important to have the child’s view, talk to her separately, give her the choice to speak separately and explain to her, separate, away from the parents … in the most age-appropriate way. [Saying] “This is what can happen basically, are
you sure you want to do this because you know it means re-living some of the things that you may not want to re-live?" It is about being open and honest because the last thing we want is during the ABE she breaks down. Or after the ABE she said "I regret it, I wish I didn't do it" you know, you have to be like very honest and friendly, honest and very open. (Dina, Social Worker)

In Teresa’s opinion, it was important to include children in assessment and planning prior to an ABE interview. However, on some occasions, there was a push by police officers for children not to be spoken to about any aspect of the investigation, even giving information about ABE processes, until the ABE interview itself. Teresa thought that this was probably because the police officers focused on evidence and sometimes this did not balance with children’s needs.

You're not going to talk about evidence [but] they [police officers] like to do it on tape because there is always that worry about any conversations had off tape might be construed as coaching [encouraging a witness inappropriately]. (Teresa, ISVA)

The support workers raised some practical concerns about children’s support in CSA investigations, for example, the impact of taking computers or phones from the children in order to search for evidence.

They seized her [the child’s] device [because of] the crime that was taking place. The police just gathered information and just left it at that. The child was wondering, “What’s happened? What’s the follow-up? When am I getting my device back or my phone back?” Which is quite sad because it creates anxiety for the child, [and] there was no one really updating her. (Dina, Social Worker)

All the support workers commented on the ability to manage high level needs for some children and that this was a skill set that they were more likely to have than police officers. Josie spoke about a case involving a child, aged 14 years, who she and a police officer colleague had visited. Josie thought this young person was particularly vulnerable and had significant mental health needs. She described a meeting:

She actually said, not on that initial visit but later, “the threats [are being made] online” [and] that’s why she was self-harming. So, in that instance, you can see why, how it’s so important [to visit the child before the ABE interview], not only to get the assessment … As a social worker you would feel so ill-informed [without the pre-interview visits] and you’d think “Okay, I've got to be reactive here” [in the
ABE interview] … I think for [police] officers, a lot of officers [they] wouldn’t know how to deal with that [expression of anxiety from a child] at all. (Josie, Social Worker)

One of the concerns that the police officers and social workers raised was the lack of support for children with high levels of need. Participants explained that these needs were manifested in several ways including acting out sexually, self-harming, suicide ideation, and children demonstrating distress and upset. A common theme among the participants was that they considered themselves often solely responsible for trying to obtain support for children. This reflects the lack of supervision and support that the participants expressed more generally.

If I’m off [work] on leave, that’s a huge delay again. These girls need help. (Jane, DC)

Jane had undertaken an ABE interview that did not proceed to a charge or prosecution. She had then made several attempts to refer the child for therapy to different agencies before finding an organisation that would offer a service but there was a long waiting list.

With regard to the support that [agencies] give [children], I know [children] can’t seek counselling until the matter is dealt with by [the police] … That support isn’t there… With Jim* there was definitely over a six month waiting list. He is 11 [years old] now. It doesn’t help us because in our case [children] are still a mess and we need them to be a little bit more settled for when we go to court because that’s going to screw them up again. It’s going to bring everything up going to disrupt them again and cause them more anguish. That support isn’t there (Jane, DC)

Attempts by organisations to offer support to children undertaking ABE interviews were acknowledged by all the participants as being helpful to an extent. However, they also recognised that there were many barriers to helping children feel more safe and secure during the ABE interview process. As well as the emotional barriers, the participants referred to the physical environment and said that although it was designed as per best practice, it did not necessarily achieve what it should for children.

* Pseudonym
It’s good we have accessible interview rooms but they’re not child friendly, they are adult and sterile and not relaxing. I take children round the back of the police station [to avoid walking through the police offices] and the first thing is they go down loads of corridors, they don’t know where the hell they’re going. Suddenly you’re in an interview room and you’re telling them to relax. And they don’t. (Jane, DC)

**Children’s agency**
The participants gave examples of children giving clear indications that they did not want to make a statement to the police. The examples spoken about by Sarah related to children whom online perpetrators had targeted and where there was evidence other than children’s statements of sexual assaults having taken place.

Every week I have conversations with [police] officers where a child doesn’t want to report to police. We should respect that [decision] if the child can understand the consequences. If the [child] feels that involving police [is not in their interest] and the parents agree that it is detrimental to that child, then I would agree with the family that are making that decision. But some officers are very much “well if there’s an offence, it needs to go to the police”, but what would that achieve if the child doesn’t want to speak to the police or do an ABE? It is difficult to work [with] law enforcement as a social worker. (Sarah, Social Worker)

Lucy referred to several older children that she had approached about familial CSA suspicions who did not want to give ABE interviews or make statements.

You can see straight away they’re thinking “I ain’t telling you, I don’t care how many times you’ve heard it, you’re not hearing it from me”. (Lucy, DC, referring to teenagers)

In examples given by social workers and police officers, children were pressured to give ABE interviews even when children had expressed clear views that they did not want to. Sarah believed that this should not happen, as it was an abuse of children rights. None of the participants could give an example of when a child was pressured into an ABE interview and gave a disclosure that could be progressed through the criminal justice system. This suggests that this practice is of no benefit to a CSA investigation and might be emotionally harmful to children.
Teresa said that in her experience children who were reluctant to engage in an ABE interview were more likely to have their cases dismissed early in the CSA investigation process. That children might need more support to engage in ABE interviews did not always seem to be considered by CSA investigators or ABE interviewers. Children’s reluctance to engage was often construed as unwillingness as opposed to a reasonable fear of the justice process that, if supported, could possibly be overcome.

I know there [can be] a number of opportunities … but usually there is not. With a child usually it literally is one opportunity and if they don't say anything, then the idea of going and doing another [ABE interview], that’s when [there is the accusation] “well they’ve been coached, they’ve been told to say this and say that”. If you have that one opportunity, you need to give them the best opportunity to feel able to do it. (Teresa, ISVA)

Two of the stakeholder group agreed that the focus was on children’s evidence to prove their cases. The stakeholders believed that this was not always necessary and sometimes if a child was unwilling or unable to make a statement a case was closed without further investigation. This was not considered as always necessary, particularly where there was other evidence (such as images) available. Two stakeholders also pointed to timing of interviews being planned around when a child could realistically be prepared for them. The fear that a child’s evidence may be interfered with if there is a gap between the initial allegation or discovery of abuse and the ABE interview is not always fully or realistically assessed. Stakeholder (1) considered that delay before an ABE interview was considered more of a risk than it really was.

The participants gave examples of children demonstrating their ability to use alternative methods of communication in ABE interviews. Lucy described a child of five years of age bringing a favourite toy into the interview and using the toy as a puppet that she could converse through. Even though the advice of the RI was not to allow the toy, the child had been adamant. Lucy said that the outcome of the interview was positive in that the child had made a clear statement, using the toy, that she had been a victim of CSA. This suggests that listening to children as to what they need, even very young children, can be beneficial to the ABE process.

I remember one drawing I had and she [child] went through the paper where it was [indicating] the genital area. Anywhere where she was touched, or he [the perpetrator] was touched [by the child]. It was shown to the jury and it was literally
the only place where she [had gone] through the paper. It was “where did he touch you?” and [she answered] “There. There. There. There. There.” And [her scribbling] went through [the paper] … That was really powerful for a jury to see.

(Chloe, DS)

Chloe was describing how she had drawn a stick man figure for a child and asked the child to indicate where she said she had been touched during CSA. She described the child scribbling hard and stabbing the pen over and over in the space indicating the genital area of the drawing. The child did this until the paper was torn. In Chloe’s opinion, this has had an impact on the jury when the ABE interview was played in court and in part led to the conviction of the perpetrator.

4.5.3. Children’s reasons for engaging in ABE interviews

Children expressed several reasons for agreeing to ABE interviews to the participants. Some children had said that they wanted the perpetrator to experience justice. In the examples given by the participants, the children talked about perpetrators being caught by the police and put in jail. Some children were also reported to have understood that the ABE interview could bring them some therapeutic benefit around the CSA.

Children and young people are very good at understanding [the roles of police and social worker]. They can play on that as to what they need – if they need closure for that bad thing that has happened to them the police officer is going to catch [the abuser] and the social worker is going to support [the child]. They have that understanding. (Beth, Social Worker)

Two of the participants spoke of children wanting to protect other children and speaking out to try to achieve that. One child agreed to an ABE interview after finding out that his brothers had said they were also victims of CSA by the same perpetrator. Lucy described how this child had not known that his siblings were victims and had maintained his silence because the perpetrator had threatened to abuse his siblings if he [the child] spoke out.

Me and my colleague who did the video interview, we came out [of the ABE interview] and we were both in tears. You know he’s been living with that for so long and then he’s found out that his younger brother had it [CSA] done to him and his two other brothers [were also victims]. [He] was the oldest one but when he found it wasn’t just him [but] it was [also] the other three, your heart really just
went out to them because this [perpetrator] had really just groomed them to the nth degree. (Lucy, DC)

Stakeholder (1) commented that victims and witnesses might want or expect different outcomes from the justice system than do suspects, police, courts or other actors. The stakeholder pointed to work by McGlynn and Westmarland (2018) who use the term “kaleidoscopic” justice to refer to victim-survivors experiencing justice as a multi-faceted concept. They argue that outcomes in the justice system are not defined by victims’ or survivors’ needs, wishes or comprehension but by the systemic justice system process (McGlynn and Westmarland, 2018). Successful prosecution, conviction and subsequent punishment may be perceived as expected outcomes from the justice system, but McGlynn and Westmarland (2018) argue for a consideration of what victims and survivors may want and need. The examples given above point to children seeking various outcomes including a punishment outcome. For those children who sought to protect other children from perpetrators, justice may be a complex process, this is considered further in the discussion chapter.

4.5.4. CSA perpetrated by other children
Two of the police officers referred to cases of CSA perpetrated by other children. In both cases, the children were related to each other. The police officers commented that they treated cases where children were suspects differently to cases that involved adults as suspects of CSA. One of the cases described by Chloe involved a four-year-old child whose older brother was thought to have sexually assaulted her. Following a discussion with the parents, Chloe and her colleague were not convinced that proceeding with the case was in the best interests of the four-year-old victim. Chloe did not think that the child would have access to the necessary physical and mental health support, and that would be due in part to the parent’s attitude to the allegations. The parent was also reluctant for the criminal investigation to proceed. Chloe’s view was that as a result of not having the support, the child might suffer further harm.

Whether that’s going to be in the best interest of the child to pursue a criminal case I don’t know…. I literally did go in, [conduct the] ABE [interview] and then I haven't been involved since. That was a rape… Mum was quite hostile with police because obviously it’s a difficult situation with siblings (Chloe, DS).

In another example, the child, who was aged four or five years old, gave evidence in an ABE interview that her 11-year-old cousin had sexually assaulted her. Lucy had
investigated this case and in Lucy’s opinion, the child did not demonstrate any adverse effects from the CSA.

[Young children have] got no concept of what's happened to them. They don't realise what's happened to them is really bad. I had a little girl she was already raped by her cousin - albeit he was only a child, well he was just turned 11 [years of age] - and she didn’t change, she didn’t change at all and she couldn’t understand why she wasn’t allowed to see the cousin anymore. (Lucy, DC)

In the examples that referred to CSA by other children, the participants had consideration for the needs of both victims and perpetrators. However, even though ABE interviews were conducted, the general approach was not to proceed with a case when the suspect was another child. It was questionable then as to why ABE interviews took place in the first instance in these circumstances, given the acceptance by the participants that ABE interviews could be traumatic for children.

4.5.5. Delay in achieving justice outcomes
A key concern from one police officer and two social workers, was the impact of delay on the child between the ABE interview and the court process. Beth commented that at the outset of an investigation there was a rush to take evidence from the child and then nothing happened for a long time after that. In Beth’s opinion, many children had moved on in their lives by the time a case came to court and the outcome often came too late to have much of a positive impact.

A few months to [adults] will be years to [children]. At the beginning, gathering evidence is very quick; they will see us in a very short period of time. [At the beginning of the case we say] “We need to get this done, we will get it booked in quickly” and then there is that massive, long wait whilst all the ‘adults’ in inverted commas get their ducks in a row and are able to get to court to get an outcome for [the children]. In all that time, as far as the young person is concerned, they’ve told their story, they’ve given their information, and they’ve moved on from it... From when they tell their story it takes a long time for them to get their outcome. (Beth, Social Worker)

Colin stated that in his opinion the ABE process was often rushed. Colin had known this to be the case when SIOs believed that obtaining an account from a child victim as soon as possible would achieve the best justice outcome. Colin believed this was a misconception and that, as a result, children were often subjected to rushed ABE
interviews and long delays whilst the investigation and prosecution preparation took
place.

4.6. Summary
In summarising their views on taking part in this study Stakeholder (2) said:

    Not to be traumatised by the [ABE] process is safe access to justice, this is not
    safe (Stakeholder)

Detailed information about planning and assessment activity for ABE interviewing was
not found during this study. The level of diversity in practices was striking. The impact
of the many approaches meant little attention was paid to planning and assessment
for children and this had negative effects on children and practitioners. The
implications of the findings are discussed in the following chapter.
Chapter 5 – Discussion

5.1 Introduction
This chapter sets out the key findings from the study and goes on to discuss the implications for justice, trauma-informed practice, organisations and multi-disciplinary working, and the impact on ABE practitioners and child participation in criminal justice studies. Previous research in ABE-type interviewing is wide ranging, but to the author’s knowledge, this is the first study to focus on planning and assessment in ABE-type interviews for child victims of CSA. Practices in planning and assessment of children for ABE interview in England and Wales are, at best, inconsistent. Although organisations believed that planning and assessment took place, little evidence exists to demonstrate if or how this occurs. This study builds on and expands the knowledge of ABE interviewing practice and identifies barriers to good practice. The study focused on ABE planning and assessment practice across policing organisations whilst providing a greater depth of insight into practices from interviews with practitioners and stakeholders than has been conducted in previous research. As a result, this study adds new knowledge that identifies key issues that lead to a lack of planning and assessment.

This study was framed using a socio-legal theoretical approach that focuses on human rights and social justice in a “person-in-environment” context (Maschi and Leibowitz, 2018, p. 9). This context to the study foregrounds the interaction of people with their environment and allows for a meaningful understanding of a situation to be obtained (Maschi and Leibowitz, 2018). In the ABE interviewing context such interactions involve children, ABE interviewers, supporters, agencies, criminal justice systems and wider actors (e.g., stakeholders, families, communities). This discussion then also considers wider social factors such as children’s rights, social constructions of childhood (James and James 2004) and the implications for justice and reflects on the consequences of lack of planning and assessment, the impact on children and the impact on practitioners in this field.

5.2 Key findings
5.2.1. Policing organisational issues
It is not a new finding that there is a gap between standards and practice in assessments and planning for ABE interviewing, and this has been recognised by
authors previously (CJJI, 2014; CJJI 2012; Plotnikoff and Woolfson, 2019; Somerville and Eason, 2018). The findings give insight into why this gap exists and they show that there is little acknowledgement at national and organisational levels that there are challenges to be addressed. It is significant that what is believed to occur in ABE practice at an oversight level, does not happen in operational delivery because this affects the ability to measure and monitor practice and therefore give a realistic picture of what happens on the ground. This study found that monitoring and measurement of standards at organisational level is uncommon, and unlikely to produce meaningful data, as recording of ABE planning and assessment information is not routine or consistent. In turn, the inability to acknowledge poor practices means little impetus exists for change. This may help to explain some of the lack of progress in improving outcomes in ABE interviewing over the previous three decades.

The diversity of organisational standards in ABE planning and assessment in England and Wales has not previously been studied, because most studies concentrate on a lesser geographical spread, making comparisons unlikely. New knowledge emanates from showing that most police services operate differently and use various pieces of guidance and legislation to steer ABE policy and practice. The diversity in practices and guidance leads to confusion for practitioners, not only when they compare approaches across regions and police services, but also within the boundaries of individual police forces. Despite a single national ABE guidance document (MoJ, 2022) being available, local influence accounts for several policies and practices that sit outside of the ethos of good practice. A significant example of this is where police services make blanket decisions to take no further action on cases based on children’s age and relationship to perpetrators but with no individual assessment of the child’s needs or wishes. Such decision-making points to a construct of childhood and children’s competence based on perceived biological and psychological limitations. This approach manifests in removal of the child’s right to engage in the justice system and assert their agency.

In considering the above areas in further depth, this study found that the contributory benefits of planning and assessment for ABE interviews of children are not well understood by those charged with the task. A key reason for not planning or assessing is related to perceived investigation requirements that are prioritised over the needs of children. These perceptions also lead to the creation of local practices as noted above that impact on decision making for all children without taking account of their individual circumstances. There were several examples of how this occurred including that
planning and assessment were not undertaken because an immediate ABE interview was believed necessary for various reasons. These findings add to current knowledge and crystallise some of the reasons that children’s needs may be overlooked. In order to make decisions about what is necessary for children to give their best evidence, a level of knowledge about children involved in CSA cases and the potential impact of trauma from CSA and ABE interviewing should arguably be the basis of decision making.

5.2.2. Child and trauma-based knowledge
This study brings new knowledge about how practitioners’ understanding of child and trauma-based impacts on children and the ABE process. Child and trauma-based knowledge is necessary in the ABE field of practice which is a complex and demanding space for police officers, support workers, children and their families (Davidson and Bifulco, 2019). In this study, child-focused qualification, experience, knowledge, training and skills were undervalued in the ABE process by police officers. Although some, generally more experienced, police officers would like additional input in child and trauma-based knowledge, there was not an acknowledgement at the outset of police officers’ ABE interviewing careers that any such input was necessary or useful. Police officers have limited trauma knowledge imparted through training - or other organisational based development - and they make subjective decisions about complex trauma matters regarding children involved in CSA investigations. Child-specific information, that is required for planning and assessment, is sometimes consciously avoided because it is confused with limitations associated with offence-specific information. This study demonstrates that this occurs because police officers are mistakenly concerned that having child-specific information may impact their ability to remain unbiased in relation to offences in ABE interviews. The impact of this lack of value around child and trauma-based knowledge extends to affect multi-disciplinary working and outcomes for children and practitioners.

5.2.3. Multi-disciplinary working
It is not commonplace for police officers to work with other professionals to plan and assess for ABE interviews. Police officers are disinclined to engage with social workers and mental health professionals when planning or conducting ABE interviews with children. The reasons for this centre on concerns that other professionals may undermine a child’s evidence if for example, they do not understand evidential rules, or they may ‘coach’ children. A further factor associated with undervaluing child focused training and knowledge is a reluctance on the part of some police officers to
work with other professionals who may have more child relevant knowledge. There were examples in this study where multi-disciplinary working occurred in ABE interviewing and was noted to have a positive impact, but this was not the ‘norm’. These situations sometimes came about as a result of developed relationships and occurred where the professionals expressed trust and confidence in their colleagues. This suggests that local cultures and subjective opinions are also key factors in multi-disciplinary engagement. The timing of ABE interviews and the availability of non-police professionals were additional factors in preventing joint working and precluded support for children even where professional assistance was assessed as necessary. These are key findings to add to the current knowledge base considering expectations at national and organisational levels, that multi-disciplinary involvement in ABE planning, assessment and conduct routinely takes place.

The lack of multi-disciplinary working comes at a cost for children and for practitioners. Police officers fail to learn from those with different skill sets and this hampers their ability to make informed decisions and be supported by joint working. Non-policing professionals feel marginalised and undervalued in the ABE system. Such circumstances affect the ability of the relevant professions to trust each other, and this can lead to entrenched positions and poor multi-disciplinary engagement. Children then fail to be supported by relevant professionals who may be better equipped to manage complex emotional circumstances.

5.2.4. Impact on children
A lack of planning and assessment contributes further to children’s negative experiences of ABE interviews and can be seen to result in additional traumatic impacts on children. Where individual assessments are not acknowledged as necessary, they are not undertaken, and subsequently appropriate child centred planning is limited. As a result, children do not give their best evidence and this leads to case attrition. However, attrition was not the only consequence and children were seen to be emotionally and physically negatively impacted by lack of planning and assessment. This occurred because their emotional and physical needs went unmet. In some instances, children were interviewed at inappropriate times or where they had clearly stated a preference not to be interviewed. Children were also subjected to ABE interviews despite knowledge that a case was not going to progress, and evidence was not gathered for a clear purpose. Some children were not interviewed with appropriate provisions, for example, not all interview accommodation was adequate. Children were not given access to special measures when cases were subjectively
decided prior to interview as being ‘low level’. It was considered appropriate to
determine the seriousness of the offence in the absence of the child’s evidence and
this potentially predetermines the outcome of the CSA investigation. These issues
have significant consequences for justice, at several levels, they impact child rights,
procedural justice, therapeutic jurisprudence and the ability of the justice system to
appropriately punish, deter and therefore manage wider risks. These matters are
discussed in more detail below.

All the circumstances described in the study were witnessed by police officers, some
of whom knew that they were acting outside of the best interests of the child and this
in turn impacted negatively upon them. It was not unusual for police officers and social
workers to talk of their sadness and frustration at witnessing some of the impacts upon
children. Because the impact on practitioners may lead to burn out 41, secondary
trauma 42 and compassion fatigue, there are consequences for future child
interviewees and therefore generally for justice, this is further discussed below.

5.2.5. Impact on practitioners
Practitioners working in this field can be negatively impacted by hearing children give
traumatic accounts of CSA in ABE interviews. Negative impacts can lead to burn out
and compassion fatigue, and in turn, to poor practice further impacting children and
practitioners. These findings build on previous knowledge (e.g., Peron and Hiltz, 2006)
and add depth to the experiences and frustrations that impact ABE interviewers.
Practitioners are not well supported with training or supervision in ABE interviewing.
Decisions are sometimes made by those in senior positions who have no knowledge
or understanding of requirements for children to give their best evidence and are
implemented despite advice that they are not in the best interests of a child. This has
an impact on the practitioners who have a better understanding of what children
require. The stress for those conducting ABE interviews could be reduced by better
support and greater understanding by senior officers of children’s requirements in CSA
investigations and trauma-based issues for children and staff. Child centred
assessment that leads to effective planning, with accessible records for senior
investigating officers (SIOs), could support better decision making and reduce negative
impacts on children and police officers. The impacts on those charged with

41 “Burnout” refers to the feelings of emotional exhaustion, depersonalization and lack of
accomplishment at work (Fansher, Zedaker and Brady, 2019)
42 Secondary trauma is “emotional duress” from hearing about someone else’s traumatic experiences
(National Child Traumatic Stress Network, no date)
interviewing children to elicit their best evidence have a direct effect on practice across the system over time.

5.3. Justice

5.3.1. Child centred justice

Justice remains an important concept for the majority of [child] participants. This is despite the many difficulties highlighted in relation to engagement in criminal justice processes – and despite potentially conflicting feelings towards the perpetrator. It is imperative that we find ways to support children and young people to safely engage in the criminal justice process and minimise the potential for further traumatisation that such engagement currently holds. (Warrington et al, 2016, p114)

Improvements designed to minimise trauma to children in the justice system are not generally effective (Davidson and Bifulco, 2019), the findings in this study echo that view. This study highlighted that the ABE process is not always safe for children, and this is directly related to a lack of planning and assessment that could assist in meeting children’s needs better. In this research, some police officers knew that they and/or their colleagues were not following standards and processes designed to protect children in the justice system as set out by their organisations or national guidance. As previously noted, failings may be attributed to senior officer instruction. However, additional procedural failings occurred either because officers were unaware of expectations or because they did not see value in the instruction. Adding this study’s findings to previously noted concerns (e.g., CJJI, 2014; CJJI 2012; Plotnikoff and Woolfson, 2019; Somerville and Eason, 2018) demonstrates an ongoing failure of the justice system to address this known difficulty. Not addressing learning needs in the criminal justice system demonstrates a lack of commitment to improving the lot of child victims of CSA (Hoyano, 2020). Significantly, a justice system that is not safe for children leads to traumatic consequences, for already vulnerable and potentially traumatised individuals, and this could be avoided if the issues were addressed.

5.3.2. Procedural justice

Procedural justice is an important concept in ensuring fair and equable treatment in the justice system. Procedural justice means that processes designed to support victims in the justice system should be followed and information should be accessible. Not following procedure was a key theme in this study, this means that children are
treated differently depending not only on location, or as a result of organisations’ expectations and resources, but also on individual SIO and interviewing police officers’ decision making. A lack of consistency in following national guidance means that information about what can be expected if you are a victim of CSA may vary or be misleading. Subjective or diverse approaches mean that reliable information cannot be given, and this is a further procedural injustice that denies children their rights to engage, understand and participate in justice.

For some children poor decisions resulted in demonstrable harm giving rise to concern about interactional justice. Interactional justice, the way victims are treated and the information they receive whilst in the justice system (Laxminarayan, 2013), impacts resilience and recovery. Victims may benefit and be more resilient as a result of positive treatment in the justice system, whereas those who have negative experiences are likely to be adversely affected (Laxminarayan, 2013). For children who have arguably already suffered harm through CSA and are negatively impacted by the ABE interviewing process (Tsur and Katz, 2021), further harm as a result of procedural injustice causes additional negative impact. Authors have previously noted the potential for harmful impact of justice processes (e.g., Laxminarayan, 2013; Winick, 2009) this study shows how this occurs for children involved in ABE processes in the justice system. The demonstration of how procedural and interactional injustices occur and impact leads to an ability to identify areas of policy and practice that can be targeted for change at national and local levels.

5.3.3. Therapeutic jurisprudence
Therapeutic jurisprudence approaches seek to promote positive therapeutic outcomes and minimise negative or harmful outcomes for those involved in the justice system (Madsen, 2017; Spencer 2014; Wexler and Winick, 1991). In the present study, re-victimisation was noted in the accounting of a traumatic event or events and by the arrangements, or lack thereof, of support for children’s practical, emotional and developmental needs. More focus on wellbeing issues for children in ABE interviewing may provide better access to wider rights-based concepts of justice and support resilience and recovery in children. As noted in studies such as Mudaly and Goddard (2006) and Warrington et al, (2016), children themselves advocate for better approaches as to how professionals engage with them during criminal investigations, and they point out that supportive interventions add to their feelings of safety and improve their confidence in engaging with the justice system. When therapeutic considerations are combined with other important dimensions there can be benefits
for all users of the justice system (Winick, 2009); specifically, a well-executed interview that elicits an evidential account has benefits for both the justice process and personally for the individual victim (Masden, 2017). It is notable then that improved planning and assessment for children in ABE interviews is likely to minimise negative impacts on children and therefore promote therapeutic jurisprudence. This study shows that improvements in planning and assessment would contribute to addressing children’s feelings of safety and then bring about increased confidence in the system.

5.3.4. Conventional justice outcomes

The findings of this study indicate that there is potential for ABE interviews to better promote children’s well-being by offering increased access to conventional justice outcomes (Stalford, Cairns and Marshall, 2017) by making improvements in planning and assessment processes. Conventional justice outcomes include relevant punishment of perpetrators and use of outcomes to deter offending and repeat offenders, minimising overall harm to children. At present, the CSA attrition rate would suggest that punishment and deterrent effects are limited because many offenders are not brought to account. This impacts on children who are victims of the perpetrators who go unpunished and on children who may become new CSA victims as a result of the failure of the system to deter. In obtaining a best evidential account from a child, even without prosecutorial outcomes, risks associated with perpetrators can arguably be better understood and therefore better addressed. This contributes to a wider justice impact for children by impacting positively on preventative and reactive measures to manage CSA.

5.3.5. Addressing perpetrator risks

Children want outcomes for perpetrators as a result of their involvement in the justice system. The findings in this study showed that in making decisions about ABE interviews, some investigators avoided interviewing children who wanted to make CSA complaints about parents. There are impacts for justice as a result of these decisions. Therapeutic justice encompasses perpetrators’ access to treatment programmes to address their future risk of committing CSA (Staller and Faller, 2010). There is no evidence to suggest that CSA perpetrators who are not convicted would necessarily access treatment, but there are signs that it is becoming more acceptable for perpetrators to seek some support to address their behaviour. The Stop It Now
campaign\textsuperscript{43} reported an increase of more than 10\% in contact with their helpline, with just under half of all contacts being from those who were worried about sexual thoughts or behaviour that may be harmful to children (The Lucy Faithfull Foundation, 2020). Intrafamilial relationships might safely continue if perpetrators were to obtain treatment to reduce the potential for further offending and support were to be given to children involved in such relationships. Treatment and/or therapy for CSA offenders could be of vital importance in establishing perpetrator responsibility for the abusive behaviour, which may assist victims and survivors by reducing risk of reoffending and validating a victim’s account of CSA (Ware and Mann, 2012). Validating a victim’s account can address issues of survivor guilt associated with CSA (Wager, 2013). However, if a victim is precluded from giving an account or is prevented as a result of barriers associated with procedural justice, opportunities to support therapeutic interventions for perpetrators and validate CSA victims’ experience are curtailed.

Research shows that CSA perpetrators are less likely than other types of offenders to reoffend following a conviction for a CSA-related offence (Brown, 2020). However, the findings that relate to CSA perpetrators and offending should be treated with caution as the lack of reporting of CSA and the challenges associated with obtaining convictions mean that much of CSA related crime remains hidden. Despite this cautionary note, there is some substance to the argument that successful convictions for CSA-related crimes may prove to be somewhat of a deterrent for future offending.

The current study highlighted that a close relationship with a suspected perpetrator was considered by police organisations and individuals as a factor that could result in a decision not to proceed with an ABE interview. This type of decision making has previously been interpreted as a focus on the best interests of children (Krahenbuhl and Dent, 2017). Children, however, place greater emphasis on seeking justice, even when perpetrators were related to them (Warrington et al, 2016). Although there is little research on child views and child agency in the justice system during CSA investigations, children have a right to participate in the decisions made about them and in this study, these decisions were made in the absence of a child’s view and were supported by organisational policies. There is evidence from research with victim-survivors of sexual assault that having a voice and participating is crucial, it allows for engagement in the decision-making process and encourages victims to speak out

\textsuperscript{43} Stopitnow is a child protection charity that campaigns and raises awareness across the UK to help adults to do their part to stop CSA by addressing personal, family and community concerns.
about what has happened (McGlynn and Westmarland, 2018; McGlynn, Downes, and Westmarland, 2017). It is important for victim-survivors to speak out as this helps to make sense of their experience and to help others to acknowledge and understand what has happened to them (McGlynn and Westmarland, 2018; McGlynn, Downes, and Westmarland, 2017). Individual assessments were not made about children’s relationships with perpetrators, nor were children or their families’ opinions sought and therefore these decisions were mostly subjective and not founded in child centred justice principles. A further consequence of not proceeding in intrafamilial cases of CSA is that other agencies may not act if the police have not (Ofsted, 2020; Hershkowitz and Lamb, 2020; SCIE, 2016). It is then concerning that in suspected intrafamilial CSA cases, attrition occurs prior to any investigation. It would follow that in some cases unsupported relationships continue between children and perpetrators of CSA.

5.4. Trauma-informed practice
This study demonstrated an over reliance on personal factors and under reliance on formal learning for ABE interviewing with children. There is some merit in the argument that having a certain “manner” - one that promotes a good relationship with a child in an ABE interview - is seen as beneficial by children (Warrington, Ackerley, Beckett, Walker and Allnock, 2016). Such a manner may be particularly important if the subsequent approach to children is interpreted (by children) as being demonstrative of warmth and support and is, in turn, likely to elicit more correct information from children during an ABE-type interview (Saywitz et al, 2019). However, there is no suggestion in the above studies that a good manner supplants the need for trauma informed, child focused training. Contrary to the belief of some of the police officers in this study, many of the core considerations involved in ABE interviewing of children, such as memory, suggestibility and impact of trauma, require a developed understanding that usually necessitates a degree of teaching or training. These considerations are, moreover, affected by child developmental and environmental factors (Nicol, Le Rooy and Lamb, 2017) that affect a child’s ability to recall or recount an abusive experience. The findings relating to undervaluing child-based knowledge and training show that currently ABE processes take place in an environment that is not trauma informed. This is because there is a reliance on simplistic approaches to develop perceived trauma informed practices (Bateman, McManus and Johnson, 2020) and this lacks the complexity of consideration of interacting factors and cumulative incidents. This study demonstrated that the reluctance to engage more with the complex factors that affect children who may be victims of CSA was a view supported by police officers at all
levels suggesting that this may be a cultural issue. Less experienced police officers were undertaking complex child abuse cases without support, and this led to poorer decision making. There were several examples in this study of senior officers without relevant trauma informed or child focused experience or knowledge making resource or investigation based decisions that directly and negatively impacted upon children. This inability to respond to the more complex needs of children means that child abuse investigation outcomes are not consistent, and so their quality is unreliable (HMICFRS, 2019).

This study showed that making poor decisions at senior level had a negative impact upon police officers undertaking ABE interviews, this is also reflected in Hanway and Akehurst’s research (2018). This study went further to explore this. Officers watched children in difficult situations and attempted to manage those situations by ‘going through the motions’ of an ABE interview. This was an attempt by officers to mitigate against harm thought to be experienced by the children and respond to instruction to interview. Whether such actions minimised harm is debatable, but there was additional harm caused to children by not meeting their needs and to officers through witnessing what they interpreted as harmful practice to children. Again, this is indicative of a lack of trauma-based knowledge, and this impacts both children and practitioners.

Certain uninformed views of children prevailed amongst practitioners in this study, such as children being perceived as resilient, without consideration of the impact of CSA. Domhardt et al (2015) reviewed several studies into resilience and CSA, finding that a maximum of 53% and as few as 10% of all CSA survivors could be considered to demonstrate resilience. These prevailing views emanate from a lack of child-based trauma informed knowledge and can place responsibility on children to manage difficult situations without necessary support.

5.5. Multi-disciplinary work

There is scant research on working together across the professions in ABE interviewing and none that focuses on planning and assessment processes. In the few studies that consider other professionals’ involvement in ABE interviewing (such as mental health professionals or social workers), the focus remains on the mechanics of the ABE-type interview (see, for example, Price and Roberts, 2011; Rohrabaugh et al, 2016; Rivard and Schreiber Compo, 2017; Goetzold, 2017). There is value in studying inter-agency partnerships involving police beyond the organisational level with a focus on practitioner practices in discreet areas (Sheptycki, Crawford and L’Hoiry, 2019).
The current study demonstrates that the professional, joined-up approach to CSA investigations and the approach to ABE planning, assessment and interviewing is less than effective despite guidance that encourages working together across agencies (MoJ, 2011; DfE, 2018). This study found that when social workers were involved there was more of a focus on the needs of children and in some cases, this contributed to improved support for children and sometimes better outcomes for investigations when disclosure of offences was assisted. Despite this, co-working with social workers and other professionals was routinely dismissed. The findings from the current study demonstrate that where a needs assessment is informed or conducted by social workers, there were advantages for children. The findings from the current study are consistent with those from the CCfE (2015) inquiry into familial CSA that suggested that the social worker role in ABE interviewing of children had all but disappeared. One of the strengths of experienced social workers is the application of knowledge, theory and evidence-based research to practice and an ability to apply the right approaches for the right child and family at the right time. One of the main challenges for ABE interviewers is the application of evidence-based knowledge to the ABE interviewing process. A partnership approach, of police and social worker in ABE interviewing, as advocated by ABE guidance (MoJ, 2011; 2021) would seem to offer some potential solutions to the lack of application of knowledge in practice. More attention should be paid to the ability of “human experts” (p.13), experienced ABE interviewers and CSA investigators from all professional backgrounds, in being able to evaluate and make decisions in respect of child participation in ABE interviews (Hueng and Lamb, 2020).

Somerville and Eason (2018) also noted that when social workers were contacted by police officers conducting ABE interviews in CSE cases, social workers were often given information rather than being invited to contribute to planning, assessment or CSA investigations more generally. It was further found that police officers did not engage social workers in the planning and needs assessment for ABE interviews, even when a child had an allocated social worker. In this study, social work involvement in planning and assessment was another area where standards for good practice were found to be routinely bypassed despite guidance and expectation to the contrary.

Police officers are unlikely to seek support from those they believe do not comprehend the challenges associated with their work (Hanway and Akehurst, 2018), and there was evidence in the current study that social workers did not always fully understand all the rules and responsibilities for managing child victims of CSA as witnesses. However, this does not fully explain the attitudes towards joint working that are
perpetuated by a culture that can be dismissive of child-based knowledge. It is another area where what is thought to be occurring at organisational level but there at practice level, may be avoided by practitioners.

In learning the lessons from what works in the wider child protection context, it could be argued that an area that appears to be missing from the debate around ABE interviewing is a focus on inter-agency and professional cooperation. In the wider literature, organisational context and leadership are considered to be key to developing a culture of openness and transparency that can allow for complex issues to be discussed amongst colleagues (Blyth, 2014). The findings from the current study and others (see, for example, CJJI, 2012; CJJI, 2014; CCfE, 2015; Ofsted 2020) demonstrate that there is a reluctance on the part of police officers to involve other professionals, even those with specific expertise, such as social workers, RIs and mental health professionals. Placing multi-agency cooperation at the heart of ABE interviewing may prove beneficial to all involved.

The current study found that even when RI support was assessed as required, police did not always follow this up and children did not gain access to the RI support. In Somerville and Eason's study (2018), not one of six children identified as having learning needs or disability was referred to a RI for assistance with ABE interviewing. Additional knowledge is generated by the finding that RI support is acknowledged as being required and of value, however, it is not utilised as intended because investigation needs place timing issues above the needs of the child. This is indicative of requirements for support being placed second to the need for a quick ABE interview. For most examples given in this study, there was no compelling reason for an immediate ABE interview when one was requested. This did not prevent timing decisions overriding the needs for support.

A notable finding from the current study was that there were poor and dismissive attitudes towards other professionals exhibited by some police officers. In research conducted on intimate partner violence and joint risk assessment, Ward-Lasher, Messing and Hart (2017) found that most police officers did not rate social workers’ knowledge or input into cases even where it was clear that social workers had expertise in the area. It was also found in the present study that even positive interactions between police officers and social workers did not change negative attitudes, demonstrating how entrenched attitudes were in some cultures. It is possible that the reduction in working together over time has resulted in embedding negative
attitudes because professionals across the board are less knowledgeable about each other’s roles, and relationships are not formed to engender trust.

5.6. Impact on officers

5.6.1. Support

To have knowledge of the myriad of assessment factors, understand the impact of trauma, consider other impacts upon child victims and then apply all the areas to an ABE interview planning process is a tall order. Arguably, it should not be the responsibility of overstretched police officers alone with little support. A better approach would be to consider using skills available in partner agencies as recommended by HMICFRS (2019) and The Police Foundation (2022). This means removing some of the barriers to good practice identified in this study by addressing cultural views. This study shows that there was not accessible and relevant supervision for practitioners undertaking ABE interviews. The value that organisations place on supervisory support was questioned by practitioners and stakeholders. Police officers felt totally responsible, yet ill-equipped and under supported, for trying to manage the complex needs of children in CSA investigations. The lack of quality supervision arguably increases the feeling of responsibility for police officers conducting ABE interviews. Together with a lack of external support, police officers felt increasingly isolated in their work. Better arrangements for working together and supervision could assist in managing some of the pressures on police officers.

5.6.2. Cognitive load

ABE interviewing is a complex task (Hanway and Akehurst, 2018; Davidson et al, 2006; Powell, 2002). The current study demonstrated that practitioners were often “thinking on their feet” in the interview itself and were also having to manage a range of processes associated with the rules of ABE interviewing, points to prove, as well as attempting to address children’s needs. The ABE interviews were conducted alongside balancing complexities that were also impacting on the ABE process, such as CSA investigation procedural pressures. Procedural pressures included SIO demands, and complications with families or children, such as children’s distress or parental anxieties associated with the CSA investigation. Conducting ABE interviews requires ABE interviewers to engage in several complex cognitive functions, often at the same time and this results in a high “cognitive load”44 (Hanway and Akehurst, 2018). The current

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44 Cognitive load theory relates to the learning of complex tasks. 'Cognitive load' refers to the number of elements involved in learning and the impact of considering multiple elements upon meaningful learning
study found that in addition to previous research findings, ABE interviewers also had to deal with complexities around managing a child’s fear and embarrassment in CSA cases and so were also managing emotional and support issues in ABE interview. In some cases, police officers managed their own and other professionals’ distress. These additional issues could be better managed with quality planning and assessment, this could decrease the cognitive load and therefore the pressures on interviewing officers. A detailed needs assessment prior to an ABE interview could guide the preparation of questioning and the provision of appropriate and adequate support to a child. Cognitive load theory assists in understanding the pressures on practitioners and this is arguably part of a greater understanding of how trauma-informed organisations should operate.

5.6.3. Psychological impact of working with CSA on ABE interviewers
A trauma-informed organisation is arguably required to consider the impacts of stress, burn out and vicarious trauma on staff (Tehrani, 2010). Stress, burnout and secondary trauma are all potential consequences of conducting ABE-type interviews with children (Peron and Hiltz, 2006). The organisational environment is a significant factor in protecting against, or adding to, ABE-type interviewer’s feelings of being overwhelmed by their work (Fansher, Zedaker and Brady, 2019). There is evidence to suggest that when children are assisted, this is a protective factor against burnout and secondary trauma (Fansher, Zedaker and Brady, 2019) and contributes to feelings of compassion satisfaction (Hanway and Akehurst, 2018).

The present study showed that when ABE interviewers were asked to conduct ABE interviews with children and when psychological or physical distress or discomfort was identified among these children, that this had a negative emotional impact upon the practitioners. This study found that it was not unusual for those working in this field to cry, be angry or to lose sleep over their work. The current study identified that the organisational structure - that allowed for those with less knowledge about the needs of children to dictate action - contributed to the distress of children and sometimes then to the distress of ABE interviewers and supporters. Although organisational support can mitigate against some effects of secondary trauma and burn out, self-care that is trauma informed may be more effective, particularly against burn out (Sallour, Choi and Stover, 2019). In the current study some organisational support was available to

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processes. Cognitive load measures how much new information can be held in a working memory (Paas, Renkl and Sweller, 2004).
some ABE interviewers but there was limited knowledge about self-care strategies, suggesting that more could be done. The isolating environment and lack of value attached to trauma knowledge may extend to impacting upon the ability to self-care and these layers of complexity demonstrate that by working to manage better processes for children, support for staff may be improved.

5.7. Reflections on strengths and limitations of the study

The following section reflects on strengths and limitations of the study. This includes reflecting on the inability to include children directly in this study and the need for improvements to promote safe participation of children in this area of criminal justice research.

One of the major strengths of the study was the response to the survey from police services, which represented two-thirds of all policing organisations in England and Wales. This is considered a good response in terms of surveys (Fincham, 2008) and even more so because some police-based research has very low response rates; under 10% in some cases (Nix, Pickett, Baek, and Alpert, 2019). The police officer interview participant sample comprised participants from across a diverse geographical range of England and Wales and covered both metropolitan and shire county areas. The support worker sample was less diverse geographically but represented work across the north and south of England. The geographical range covered by the questionnaire was wide, included input from all regions of policing in England and all but one of the Welsh police organisations. The diversity of respondents and the experiences of the interviewed participants was a key strength giving a wide array of views. The stakeholder group was comprised of individuals in unique positions associated with ABE interviewing. Some holding key positions and advising at the highest national levels on policy and practice in ABE interviewing. All stakeholders had significant and long-standing expertise in working with children, police officers and social workers undertaking CSA investigations and interviewing children. Access to such levels of expertise and experience was key to enabling quality findings, testing and triangulating data from respondents and participants and ensuring researcher objectivity.

Most researchers examining ABE-type interviewing are external to the professional law enforcement agency environment and this may mean that organisational understanding is limited (Powell and Barnett, 2015; Price and Roberts, 2011). On the contrary, ‘insider’ research, conducted by those with detailed knowledge of an
organisation being studied, can provide a valuable contribution by adding richness to the data, building trust and offering access to information that may not be available to outsiders (Fleming, 2018). Recruiting police officers for research can also be difficult (Mattison and Dando, 2020) and policing-based research poses several challenges (Nix et al, 2019). Chief among these difficulties is a lack of trust of researchers and the difficulties in obtaining formal approval. Both barriers were minimised in the current research due to the researcher’s background and position, which meant that she was afforded a great deal of cooperation from colleagues across the police organisations that enabled the rich insights this study provides.

There was enthusiasm, openness, honesty and willingness from the participants and other colleagues, who engaged, supported and contributed to the research. The motivation to support the research emanated from a strong desire by the professionals to do the job better for children, and this was particularly notable in the semi-structured interviews that were proven to be a good tool for eliciting rich data from the participants. This was a key strength of the research.

The research focused on self-reported experiences of police officers and social workers. Magnussen et al (2020) point out that practitioner self-reported experiences are uncommon in research into ABE interviews and more such research is needed to obtain a good understanding of the field. Nevertheless, self-reporting may not be truly reliable as it can result in over- or under-reporting particularly in sensitive types of research such as the current study (Cohen, Mannion and Morrison, 2018). The stakeholders commented on the findings and advised as to whether the participant reports were reflected in their wider experience, allowing for cross referencing of the findings. By doing this the stakeholder process went some way to dealing with the limitations of self-reporting.

Despite several efforts to include children in the current study, this was not possible. The main reason for this was that children who are involved in ABE interviews were considered by the researcher to be too vulnerable to access for research purposes without structured support. This meant that children needed to be approached via agencies that were supporting them through the ABE process to allow for the necessary support to be provided during the research. Three agencies expressed an interest in supporting children as participants but after further consideration all the agencies that were approached by the researcher considered the process too sensitive
for children to take part. This was disappointing as children’s perspectives would have contributed further rich insights to the study.

The author was particularly interested in including children with disabilities in this research but the concerns about the sensitivity and ability to support children through the process meant that this was not possible. Children with intellectual disabilities are more likely to be victims of CSA, yet children with disabilities’ views often go unheard (Lewis and Porter, 2004) and they may not have their needs met in forensic interviews (see for example Jones et al, 2012; Miller and Brown, 2014; Perona et al, 2005; Gentle et al, 2013). In the author’s view, the lack of children’s participation in the research, and that of children with disabilities and more complex needs, is the most substantial limitation of this study.

Child participation in criminal justice research deserves greater thought. The ABE system does not achieve positive outcomes for children, and this is evidenced by the high rates of attrition (ONS, 2020). If children are denied access to participating in research because of sensitivity, they cannot contribute to improvements that are necessary to improve the system. The challenges noted above are common in the field of CSA research with children (Allnock and Barns, 2011). There were indications in the present study that further barriers existed that were specific to children’s involvement in the justice system and their participation in research. Whilst a child is going through the justice process, research commitments may be seen as an additional source of stress or distress, and potentially interfere with their giving evidence. Another factor identified in the current study was the time between the child’s involvement with the ABE process, the completion of proceedings and the completion of any necessary therapeutic support work designed to manage the traumatic impact of CSA on them and their journey in the justice system. The CJJI (2012) reported long delays in trial dates for children as waits of six months were common, and that children often experienced longer delays. Delays have been impacted further by a global pandemic (NSPCC, 2022a). In making enquiries for the current study, most agencies would only consider children’s participation after they had completed all engagement with the justice system and subsequent therapeutic inputs and that could be between six months and several years from the ABE interview experience. Such time delays would likely impact recollection of events and possibly the motivation to be involved in research.
The ERIC (Ethical research involving children) approach put forward by Graham et al. (2015) suggests that there has been a shift in approach to children in research from vulnerable protectionist models to support of child rights and agency. Mason and Hood (2011) contend that children have been seen as traditionally passive in research, but this position has changed, and children are included, and their voices are heard. However, whether this approach is true for those children involved more sensitive areas of research such as ABE interviewing, or other areas where child abuse is a factor, is not so clear. There are notable similarities between children as witnesses in criminal cases and children as research participants. In terms of giving their evidence, children are ascribed characteristics such as being unreliable, untruthful and confused (Motzkau, 2007). Ascribing a view that children are vulnerable – in order to allow them special measures in the court - may also be a contributing or confirming factor in the view that they are unreliable (Cashmore and Bussey, 1996; Bull, 2010) and this could impact the way children’s contributions to research in ABE interviewing are assessed. Sternberg et al (1993; 1994) concluded that the approach of asking adults and not children about child abuse experiences was favoured because of researcher’s perceptions about children’s unreliability and a view that adults were more likely to be truthful. Such views reinforce the generational injustice so often felt by children. Indeed, much of the research about CSA is undertaken with adult survivors (Hackett, 2017). However, adult survivors may interpret their experiences of CSA differently to when they were child victims as a result of becoming more sexually and emotionally mature, and research shows that adult memories can be significantly affected by trauma from CSA (Sanderson, 2006). As CSA victims become older, they may recognise abusive experiences that they did not have capacity to understand as child abuse when they were younger (Pilkington and Kremer, 1995). An adult who has been abused in childhood may also have memories affected by the passage of time (CCfE, 2015) and this would need to be considered in any study relying on adult information about a childhood event.

Children are also supported by UNCRC Article 4 to realise their rights and this includes provision of an environment to encourage and enable them to speak about their experiences and participate in positive change, in line with Article 12 of the UNCRC. Children should be considered as active and fully functioning actors in their own right in terms of research participation (Mason and Hood, 2011). The challenge is not simply whether children can be included in research about them considering the need to ensure child agency, but also how the research may impact on a potentially traumatised or vulnerable child. There are both potentially positive as well as
potentially negative impacts for children in taking part in sensitive research and these require further exploration so children’s rights can be realised.

If children are to be involved in ABE-based research, it might be that they should be invited to participate at the time they are involved in the justice system because this could better reflect their current experience. The lack of participation by children in research about criminal justice further contributes to children being excluded from developments that could improve outcomes for them. In addition, children’s exclusion from sensitive research is an additional silencing factor for CSA victims that can add to the existing trauma being experienced by victims of CSA (Allnock and Barns, 2011; Hackett, 2017). However, although there is a need to hear the voices of children, a note of caution must be applied in the field of ABE interviewing. This study has determined that in addition to impacts already acknowledged, such as CSA impact and ABE interviewing impact, there are other myriad negative impacts affecting children involved in ABE interviews. The current state of poor practice is then a further barrier to inclusion of children in research studies in this field because it is possible recounting additional trauma potentially caused by the process could be even more harmful. There have been questionable approaches to some ABE interviewing research with children (for example suggestibility studies that include scenarios presented to children that did not occur). These types of studies may be seeking to work around the sensitivity issues for children but some of these solutions bring about additional ethical problems. Future ABE research should seek to avoid additional ethical challenges and include children with lived experience through better managed approaches.

5.9. Summary
The attrition rate for CSA cases in England and Wales is considerable, with 49% of all cases reported to police failing to progress beyond an initial report due to evidential difficulties (ONS, 2020). Furthermore, only 4% of CSA cases resulted in a criminal charge or a summons to court for an alleged perpetrator (ONS, 2020). It is difficult to pinpoint when the children’s cases exit the justice system, making it challenging to be precise about when attrition occurred (Plotnikoff and Woolfson, 2007). The current study found that many decisions were made about closing cases before, during and immediately after a child gave evidence, making the ABE process a key point for attrition. The processes of planning and assessment are notably absent from many ABE cases and evidence has been presented via this study to demonstrate how this absence impacts a child’s access to justice and the consequences of doing so. Improving ABE interviewing practice is therefore imperative. The findings have added
detail to this area of study and this new knowledge can be used to directly address points of failure.

The high attrition rate among CSA cases is indicative of the failings in the justice system but this does not tell the whole story. It is the inability to extract best evidence via the ABE-type interviewing process, to investigate suspicions thoroughly and to manage the potential negative impacts, such as traumatisation, upon those testifying in CSA cases that all contribute to failings in justice system for victims of CSA (Cashmore, Taylor and Parkinson, 2020). The current study demonstrates that there are several failings in planning and assessment processes particularly and that these are likely to continue unless there are improvements to address them. The failings prevent justice being achieved, because they stifle the justice system’s ambitions to harness victims’ and survivors’ best evidence, and they leave children at risk of further CSA (Cashmore, Taylor and Parkinson, 2020). To address the failures, there is a need to undertake more in depth research than previous studies as the current study has done:

[Anchoring change in frontline organisational culture, demands working with the intrinsic motivations, values, commitments, beliefs and everyday social practices of those charged with delivering change on the ground (Sheptycki, Crawford and L’Hoiry, 2019. p. 57).]

The number of CSA cases in England and Wales coming to the attention of authorities has risen by 57% over the five years up to 2020 (NSPCC, 2020a). There has, though, not been a corresponding increase but rather a fall in the numbers of charges and prosecutions for CSA (CPS, 2020). This may point in part to the failure to elicit evidence for cases in meeting the threshold for charge or prosecution - and in CSA cases this usually means children disclosure, which is often the only prosecution evidence available (Hlavka et al, 2010; Lamb et al, 2011). Children’s increasing awareness of CSA being unlawful and the realisation that they can make criminal complaints means that there is a need for a more effective justice response. To date, the response cannot be considered effective because there is no positive impact upon the attrition rate of CSA cases as a whole.

CSA disclosure is made more difficult for children when there may be familial or other close ties to the suspect (LeMaigre, Taylor and Gittoes, 2017; Faller, 2020) and child victims of CSA can assume inappropriate responsibility for their abuse in terms of self-
blame and shame (Hamilton-Giachritsis, 2017). It is arguable that some attitudes towards purposeful case attrition could add to this sense of responsibility felt by children. Children place importance on an outcome that leads to imprisonment of a convicted offender (Back et al., 2011) and this is unlikely to occur with current attrition rates in CSA. Criminal investigation outcomes also influence the ability to access other protective, investigative or supportive services for child victims of CSA. When prosecutions of CSA are not taken forward, children are less likely to receive the care and support to provide for their protection or recovery (Ofsted, 2020; Hershkowitz and Lamb, 2020; SCIE, 2016). This ‘domino effect’ of negative justice means that the attrition of CSA cases, which is noted to be influenced by failures in planning and assessment for ABE interviews, is a major concern in terms of children’s access to justice.
Chapter 6 – Conclusions and Recommendations

The experience of sexual abuse is traumatic, but this cannot be made easier by the likely failure of reported cases to lead to prosecution. The impact of this upon children and their families must be great. (Davidson and Bifulco, 2018, p. 149)

This study set out to explore a specific part of the criminal justice system process - namely planning and assessment in relation to ABE interviews with children - to understand to what extent the factors involved influence justice outcomes for children. Attrition rates associated with CSA investigations are high (ONS, 2020) and this results in substantial human (Davidson and Bifulco, 2018) and economic costs (Saied-Tessier, 2014). This research focused on the experiences of the people closely involved in the system to understand the factors influencing the effective execution of judicial processes that can help to shine a light on why so many cases result in a lack of justice for children experiencing CSA.

6.1. Implications of findings

The findings from this study show that justice is obstructed by current practices associated with planning and assessment in ABE interviews of child victims of CSA. Children are affected by a lack of a focus on their needs and on occasions, this leads to harm being caused to them as a direct result of poor practices. This harm is additional to impacts discussed in this thesis, such as recalling CSA incidents in ABE interviews, and harm causation is a personal and social injustice. Justice is also affected by a lack of standardisation across England and Wales giving rise to a postcode lottery in the operation of the criminal justice system. There is significant diversity in the service that children receive across both England and Wales. The latitude of individual organisations and police officers to make subjective and uninformed decisions about children’s needs in the justice system is a procedural unfairness. A further consequence of poor practices and processes in this field impacts wider justice measures. These include holding perpetrators to account, providing justice and therapeutic services that minimise future offending behaviour and ensuring that children who have been victims of CSA receive appropriate services to support their safety, recovery and future resilience. The resulting inability to address justice in respect of perpetrators arguably means that new victims of CSA will be created. This is an impact on the wider rights of children to be protected from harm. Access to justice for children involved in the system then is limited by poor practices associated with
planning and assessment. As a result of these systemic failings, children’s rights to protection and safeguarding are often undermined.

Child victims of CSA provide their best evidence when they are appropriately supported (see for example, Hanway, Akehurst and Cherryman, 2020; Hershkowitz et al., 2006). Police organisations and officers are not trauma-informed and this impacts negatively on decisions made for children’s access to support when they are involved in CSA investigations. Minimising or dismissing trauma impact also leads to less involvement of non-policing professionals who may be able to better support children in CSA cases. The need for professional competence in the area of ABE interviewing of children is often undervalued (Birnnaum and Bala, 2010; Krahenbuhl and Blades, 2006; Powell et al, 2010) and this is highlighted in this study specific to assessment and planning. Working together in child protection can build trust and competence (Blyth, 2014; Munro, 2011), however, there are barriers to joint working in ABE interviewing as a result of entrenched professional identities and organisational cultures. All of the above issues are counter-productive to the effective operation of the criminal justice system.

Research has an important part to play in improving practice by providing evidence about how the system is working and where children are being let down. Yet, children’s rights to participate in research about ABE interviewing are limited because of perceptions around their vulnerability as well as concerns that their participation may adversely impact on ongoing cases in the justice system. However, there are strong and valid arguments for managing these issues so that children can take part in research. Contrary to professional concerns about vulnerability of children in ABE processes, there is sufficient evidence that shows that children are often quite able to deal with the situations professionals are concerned will affect them. Rutter (2001) for example highlights the resilience of children, understood in terms of normal development under difficult circumstances and the human capacity to face, overcome and ultimately be strengthened by, and recover from, life’s adversities and challenges (Masten and Yates, 2004; Newman, 2002). Evidence from this study suggests that there is value in professionals adopting more of an asset-based, rather than deficit perspective of children following adverse experiences to remove reticence about involving children and instead provide support for children to take more active roles in the ABE interviewing process and in research about it. This would be a positive and beneficial outcome for children in CSA investigations, however, as this study demonstrates, the impacts of poor practices in ABE interviewing planning and
assessment mean that children are generally unsupported in this field. In order to offer the best and safest opportunities to participate, research should be conducted by those with appropriate safeguarding and subject matter knowledge.

The evidence from this study also indicates that children need those who work with them to have a relevant understanding of their needs, meaning that better training, development and support should be offered to police officers working in ABE interviewing. This study reveals that there is a vacuum of child and trauma-based skill sets apparent in ABE processes. Those with relevant skill sets from multi-disciplinary backgrounds should be involved in ABE planning and assessment as a matter of course to ensure children’s needs are met. The development of a multi-agency culture and working practices in ABE interviewing is essential in ensuring appropriate supports are provided for children in realising justice in CSA cases.

The lack of adherence to good practice standards over time could be addressed more effectively via relevant child-focused training, ongoing supervision and organisational support. Better quality ABE interviewing could improve outcomes for children, the justice system and for practitioners conducting and supporting ABE interviews. To address the need for improvements in training, support and supervision, there must be an acknowledgement that CSA investigations and the associated components, including ABE interview processes, are complex. Acknowledging this complexity would allow for a better understanding that CSA investigations and ABE interviewing require a higher professional standard of training and support for all involved.

6.2. Recommendations

Some recommendations arising from policing based research are difficult to implement because they are framed without an understanding of the organisational policing context (Powell and Barnett, 2015; Price and Roberts, 2011). Recommendations that arise from the current study have been made with a good understanding of the current system because the researcher is working in a policing and ABE interviewing environment. The recommendations provided below are therefore realistic and feasible in terms of implementation.
6.2.1. Policy Recommendation 1 – Improve oversight of guidance
The current research supports a call for more effective monitoring of the implementation of ABE guidance (MoJ, 2022) in terms of planning and assessment of children at local and national levels. At a national level, guidance should be regularly updated to ensure that trauma informed knowledge is relevant and new research that informs good practice is available in a timely manner to inform ongoing developments of guidance. Guidance should include the need to review necessary practical supports (e.g., interview accommodation standards) for ABE interviewing of children.

6.2.2. Policy Recommendation 2 – Recording of information
Planning and assessment information should be clearly recorded in line with disclosure requirements. The new Code for Victims of Crime (MoJ, 2020) gives all victims, including children, the right to access information about decision-making in CSA cases. Currently, that information is unavailable to victims if it is not recorded. It is recommended that planning and assessment decision making (including decisions about timing of interviews) is recorded to allow victims full access to information in line with their rights.

6.2.3. Policy Recommendation 3 – Improve and support joint working
The benefits of inter-agency working are acknowledged at senior leadership levels, but this does not translate to frontline practice. There is a need for national and local leadership to support and improve multi-disciplinary working, to ensure that it takes place and is viewed positively. Improving working together will be of benefit to children who are involved in CSA investigations that progress through the justice system and those that do not. There is a key opportunity for safeguarding children’s partnerships to recognise and reflect upon the lack of joint working in CSA investigations and to work across all agencies to improve joint working protocols. This would increase children’s access to the services that they are entitled to before, during and after children’s engagement with the justice system.

6.2.4. Practice - Recommendation 4 – improve training and development of practitioners and supervisors involved in CSA investigations
The training and development of police officers and their supervisors should include components that address the function and importance of needs assessment, and the impact of assessment upon planning to improve the quality of children’s evidence. Training should also reflect that joint working is more likely to support trauma informed
practice than short, simplistic inputs about complex trauma or child based issues. Supervisors and SIOs undertaking CSA investigations should be equipped to understand the impact of poor decision making on children and the impact upon the mental wellbeing of practitioners. Training in turn should also seek to counter deficit constructions of child victims of CSA and instead foster the development of asset-based approaches based on child victims as competent and resilient.

6.2.5 Research Recommendation – Involve children, including those with additional needs, in future research

The lack of inclusion of children in criminal justice research is a significant barrier to developing evidence and child-friendly recommendations for action. Caution must be exercised if additional negative impacts for children are to be avoided.

... when trusted adults provided door-openings, children used them; when carefully prompted, children talked; when thoughtfully asked, children told. (Flåm and Haugstvedt, 2013, p. 633).

More complex challenges, such as improving the response to those children who are more vulnerable to CSA - and less likely to be able to access the justice system - would benefit from research designed with specific children’s needs in mind.

Consideration should be given to routine collection of children’s and families' opinions of the justice services they receive at the point of intervention. This information should be used to improve and direct services for victims. Participation at the point of intervention should be handled with care but if adequately supported, gives opportunity for safe and reliable information to be made available to the system at an optimum time. This could for example involve simple playful child friendly methods.

6.3. Recommendations for future research

This research focused on systems and practices working with child victims of CSA. There is little research associated with ABE interviewing and children who are victims or witnesses in cases outside of CSA. Further research should consider the needs of all children involved in giving evidence if appropriate improvements are to be made across the justice system.

Cross examination under s28 of the Youth Justice and Criminal Evidence Act 1999 has not been considered and this research focused on evidence in chief. Further
research should consider whether planning and assessment is similarly missing and what impact this has on a child’s cross examination.

Final summary
This study set out to consider access to justice for children and how planning and assessment for ABE interviews of child victims of CSA impacted on this. The identified issues that impact justice have further ripple effects and there can be several harmful consequences for children and practitioners. This should be of concern to the justice system at a national level, to organisations (policing and support services) at local levels and for all those with an interest in promoting the rights of children.
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Appendix A – letter to Chief Constable Bailey

Dear Chief Constable Bailey,

I am a part time PhD researcher at the Centre for Applied Childhood, Youth and Family Studies at the University of Huddersfield.

I also work full time for the National Crime Agency at Operation Stovewood as the strategic lead for Victim Management and as the Disruption and Safeguarding Team manager.

I am writing in my capacity as a PhD researcher.

I am currently undertaking research into Achieving Best Evidence (ABE) interviews with children. My focus concerns the extent to which police officers take account of children’s needs during the ABE process and if, and how, this affects the effectiveness of the interview process, and any charging and prosecution decisions.

Despite ABE interviews being a well researched topic, there are still many difficulties in delivering a good quality product (Alnock, 2015; Justice Inspectorates, 2014). Police officers have been conducting assessments prior to ABE interviews since they were established but there is no research that focuses on this area. I want to understand the impact that assessments may have; whether it can assist with better quality ABE interviewing; and whether there is scope to make assessments more effective.

I have attached a synopsis of my proposed research for your information.

As part of the research, I would like to send a very brief survey to all forces covered by NPCC in England, Wales and Northern Ireland asking four general questions about assessments of children prior to ABE interviews.

I would additionally like to consider how assessments are made prior to an ABE interview by police officers, and these officers’ experience and expertise in undertaking ABE interviews.

To achieve this, I am looking to conduct research interviews with a number of police officers with experience in undertaking ABE interviews. I am seeking to approach a number of Chief Constables and the National Crime Agency to request permission to undertake the research in their organisations.

The research will be reported anonymously and I would be happy to share the results with individual forces and more widely with the law enforcement community. I am also fortunate that Dr. Bernard Gallagher, who is a member of the Child Protection & Abuse Investigation (CPAI) Academic Reference Group, supervises me in my research. I would be more than happy to share any information with the research committee via Dr Gallagher.

I hold security clearance as a National Crime Agency officer and will operate within the ethical boundaries of officer and researcher status.
I would very much appreciate a supportive letter from you that I could include with my request to Chief Constables and the NCA. I am sure that this would assist my ability in gaining access to the information I am seeking and assist the Chief Constables in being able to make a decision as to the appropriateness of my request.

I enclose a draft letter of my request to Chief Constables for your information and comment.

Yours truly,

Kate Richardson

References

TO: Kate Richardson

Dear Kate,

Thank you for copying your research proposal to me for comment, having considered the area you are planning to address I confirm that I am supportive of your proposed research, as I believe it would make a valuable contribution to gaining greater understanding of the needs of children when police conduct Achieving Best Evidence Interviews. I am supportive as the NPCC Lead for Child Protection and Abuse Investigation as well as Violence and Public Protection for you to contact other Chief Officers to gain support for this research and also to facilitate appropriate access to data and people and to make sure the research has maximum impact and is relevant to operational needs over the course of the research.

Yours Sincerely,

Simon Bailey QPM
Chief Constable, Norfolk Constabulary
National Policing Lead for Child Protection & Abuse Investigation and Violence & Public Protection

Norfolk Constabulary
Jubilee House
Falconers Chase
Wymondham
Appendix C - LEA questionnaire

1. Are assessments of a child’s circumstances routinely conducted by interviewing officers within the police service prior to an ABE interview of the child when there are allegations of CSA?

2. When is the assessment prior to the ABE interview conducted? (For example, on the day of interview or before?) If the assessment was conducted prior to the day of the ABE interview, were other agencies involved?

3. Are there any occasions when assessments are not conducted prior to ABE interview? What are the reasons for this?

4. Does your police service use a standardised form for making assessments prior to ABE interviews with children where there are allegations of child sexual abuse (CSA)?
Appendix D - Secondary data analysis questions

Q1. Does your force train officers in Achieving Best Evidence (ABE) Interviews?

Q2. Which teams receive ABE training?

Q3. How many officers have received ABE refresher training in the last 4 years?

Q4. If you are unable to confirm the number of officers trained, can you confirm the last 5 dates of the refresher courses your force has provided?

Q5. If your force does not provide refresher training, does your force use another force or commercial provider for refresher ABE training?

Q6. Does your force use Registered Intermediaries in all ABE interviews for all children under 11?

Q7. What has been your forces expenditure been on Registered Intermediaries since 2014?

(McCullough, 2017)
Appendix E – Details of participants – police officers

The experience of the participants was varied but all had been trained in ABE interviewing by their respective LEAs. A summary of the profile of each interviewee is provided below:

‘Colin’, a detective sergeant (DS), was a trained Interview Adviser (also commonly referred to as a Tier 5 interview supervisor). He had undertaken the role of an ABE interviewer for nine years. He had worked across several different LEAs, and had knowledge of a wide range of methods and techniques relating to the ABE interviewing of children. Colin had interviewed a substantial number of children. He assessed the number as being “lots” but couldn’t give a precise number; the youngest child he had interviewed was aged 4 years. Colin had experience as a CSA police investigator and an ABE interviewer. He had also conducted ABE interviews in cases where he had not been an investigating officer.

‘Jane’, a detective constable (DC), had been ABE-trained and had been interviewing for two years. She had interviewed a number of children but at the time of the research, she had not interviewed any children under the age of twelve years. However, Jane had supported colleagues in ABE interviews and CSA investigations involving children under twelve. Jane worked in a specialist policing team that was co-located in a building with social care staff. Jane had experience as an investigating officer and an ABE interviewer, both on her own and her colleagues’ child abuse investigations. Jane worked in a team that had been downsized because of policing resource cuts.

‘Lucy’ was a DC. At the time of the research interview, Lucy was working as an assessor of other police officers who were conducting ABE interviewing. Lucy was also training new ABE interviewers. Lucy had previously been an ABE interviewing officer and a LEA ABE trainer for over seven years. She had interviewed many children but could not place a figure on the exact number. Lucy had interviewed vulnerable people as part of her work in a specialist team. This included but was not limited to child abuse investigations.

Detective Constable ‘Sharon’ was an experienced ABE interviewer and her investigating police officer role had been focused on crimes against children. Sharon had been conducting ABE interviews with children over a period of 14 years. She had
completed the child abuse specialist investigation training but had not completed police investigator courses in other areas. This latter fact meant that Sharon had not been able to be a lead investigator on more complex cases, but she had been involved in supporting a range of investigations across all areas of child maltreatment.

‘Chloe’ was a very experienced police officer who had been involved in ABE interviewing for ten years. She was a Detective Sergeant. Chloe estimated that she had interviewed “hundreds” of children. She had established a good reputation for ABE interviewing in her LEA and was, as a result, regularly called in to do more complex interviews with child victims and witnesses. Chloe’s main experience was of working in a team that provided ABE interviewing services for use across the LEA area. The ABE interviews were most often undertaken by staff who were not involved in the child abuse police investigations and Chloe would be called in as a specialist officer to specifically undertake the interview. she had no further involvement in the investigation.

Note on procedure
Chloe was accompanied by a Detective Inspector, ‘Sue’. Sue was not interviewed by the researcher for this study. Sue had requested that she attend as the LEA was seeking to learn more about the way in which it could improve ABE interviewing and they viewed this research as being able to assist in these developments. Chloe was happy to allow this and was confident that it would not affect her ability to be direct and open about her experiences. Sue stated at the beginning of the process that she was hoping to observe a candid interaction. Sue observed the research interview and did not take part in the dialogue between the researcher and Chloe.
Appendix F – questionnaire for 5 police officers prior to semi-structured interviews

1. How long have you been interviewing children following ABE guidance where allegations or suspicions of CSA have been made? How many interviews have you undertaken?
2. What training have you had to support you in ABE interviewing? (e.g. specialist witness interview training, child protection/safeguarding training)
3. Do you receive regular supervision for ABE interview planning, preparation and review? (yes/no/sometimes/don’t know)
4. Do you regularly conduct an assessment of the victim prior to ABE interview and if so do you use a prepared document to record the assessment? (yes/no)
5. Do you work in a specialist interviewing unit, a specialist or local team or other environment?
Appendix G – Information sheet for police officers

The use of assessment prior to ABE interviews of children involved in cases alleging child sexual abuse (CSA).

Information sheet for police officers

Thank you for considering taking part in this research. Before you decide to take part it is important that you understand why the research is being done and what it will involve. Please take time to read the following information carefully and discuss it me if you wish. Please do not hesitate to ask if there is anything that is not clear or if you would like more information.

I am currently undertaking research into Achieving Best Evidence (ABE) interviews with children. My focus concerns the extent to which police officers take account of children’s needs during the ABE process and if, and how, this influences the effectiveness of the interview process.

I am interested in discovering children and young people’s, police officers’ and professional supporters’ experience of the ABE interviewing process. I am seeking views on what works well and what might be improved. I will be interviewing children/young people and professional supporters (such as ISVAs) as well as police officers. I will also be consulting a group of stakeholders who work with children and young people, police officers and ISVAs.

The purpose of the research is to improve the quality of ABE interviews and the experience of children, young people and police officers when undertaking ABE interviews.

Research plan for police officers
I am conducting an initial survey across a number of police services with 5 police officers who have recent of ABE interviewing of children alleging CSA.

You will be asked to complete a short survey about your interviewing experience and where you work.

Following the survey, I will make arrangements to interview you face to face. The interview will last for approximately one hour and no longer than a maximum of 90 minutes.
The interviews will take place at your place of work as has been kindly agreed by your Chief Constable.

I will audio record the interviews with police officers. Written transcripts and records will be kept password protected on my laptop and on the University drive for back up.

**Publication**

The research will be published as a doctoral thesis at the University of Huddersfield. The research may also be published in abridged form as journal articles and/or presentations. The research will be published anonymously meaning that the personal details of all participants will remain anonymous whatever form publication takes.

**Confidentiality**

In the event of any criminality or misconduct being disclosed this will be referred to the employing police service’s standards department in line with the requirements for undertaking the research.

Any information given in interview that may lead to the concern for harm or potential harm to a child or vulnerable adult will be shared with the appropriate authority.

**Right to withdraw**

You may withdraw from the research process at any time before 31st July 2020. This means that you can request that your interview data be removed from the data analysis. After this point, it will not be possible to remove the data from the final data analysis.

**Support**

The research involves consideration of and discussion about child sexual abuse. Participants may wish to access relevant support. Please contact your occupational health department or for confidential support and information contact Blue Light Information on

- 0300 303 5999 (local rates)
- bluelightinfo@mind.org.uk
- Text: 84999

**Contact**

If you have any questions about the research or would like to talk it through prior to agreeing your participation, please contact me on 07879 828685 or kate.richardson@hud.ac.uk
Appendix H - Interview schedule for police officers

Introduction

I am undertaking research to consider whether a focus on child well being in ABE interviews affects charge or prosecution outcomes. I am particularly interested in the assessments that are conducted by police officers.

1. How many interviews have you undertaken with children and young people?
2. How have you felt about conducting the interviews? Have they worked well?
3. What, if anything, do you find difficult about ABE interviewing with children?
4. Did you have adequate training to conduct ABE interviews? Do you think you should have had more/different training?
5. Do you regularly complete an assessment prior to completing an interview plan? Does your force have a particular document for this purpose? Does that help?
6. What are your views about what is meant by the ‘successful outcome’ of a case?
7. Do you regularly assess the needs of a child that you will interview? Do you think you have the right level of training and support to do this? Do you think someone else should do this?

Can you consider one or two examples of your recent ABE planning for interviews in answering the following questions?

1. What child emotional, psychological or welfare needs did you identify?
2. To what extent do you think that the information you gathered for the assessment helped the child?
3. To what extent do you think that the information you gathered for the assessment helped the outcome of the interview or case?
4. How do you factor in what is known by other people about children into your planning and execution of interviews?
5. Did the interviews that you are thinking about contribute to reaching an investigative conclusion?
6. Did the interviews you are thinking about proceed to a charge or prosecution?
Appendix J – consent form for police officers

CONSENT FORM – police officers

Title of Research Project: The use of assessment prior to ABE interviews of children involved in cases alleging child sexual abuse (CSA).

It is important that you read, understand and sign the consent form. Your contribution to this research is entirely voluntary and you are not obliged in any way to participate, if you require any further details please contact your researcher.

I have been fully informed of the nature and aims of this research as outlined in the □ information sheet

I consent to taking part in it □

I understand that I have the right to withdraw from the research at any time □ without giving any reason

I give permission for my words to be quoted (by use of pseudonym) □

I understand that the information collected will be kept in secure conditions □

for a period of 10 years at the University of Huddersfield

I understand that in the event of criminality or misconduct being disclosed that this will be referred to the employing force’s standards department. □

I understand that my identity will be protected by the use of pseudonym in the □ report and that no written information that could lead to my being identified will
be included in any report.

If you are satisfied that you understand the information and are happy to take part in this project please put a tick in the box aligned to each sentence and print and sign below.

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Appendix K – interview schedule for support workers

Title of Research Project: The use of assessment prior to ABE interviews of children involved in cases alleging child sexual abuse (CSA)

Interview schedule for professional supporters

Interviews will last for up to 60 minutes. The aim of the interview will be to elicit opinion and examples of how assessments of children are undertaken before ABE interviews.

The three main areas are:

1. What are your views on police officers undertaking needs assessments with children and young people prior to ABE interviews
   - Prompt – what should supporters' involvement be in assessing for ABE?
   - Prompt – should children and young people be assessed prior to ABE?
   - Prompt – is there a model/focus you think should be used in assessments prior to ABE?

2. Have you any experience of contributing to needs assessments for ABE interviews for children and young people?
   - Prompt – did you go to any multi agency meetings to discuss assessments?
   - Prompt – did you meet/have discussion with police officers about assessments?

3. What do you think works well/could work better in terms of needs assessments prior to ABE interviews?
Appendix L – consent form for support workers

CONSENT FORM – professional supporters (ISVAs, social workers, support workers)

Title of Research Project: The use of assessment prior to ABE interviews of children involved in cases alleging child sexual abuse (CSA).

It is important that you read, understand and sign the consent form. Your contribution to this research is entirely voluntary and you are not obliged in any way to participate, if you require any further details please contact your researcher.

I have been fully informed of the nature and aims of this research as outlined in the

☐ information sheet

I consent to taking part in it

☐ I understand that I have the right to withdraw from the research at any time

☐ without giving any reason

I give permission for my words to be quoted (by use of pseudonym)

☐ I understand that the information collected will be kept in secure conditions

☐ for a period of 10 years at the University of Huddersfield

I understand that in the event of criminality or misconduct being disclosed that this will be referred to my manager.

☐ I understand that my identity will be protected by the use of pseudonym in the

☐ report and that no written information that could lead to my being identified will
be included in any report.

If you are satisfied that you understand the information and are happy to take part in this project please put a tick in the box aligned to each sentence and print and sign below.

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(one copy to be retained by Participant / one copy to be retained by Researcher)
Appendix M – information sheet for support workers

The use of assessment prior to ABE interviews of children involved in cases alleging child sexual abuse (CSA)

Information sheet for professional supporters of children and young people (ISVAs, social workers and other professional support workers)

Thank you for considering taking part in this research. Before you decide to take part it is important that you understand why the research is being undertaken and what it will involve. Please take time to read the following information carefully and discuss it me if you wish. Please do not hesitate to ask if there is anything that is not clear or if you would like more information.

I am currently undertaking research into Achieving Best Evidence (ABE) interviews with children. My focus concerns the extent to which police officers take account of children’s needs during the ABE process and if, and how, this influences the effectiveness of the interview process including any subsequent charging and prosecution decisions.

The purpose of the research is to seek to improve the quality of ABE interviews and the experience of children, young people and officers when undertaking ABE interviews.

I will be interviewing police officers and children as well as professional supporters. I will also be consulting a group of stakeholders who work with children and young people, police officers and professional supporters.

The research interview will last about one hour. I will record the interview on my laptop or phone and secure the file with a password. The laptop or phone will be stored in a locked rucksack during travel. Written transcripts and records will be kept password protected on my laptop and on the University drive for back up.

Publication
The research will be published as a doctoral thesis at the University of Huddersfield. The research may also be published in abridged form as journal articles and/or presentations. The research will be published anonymously meaning that the personal details of all participants will remain anonymous whatever form publication takes.
Confidentiality
In the event of any misconduct being disclosed this will be referred to the employee’s manager in line with the requirements for undertaking this research.

Right to withdraw
You may withdraw from the research process at any time before 31 July 2020. This means that you can request that your interview data be removed from the data analysis. After this point, it will not be possible to remove the data from the final data analysis.

Support
The research involves consideration of and discussion about child sexual abuse. If you require support following the interview, you can approach your manager or you can contact Mind, the mental health charity for advice. Lines are open 9am to 6pm, Monday to Friday (except for bank holidays).

0300 123 3393
info@mind.org.uk
Text: 86463

Contact
If you have any questions about the research or would like to talk it through prior to agreeing your participation, please contact me on

kate.richardson@hud.ac.uk

Any information given in interview that may lead to the concern for harm or potential harm to a child or vulnerable adult will be shared with the appropriate authority.
Appendix N - Email to stakeholder group

Dear ….

Thank you for agreeing to assist with my PhD. I have attached a summary of the findings from my research. I would be grateful if you would consider the following two questions below.

1. Do the findings reflect your experience of work in this area? Do you have any examples that support your experience?
2. What are your views on the implications for stakeholders of the findings moving forward?

Please can you consider the dates and times below for a telephone or virtual discussion and let me know what will be suitable for you? The discussion will be limited to an hour. If you could send some feedback in bullet points prior to our discussion that would be very helpful. I have also attached a consent form and I would be grateful if you could send a completed form back with your bullet points. Once again, thanks so much for your help.

Best wishes

Kate
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