

GROUND RULES – BENEFITS OF INCLUDING INTERVIEW INSTRUCTIONS IN THE FORENSIC INTERVIEW



Everyday Conversations

In everyday life, children's conversations often involve caretakers who question children about information for which the caretakers know the answers. These informed and familiar adults test children's memories of shared experience or emerging knowledge (i.e., "What did you do this morning?" or "What kind of animal is this?"). Even when adults do not have knowledge of all details of an event (i.e., "What did you eat for lunch today?"), they still provide structure and content for children's reporting of events.

What children learn through these interactions is that adults expect answers to questions. So it is not surprising that children often answer questions in a forensic interview even when uncertain of the responses. In efforts to reduce introducing errors when questioning children during a forensic interview, the majority of questions should be open-ended and encourage narrative. However, because children do not understand the need for details, all interviews contain some focused-recall, also known as wh-questions (who, what, where, when, how) and option-posing (yes/no) questions.

The challenge with more focused and specific questions is error rates increase and accuracy decreases. Interviewers attempt to balance these two seemingly opposing issues by using interview instructions, also known as guidelines or ground rules.

Interview Instructions

Interview instructions are designed to explain to children that: "I don't know" is an acceptable response; they can correct interviewers' mistakes; they should tell interviewers when they don't understand questions; and they should only report actual memories of experienced events. Unfortunately, research on children's cognition and meta-cognition (the ability to reflect on one's own thoughts and mental processes), demonstrates uneven development across different ages making some interview instructions conceptually difficult for some children to implement and utilize in the interview. In a 2020 study on guidelines, where 241 interview transcripts were examined with children ages 4-12, the four to six-year-olds had more difficulty with, "I don't know," and, "correct me," than older children. There were almost no significant differences across ages for the, "I don't understand," guideline.

Although the youngest children (age four) provided correct responses to the interview instructions over 80% of the time; there is concern that preschoolers may lack key cognitive and meta-cognitive abilities necessary to understand and properly apply interview instructions during the interview. There is currently no consensus in the literature on administering instructions to preschoolers.

Another commonly cited issue is the probability that administering the guidelines may take time from children with limited attention spans. In an effort to determine the amount of time it takes to administer instructions, a 2015 laboratory study demonstrated the administration of interview instructions typically took approximately two minutes.

Practicing the Interview Instructions

Interviewing protocols that include not only administering the interview instructions, but also an opportunity to practice them before moving to the substantive phase of the interview, may increase their effectiveness. Practice gives children a chance to demonstrate their understanding of the instructions while giving interviewers the opportunity to assess understanding and provide necessary feedback. Omitting the practice segment of the instructions can lead to missed opportunities to provide feedback and additional guidance to children who have trouble understanding or implementing the instructions. The literature concerning the need for practicing the instructions or the ages at which to practice has not reached consensus. Some interview protocols practice the instructions with all ages of children, and some administer the instructions to all children but may not practice with adolescents or preschoolers.

Placement of the Interview Instructions

Another issue to consider is where to place instructions within the structure of the forensic interview protocol. Some protocols call for the instructions to be administered at the beginning of the forensic interview, others place them after rapport development and before the substantive phase of the interview. Some protocols do not advocate for the formal administration of the guidelines but, instead, call for reinforcement of the guidelines if children utilize them organically during the interview.

The National Institute of Child Health and Human Development (NICHD) originally called for the instructions, to be administered at the beginning of the interview but, with the publication of the Revised NICHD protocol, the guidelines were introduced after rapport development. There is some literature which indicates that, in interviews with placement of the guidelines after rapport development, children who make a disclosure in the substantive phase of the interview provide more information.

While the literature has not achieved consensus on the placement of guidelines within forensic interview protocols or at what ages to administer the guidelines there is increasing consensus on the importance of administering the guidelines, as well as the benefits of practice opportunities, and reinforcing the guidelines when utilized by children. Lastly, it is important to remember that children's abilities to understand and implement the guidelines are dependent on cognitive development and the individual guideline itself.

For more information, please read the studies listed in the references and visit calio.org, the NCAC Child Abuse Library Online.

References

Anderson, G. D., Anderson, J. N., & Krippner, M. (2016). "I only want to know what you know": The use of orienting messages during forensic interviews and their effects on child behavior. *Journal of Child Sexual Abuse, 25*(6), 655-673.

Brown, D. A., Lewis, C. N., Lamb, M. E., Gwynne, J., Kitto, O., & Stairmand, M. (2019). Developmental differences in children's learning and use of forensic ground rules during an interview about an experienced event. *Developmental Psychology, 55*(8), 1626-1639.

- Brubacher, S. P., Poole, D. A., & Dickinson, J. J. (2015). The use of ground rules in investigative interviews with children: A synthesis and call for research. *Developmental Review, 36*, 15-33.
- Danby, M. C., Brubacher, S. P., Sharman, S. J., & Powell, M. B. (2015). The effects of practice on children's ability to apply ground rules in a narrative interview. *Behavioral Sciences and the Law, 33*, 446-458.
- Dickinson, J. J., Brubacher, S. P., & Poole, D. A. (2015). Children's performance on ground rules questions: Implications for forensic interviewing. *Law and Human Behavior, 39*(1), 87-97.
- Earhart, B., La Rooy, D. J., Brubacher, S. P., & Lamb, M. E. (2014). An examination of "Don't Know" responses in forensic interviews with children. *Behavioral Sciences and the Law, 32*, 746-761.
- Fessinger, M. B., McWilliams, K., Bakth, F. N., & Lyon, T. D. (2020). Setting the ground rules: Use and practice of ground rules in child forensic interviews. *Child Maltreatment*. <https://doi.org/10.1177/1077559520910783>
- Lyon, T. D., & Evans, A. D. (2014). Young children's understanding that promising guarantees performance: The effects of age and maltreatment. *Law & Human Behavior, 38*(2), 162-170.
- Magnusson, M., Ernberg, E., Landstrom, S., & Akehurst, L. (2020). Forensic interviewers' experiences of interviewing children of different ages. *Psychology, Crime & Law*. <https://doi.org/10.1080/1068316X.2020.1742343>
- Malloy, L. C., Katz, C., Lamb, M. E., & Mugno, A. (2015). Children's requests for clarification in investigative interviews about suspected sexual abuse. *Applied Cognitive Psychology, 29*(3), 323-333.
- Waterman, A. H., & Blades, M. (2013). The effect of delay and individual differences on children's tendency to guess. *Developmental Psychology, 49*(2), 215-226.