

Achieving best evidence

Purpose

To assist in criminal prosecution where an offence is alleged to have been committed against a child and, as such, to act as the child's statement.

see *Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and guidance on using special measures*

Principles

- The welfare of the child is the paramount consideration of all professionals involved.
- Child protection issues will always take precedence over the need to collect evidence for criminal proceedings.
- Video interviews of children should be conducted in accordance with the memorandum of good practice and as such, only by social workers and police officers who have completed the memorandum training.
- A decision to video interview a child will be made via a strategy discussion (section 6), where the rationale for using/not using video, will be recorded.
- This discussion will consider any access or communication needs that the child may have and resources that may be needed to accommodate these and the specific good practice guidelines will be adhered to.

Criteria

Where a strategy discussion decides that a video interview should take place, the police representative at the discussion will:

Action

- begin completing the Pre-interview planning form and will ensure that the interviewing team, the case co-ordinator and strategy discussion members have a copy of this.

See *ACPC Video Interview Protocol*

The interviewing team will:

- Consist of a social worker and a Child Abuse Investigation Team police officer who will interview the child. Usually the social worker will not be previously known to the child and will not be involved with any follow-up work with the child. Therefore, usually they will not be the child's case co-ordinator or allocated social worker (where these are different);
- Plan the interview together with reference to the child's carer and case co-ordinator as appropriate, to identify the child's needs;
- Ensure that appropriate extra resources are utilised to allow for any disability, language and cultural needs the child may have;
- Determine who will transport the child and their carer to and from the interview suite. This should normally not be a member of the investigating team; and
- Ensure that consent for the interview has been obtained from the carer with parental

responsibility and the child.

Responsibilities of each agency

The police will take responsibility for:

- The provision and storage of audio and video tapes;
- Maintenance of the video equipment and suites
- Sealing, storage and distribution of video tapes;
- Access to tapes;
- Criminal investigation; and
- Copying the tape to CPS and liaising with them regarding criminal prosecution.

Children's social care will take responsibility for:

- Child protection issues arising from the content of the interview;
- Keeping the police and the CPS informed of any decisions made in this respect;
- Following procedures outlined in sections 2-6 with regard to the outcome of the interview and further s47 enquiries; and
- Writing up the content of the interview within one week of the interview and sending it to the case co-ordinator.

Immediately following the interview:

- The child may view the video, if they wish to do so. They may do this alone, or in the company of the investigating team and/or the child's carers. The interviewing team must not question the child further, but should make verbatim notes of anything the child says.
- The interview content should be evaluated and immediate protection issues for the child should be discussed with the case co-ordinator, or their manager, in their absence.

All further work with the child and family from Children's social care point of view will be the responsibility of the case co-ordinator. The interviewing social worker will only have further contact with the family if there is a need for further interviews.

[related documents](#)

- [Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and guidance on using special measures](#)
- [Provision of Therapy for Child Witnesses Prior to a Criminal Trial](#)