

(1999) shows that both professionals and parents cannot describe interviews and conversations accurately, even when they are motivated to do so.<sup>113</sup>

- In particular, both parents and professionals misrepresent their reliance on focused and suggestive prompts and are more likely to attribute details to the children's spontaneous utterances when they were in fact stated by the adults or elicited in a leading fashion from the children.<sup>114</sup>

## **QUESTIONING TECHNIQUES**

**Proposition 19:** Interview Techniques should be based on the following

**Proposition 19(i):** Interview questions should be open-ended and support free recall by a child.

**Supporting Research and Opinion :**

### **The Cleveland Report:**

- 4. The style of the interview should be open-ended questions to support and encourage the child in free recall.

### **Joint NZCYPS and Police Operating Guidelines (March 1997)**

- 4.1.1 a) Approach the interview with an open mind - the child or young person may have nothing to tell or they may not be ready to talk about what has happened to them.  
e) Encourage the child or young person to give as much information as possible in their own words and follow the pace and direction of their narrative.  
f) Ask open ended, non-leading questions wherever possible [see Appendix 2 Types of Questions page 2-1 ].

### **Law Commission, Total Recall? The Reliability of Witness Testimony. A Consultation Paper (July 1999):**

- Research suggests that the following interview techniques may also reduce the suggestibility effect for young children:
  - repeated use of open questions in order to elicit more information (Memon and Vartoukian, 1996);

### **Research:**

<sup>113</sup>First Affidavit of Dr Michael Lamb, tendered to the Court of Appeal at the second appeal hearing, paragraph 88

<sup>114</sup>First Affidavit of Dr Michael Lamb, tendered to the Court of Appeal at the second appeal hearing, paragraph 89

- ...nonsuggestive, open-ended interviewing does not guarantee that children will provide accurate event narratives, especially when they have been exposed to misinformation in prior interviews or by other sources. Indeed, children sometimes report events that never occurred even during their initial narratives, before interviewers ask any specific questions (Poole & Lindsay, 1995, 1996; Warren & Lane, 1995). (page 67).<sup>115</sup>
- Although the wording of some protocols implies that interviewers should be directed by the type of question (asking only open-ended questions first, followed by specific questions etc.), the goal is to ask the least suggestive question possible to obtain the necessary information (page 143).<sup>116</sup>
- Although children generally provide more information to specific questions, it is generally the case that overall, accuracy rates are higher for responses to open-ended questions. Furthermore, accuracy of responses to specific and misleading questions increases as a function of age (with preschoolers being the least accurate) and as a function of the delay between the interview and the actual event. Some data indicate that when accuracy drops off, it is not merely the case that children forget and therefore make errors of omission (i.e. failing to recall an actual event), but they also make errors of commission (falsely claiming to have experienced a non-event) (at page 140).<sup>117</sup>
- Interview method and interviewer behaviour are two ways in which a child's accounts can become contaminated<sup>118</sup>. The use of free recall is likely to result in a brief but more accurate account than the eliciting of information by closed, direct, suggestive or multiple choice, misleading questions.<sup>119</sup> However, the asking of open-ended questions is not a guarantee of the accuracy of the response, if preceded by contaminating influences and or delay then open questions can produce inaccurate reports which include events not experienced by the child, including being touched<sup>120</sup>.
- Asking closed questions can elicit more information than free recall but is more likely to generate false reports including false reports about genital and other touching particularly after delay<sup>121</sup>.
- Even if children are initially interviewed with open-ended questions, where the child is re-interviewed with direct questions after a delay this can result in inaccurate information being reported<sup>122</sup>.

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<sup>115</sup>Poole, D.A., and Lamb, M.E. Investigative interviews of children: A guide for helping professionals, American Psychological Association, Washington DC.

<sup>116</sup>Poole, D.A., and Lamb, M.E. Investigative interviews of children: A guide for helping professionals, American Psychological Association, Washington DC.

<sup>117</sup>Bruck, M., Ceci, S.J., and Hembrooke, H. (1998) Reliability and Credibility of Young Children's Reports: From Research to Policy and Practice, American Psychologist, Vol. 53, No. 2, 136

<sup>118</sup> (First Affidavit of Dr Parsonson, p16)

<sup>119</sup> (First Affidavit of Dr Parsonson, p17).

<sup>120</sup> (First Affidavit of Dr Parsonson, p17)

<sup>121</sup> (First Affidavit of Dr Parsonson, p17)

<sup>122</sup> (First Affidavit of Dr Parsonson, p18)

- Responses to open and closed questions are less accurate over subsequent interviews. Children, after a delay, are more likely to fabricate answers than adults <sup>123</sup>.
- Where children are exposed to parental coaching and are later asked about that event they commonly add inaccurate answers or non experienced detail in response to leading questions and in a 1995 study a high proportion of children demonstrated a willingness to answer questions about events they neither experienced or heard described <sup>124</sup>.
- A study has demonstrated that, at least with 9 year olds, children are questioned before being "interviewed" are more susceptible to suggestion in the interview if they were initially asked leading rather than open questions <sup>125</sup>.
- Where children are asked repeated and increasingly suggestive questions children aged 7- and 9- are more resistant to being misled than 5- year olds but are still significantly more likely than adults to make errors on multiple choice questions that include either unbiased or misleading suggestions <sup>126</sup>.
- Younger children (aged 5-7 years) are more susceptible to suggestive questioning than older children (aged 9 years, Cassel, Roebers and Bjorkland, 1996) <sup>127</sup>.
- Five and 7- year old children can find quite neutral closed questions problematic, and are almost as likely to respond incorrectly as correctly <sup>128</sup>.
- Where repeated and increasingly suggestive questions were asked of 5-, 7- and 9 year old children and to adults the older children were more resistant to being misled than the 5-year-olds but were still significantly more likely than adults to make errors on multiple-choice questions that included either unbiased or misleading suggestions <sup>129</sup>.
- Children asked forced choice questions are more likely to choose one of the options given even when neither is correct <sup>130</sup>.
- There are two key aspects to the initial investigative interview - Rt Hon Lord Clyde, Senator of Justice, Scotland, author of the "Clyde Report" states that subsequent evidence given by children should not be:
  - a) tainted in any way by the experience of the initial interview; and
  - b) evidence should not be contaminated by the style of questioning so that the originality and genuineness of the reporting is in doubt (pA1).<sup>131</sup>

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<sup>123</sup>(First Affidavit of Dr Parsonson, p18)

<sup>124</sup>(First Affidavit of Dr Parsonson, p19)

<sup>125</sup>(First Affidavit of Dr Parsonson, p19)

<sup>126</sup>(First Affidavit of Dr Parsonson, p20)

<sup>127</sup>(First Affidavit of Dr Parsonson, Exhibit F, pA8)

<sup>128</sup>(First Affidavit of Dr Parsonson, p20)

<sup>129</sup> (First Affidavit of Dr Parsonson, p20)

<sup>130</sup>(First Affidavit of Dr Parsonson, p20)

<sup>131</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

The interview should enable a child to tell a story without prompting or suggestion; the interviewer should preserve a truly open mind; assess both credibility and reliability of the child and the interview should be managed in a wholly objective and impartial manner (pA1).<sup>132</sup>

**Proposition 19(ii):      Closed Questions are not acceptable**

**Supporting Research and Opinion :**

- Interview research involving children and specifically addressing the issue of question form supports the use of open-ended questions. A summary of the findings on closed (yes/no answer) questions is set out below:
  - Asking closed questions can elicit more information than free recall or demonstrations, but is more likely to generate false reports of genital and other touching (when closed questions are asked about such things) especially after passage of time since an event (Saywitz, Goodman, Nicholas and Moan, 1991) (pA4/5).
  - While the child's recall is facilitated by closed questions, there is an increase in suggestions created by posing the more specific questions which has a detrimental effect on the accuracy of children's reports (Dent, 1991; Orstein, 1991) (pA5).
  - Poole and White, (1991) have reported research indicating that where a child is interviewed with open questions, and then re-interviewed after a delay with direct questions this can result in inaccurate information being reported in the subsequent interview (pA5).
  - Responses to open and closed questions are less accurate over subsequent interviews. Children, after a delay since the target event, were more likely to fabricate answers than adults (Poole and White, 1993) (pA5).
  - New Zealand based studies (Rawls, 1994 a and b) have supported the finding that 5 and 6 year olds are consistently more accurate in their reporting of events when questioned immediately after the event with open rather than closed questions. In this research the use of closed questions resulted in fantasy information occasionally being provided which did not occur during the open question interviews (pA6).
  - When children were told an innocent "secret" and then were interviewed, those who were interviewed with closed questions were more likely to make errors of "commission" such as making up a story (Rawls, 1994b) (pA6).
  - The use of closed questions raises additional concerns about the efficacy of such questions with respect to intrusion of irrelevant information or fantasy (pA6).

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<sup>132</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

- In Rawls (1995) where 5- year old children were told a "secret" and then asked open questions immediately accuracy was about 68%. After one week the children's accuracy declined (47%), and by week 2, 3, and 4 very little accurate information was obtained (mean 16%). Accuracy under closed questions was considerably lower (11% after a one week delay; mean of 7% by weeks 2,3 and 4) (pA6).
- In this 1995 New Zealand study Rawls found that children do provide false "secrets", especially during delayed interviews. Children during interviews involving delay and closed questioning falsely reported being tickled and undressed by the adult assistant. One child provided more elaborate accounts in closed and open interview sessions of digging under the building, tickling games with the research assistant and the School principle and touching body parts (pA7).
- In a more recent study Rawls (1996) found that most 5- year old children produce considerable elaboration's and fantasy under closed and to a lesser extent mixed (open and closed) questions. Elaboration increased as a function of (1) time since event (2) exposure to repeated interviews. Elaboration's and fantasies reported by children include mutual undressing, genital and non-genital touching, tickling, dressing up in elaborate costumes, involvement of other participants, climbing ladders, and rubbing cream onto the chest. Only one of 10 children alleged potentially inappropriate behaviour when asked open questions (pA7).
- Where children are exposed to parental coaching and are later asked about that event, they commonly add inaccurate answers or non-experienced detail in response to leading questions. Furthermore, a high proportion of the children showed a willingness to answer questions about events that they neither experienced nor previously heard described (Poole and Lindsay, 1995) (pA7).
- A recent study by Warren and Lane (1995), demonstrated that children who are questioned about an event before they are "interviewed" are more susceptible to suggestion in the interview if they were initially asked leading rather than open questions (this research was conducted with 9 year old children). The study also found (as did Lepore and SESCO, 1994) that children who were prompted with neutral free recall were the most accurate (pA7/8).
- Younger children (aged 5-7 years) are more susceptible to suggestive questioning than older children (aged 9 years, Cassel, Roebers and Bjorkland, 1996) (pA8).
- Five and 7- year old children can find quite neutral closed questions problematic, and are almost as likely to respond incorrectly as correctly. This is hardly surprising given the probability of guessing the answer to a yes/no question is fifty percent (Cassel et al., 1996) (pA8)

#### Conclusion

- Children who are interviewed using closed questions (especially if these are even slightly leading) are more inaccurate, more suggestible and are more likely to affirm or include detail that they have not directly experienced or that is imagined. They also

include more confounding of sources, that is, they are unable to identify the source of the "memory", which for example could be from experience or something they have been told or discussed (pA8).<sup>133</sup>

**Multiple-Choice Questions not acceptable:**

- Multiple choice (or forced choice) questions (for example, Was it X or Y; Was it A or B or C?) have also been examined in the interview context (pA9).<sup>134</sup>
  - Where repeated and increasingly suggestive questions were asked of 5-, 7- and 9 year old children and to adults the older children were more resistant to being misled than the 5-year-olds but were still significantly more likely than adults to make errors on multiple-choice questions that included either unbiased or misleading suggestions (Cassel et al., 1996) (pA9).
  - Children are more likely to make errors when forced choice questions are used. Children up to 11 years are more likely to choose one of the given options even when neither was correct (Walker, Lunning and Eilts, 1996) (pA9).

**Conclusion**

- Questions in which an interviewer identifies the options for the child are likely to have an even higher potential for contamination and influence than even closed (yes/no) questions, since the choices from which the answer is made are suggested by the interviewer and the essence of an answer is given to the children within the body of that question. Their use is contrary to the criteria set out by Lord Clyde (1993) to the extent that this style of questioning may very well cast doubt upon the originality of the evidence and the spontaneity of its presentation (pA9/10). Researchers recommend such questions should not be permitted when children are being interviewed.<sup>135</sup>

**Problems of Accuracy**

- The research reveals the use of closed questions or a mixture of open and closed questions in interviews of young children is accompanied by much less accurate reports, with the intrusion of fantasy and commission errors being more probable. In addition, the research reveals that forced choice questions also lead to inaccurate responses and that children tend to select answers from options proffered by the questioner, even when trained to say "don't know" (pA10).<sup>136</sup>

**Validity of Answers to Non-Open Questions:**

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<sup>133</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

<sup>134</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

<sup>135</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

<sup>136</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

- Research reveals that both closed and forced choice questions are problematic when interviewing children because they both reduce accuracy of reporting and enhance suggestibility in responding. The danger is the inability to test the veracity of the answers in non-experimental settings (pA11/12):
  - The research strongly indicates that closed and forced choice question types are likely to produce less accurate reports, especially when there is a delay between the alleged event and the interview (pA12).
  - All types of non-open questions must be problematic in the gathering of evidence as they tend to limit the responses to those suggested by the interviewer (pA12).<sup>137</sup>

**Proposition 19(iii): A free recall account by a child will typically contain few details, an account fulsome in detail should therefore be examined closely.**

**Supporting Research and Opinion :**

**Law Commission. Total Recall? The Reliability of Witness Testimony. A Consultation Paper (July 1999):**

- Children, including very young children, are capable of giving very accurate accounts of a wide range of events, although these accounts will typically be lacking in detail (refer page 28, paragraph 106).
- Children who are asked to freely recall an event are generally regarded as being as accurate as adults, but they report less information. (refer page 28 paragraph 110)

**Proposition 19(iv): Where a question is repeated, the child should be given an explicit, non-socially influential, reason for the repetition.**

**Supporting Research and Opinion :**

**Law Commission. Total Recall? The Reliability of Witness Testimony. A Consultation Paper (July 1999):**

- Research suggests that the following interview techniques may also reduce the suggestibility effect for young children:
  - explicit statements that explain why questions may be repeated (**Memon and Vartoukian, 1996**);

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<sup>137</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

### Research:

- Within an Interview repeated questioning increases contamination because it sends the signal to the child that they have not yet satisfied the questioner, thus generating response changes<sup>138</sup>. Repeated closed questioning lowers the accuracy of the responses of children aged 5 to 7 years.<sup>139</sup>
- Asked and Answered. The interviewing technique of Asked and Answered consists of asking the child a question that she or he had already unambiguously answered in the immediately preceding portion of the interview. ... The effect of repetitive questioning on children's statements has been investigated with two types of questions, forced choice and open-ended questions (Cassel, Roebbers, & Bjorklund, 1996; Poole & White, 1991, 1993). The general finding has been that children will change their answers to repeated forced-choice questions but not open-ended questions. This finding suggests that an Asked and Answered question may be most likely to reduce accuracy when paired with Suggestive Questions. Siegal, Waters and Dinwiddy (1988) speculated that when a forced-choice question is repeated, children may assume that their first answer was incorrect and so change it to please the interviewer.<sup>140</sup>

### Contamination of an interview through repetition of questions and of interviews.

- Repeated Questions Within an Interview:
  - Increases contamination because it sends the signal to the child that they have not yet satisfied the questioner, thus generating response changes (Ceci and Bruck, 1993; 1995) (pA27).<sup>141</sup>
  - Memon and Vartoukian (1996) found that question repetition lowered the accuracy of the responses of children aged 5 to 7 years when closed questions were used (pA26).<sup>142</sup>

### Proposition 19(v): Suggestive questioning is to be avoided.

#### **Supporting Research and Opinion :**

- Suggestive Questions. The technique of suggestive questions consists of introducing new information into an interview when the child has not already provided that information in the same interview. For example, "Did he touch you on the bottom" would be a highly suggestive question in a sexual abuse interview if the child had not already mentioned inappropriate touching....Suggestive questions have received considerable

<sup>138</sup>(First Affidavit of Dr Parsonson, p30)

<sup>139</sup>(First Affidavit of Dr Parsonson, p30)

<sup>140</sup>Garven, S., Wood, J.M., Malpass, R.S., and Shaw, J.S. III (1998) More Than Suggestion; The Effect of Interviewing Techniques From the McMartin Preschool Case, Journal of Applied Psychology 1998, Vol 83, No 3. 347-359, at page 349

<sup>141</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

<sup>142</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

attention from researchers (Ceci, Ross & Toglia, 1987, Dale, Loftus & Rathburn, 1978; Leitchman & Ceci, 1995; Loftus & Davies, 1984). Almost 100 years ago, Alfred Binet found that suggestive questions reduced children's accuracy (Cunningham, 1988; Goodman & Reed, 1986). This finding has been confirmed by more recent research (see review by Ceci & Bruck, 1993). with a general finding that children become less suggestible as they grow older. However even adults are susceptible to suggestive questions (Loftus, 1975; Loftus & Palmer, 1974; Loftus & Zanni, 1975). <sup>143</sup>

**Proposition 19(vi):** A child should be explicitly told that they may have been given misleading information and that they are not to rely on that information when remembering past events.

**Supporting Research and Opinion :**

**Law Commission. Total Recall? The Reliability of Witness Testimony. A Consultation Paper (July 1999):**

- Research suggests that the following interview techniques may also reduce the suggestibility effect for young children:
  - explicit statements that the child may have received misleading information and not to base recollections of the event on it (although there is little research on this; see Lindsay, Gonzales and Eso described by Memon and Vartoukian, 1996);

**Proposition 19(vii):** Children should not be invited to speculate.

**Supporting Research and Opinion :**

- **Inviting Speculation.** The interviewing technique of Inviting Speculation consists of asking the child to offer opinions or speculations about past events, or framing the child's task during the interview as using imagination (e.g. pretending) or solving a mystery (e.g. figuring something out)...it seems obvious that this approach might elicit speculations from children on the basis of what they have heard from other sources, rather than on what they have personally observed (page 350). <sup>144</sup>

### **FORMAT OF INTERVIEW**

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<sup>143</sup>Garven, S., Wood, J.M., Malpass, R.S., and Shaw, J.S. III (1998) More Than Suggestion; The Effect of Interviewing Techniques From the McMartin Preschool Case, Journal of Applied Psychology 1998, Vol 83, No 3. 347-359.

<sup>144</sup>Garven, S., Wood, J.M., Malpass, R.S., and Shaw, J.S. III (1998) More Than Suggestion; The Effect of Interviewing Techniques From the McMartin Preschool Case, Journal of Applied Psychology 1998, Vol 83, No 3. 347-359.

**Proposition 19(viii): A child should be interviewed only once where possible.**

**Supporting Research and Opinion :**

**The Cleveland Report**

- There should be where possible only one and not more than two interviews for the purpose of evaluation, and the interview should not be too long.

**Joint NZCYPS and Police Operating Guidelines (March 1997):**

- It may be appropriate to conduct a second evidential interview where serious information comes to notice, ie a more serious offence or risk issues. If this occurs consult your supervisor. Be aware that a Court may order a second interview.
- The interviewer should only conduct one evidential interview. Special circumstances may require more than one interview. If more than one interview is required, they should be kept to a minimum.

**The Memorandum of Good Practice**

- Don't conduct further interviews unless you really have to. "No further questioning should take place unless necessary" (1.11)
- The known risks of repeated interviewing is that external contamination could occur between interviews<sup>145</sup>. Repeated interviews have been shown to affect the integrity of reporting of young children especially if closed questions are asked.<sup>146</sup> Children being asked closed questions incorporate parentally-elicited answers, non-experienced events and they are willing to provide responses to questions which they have no knowledge of<sup>147</sup>. The research indicates that the way in which children are talked to about an event affects their later reporting and that where children are given misleading information they are much more likely to make spontaneous false allegations<sup>148</sup>.
- Caution is needed for details that are only "disclosed" after repeated interviews. The danger is that misleading information, suggestive questions, or memory reconstructions influence later reports.<sup>149</sup>
- The research indicates that while the memory research shows evidence of consolidation and enhancement of recall with multiple interviews the child interviewing literature makes it clear that interview repetition especially when using specific (closed and/or leading) questions is commonly associated with the production of erroneous reports and contamination of subsequent reports.<sup>150</sup>

**Repeated Interviews:**

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<sup>145</sup>(First Affidavit of Dr Parsonson, p30)

<sup>146</sup> (First Affidavit of Dr Parsonson, p30).

<sup>147</sup>(First Affidavit of Dr Parsonson, p30)

<sup>148</sup>(First Affidavit of Dr Parsonson, p30)

<sup>149</sup>(First Affidavit of Dr Parsonson, p 31).

<sup>150</sup>(First Affidavit of Dr Parsonson, p31)

- Changes across interviews are a concern because if there has been external contamination then the accuracy of the reporting cannot be tested (pA28).<sup>151</sup>
- Children being asked closed questions incorporate parentally-coached answers, non-experienced events and they are willing to provide responses to questions which they have no knowledge of (Poole and White, 1995) (pA28).<sup>152</sup>
- Repeated interviews have been shown to affect the integrity of reporting of young children especially if closed questions are asked (pA28).<sup>153</sup>
- Bruck and her colleagues have demonstrated that the way in which children were talked to about an event affected their later reporting. Where children were given misleading information they were much more likely to make spontaneous false allegations (pA28).<sup>154</sup>
- Where children are given information between interviews from parents the children can incorporate this information into their reports, resulting in false allegations of touching (Poole and Lindsay, 1995). (pA29).<sup>155</sup>
- Suggestible questioning can become incorporated into children's descriptions of events (for example, Warren and Lane, 1995).<sup>156</sup>
- Caution is needed for details that are only "disclosed" after repeated interviews. The danger is that misleading information, suggestive questions, or memory reconstructions influence later reports (pA31).<sup>157</sup>
- Poole and White (1995) conclude that while the memory research shows evidence of consolidation and enhancement of recall with multiple interviews the child interviewing literature makes it clear that interview repetition especially when using specific (closed and/or leading) questions is commonly associated with the production of erroneous reports and contamination of subsequent reports (pA30/31).<sup>158</sup>
- The *Joint NZCYPs and Police Operating Guidelines* (version 1.0, June 1996 and version 1.0, March 1997) indicate that only one interview should be conducted, although where special circumstances exist there can be more

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<sup>151</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

<sup>152</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

<sup>153</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

<sup>154</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

<sup>155</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

<sup>156</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

<sup>157</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

<sup>158</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.

than one but the number of interviews should be kept to a minimum (pA32).<sup>159</sup>

**Conclusion**

- The research indicates that children change their responses in the context of repeated questions and repeated interviews. Repetition is therefore problematic.<sup>160</sup>

**Proposition 19(ix): Interviews of children must be carefully recorded.**

**Supporting Research and Opinion :**

**The Cleveland Report**

- There must be careful recording of the interview and what the child says, whether or not there is a video recording.

**Proposition 19(x): Therapy and the gathering of evidence are not to be conducted in parallel.**

**Supporting Research and Opinion :**

**The Cleveland Report**

- **Disclosure in a therapeutic context**
  - 12.36 According to Dr Jones:- "After the discovery of abuse, at least in outline form, then it is quite possible that there will be further disclosure within the context of therapeutic involvement with the child and the family." This indeed was the way that Dr Bentovim's team was first involved in the disclosure work. Dr Jones went on to say:- "The attempt to encourage disclosures while providing therapeutic treatment is fraught with difficulty." He pointed out the "untenable position" of "providing treatment while also attempting to gather information... Adequate treatment cannot proceed in a vacuum - it must be based on a formulation of what is being treated....I am opposed to treatment and 'disclosure' proceeding in parallel."

**Proposition 19(xi): Interviews must be properly planned.**

**Supporting Research and Opinion :**

**The Memorandum of Good Practice**

- Video recording interviews conducted in advance of proper planning may well compromise the usefulness of any later interviews (para 1.7).

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<sup>160</sup>First Affidavit of Dr Parsonson submitted to the Court of Appeal in support of the second appeal in this case.