

Visual Recording of Child Witness Interviews Information for Children/Young People/Parents/Carers/Guardians

Across Scotland, police forces and social work departments that interview children record these interviews on DVD. This provides a better record than writing notes, and the questions asked and the child's reactions are fully recorded as well. It also means that the interviewers can spend more time concentrating on making sure children are OK during the interview.

The main purposes of the investigative interview are to:

- Get the child's story of what (if anything) has happened to them
- gather information so professionals can decide whether the child, or any other child, is in need of protection
- gather evidence about whether a crime may have been committed against the child or anyone else
- gather evidence which may lead to a ground of referral to a children's hearing being proved.

Using a recording may help to reduce the number of times a child has to be interviewed by other people. The recording, like any other statement taken by the police, may be shown to:

- Social workers dealing with the child's case;
- The procurator fiscal;
- The children's reporter;
- The defence lawyer and sometimes the accused (under supervised circumstances) before the trial;
- The solicitor for the relevant persons and or children in children's hearings court proceedings;
- Solicitors representing parties in other related civil court proceedings;
- The child's safeguarder;
- Curators *ad litem* appointed by the court to represent the interests of the child or an adult relevant person who has a mental disorder and is unable to represent himself or herself in the proceedings;
- A judge or sheriff and a jury, in court;
- Skilled/Expert witnesses cited by the crown/defence or solicitors on behalf of other parties in other non criminal proceedings;
- Other family members;

Some of these people may not need to speak to the child because they have the recording available instead.

If a child has to go to court to give evidence, the recording may be played as part of the evidence. The child may still have to be cross-examined in a criminal trial, though not necessarily in a children's proof hearing or other civil proceeding. Under the Vulnerable Witnesses (Scotland) Act 2004, some children may be able to use special measures when being cross examined or attending court, including screens or a TV link.

There are very strict rules concerning the safekeeping and copying of recordings. They are kept by the police and only the procurator fiscal, children's reporter, the defence or the court may use them. In criminal proceedings the defence (or any skilled/expert witnesses) is only allowed to view them at the procurator fiscal's office. Solicitors (or any skilled/expert witnesses) for the relevant persons or children, the child's safeguarder, curators *ad litem* for the child or adult relevant persons, can only view the recording at offices of the Scottish Children's Reporter Administration.

Please speak to the social worker or police officer if you need more information.