

DISCUSSION PAPER ON JOINT INVESTIGATIVE TRAINING AND DEVELOPMENT ISSUES

Background

1. [Guidance on Interviewing Child Witnesses in Scotland](#) was published in 2003, as part of a wider *Supporting Child Witnesses Guidance* pack, and currently still applies. Historically across Scotland, there has been no visual recording of interviews involving child witnesses. At present, such interviews are normally recorded either by the taking of “verbatim and contemporaneous” notes or by audio recording.

2. Impetus for change flows from:

- [On The Record](#), an independent evaluation of two police and social work led pilots undertaking visually recorded JIIs which was published in January 2007
- Several pieces of European Union legislation (e.g. on human trafficking and child sexual exploitation) which regard visual recording of evidence from child witnesses as best practice
- [The Sheriff Morrison judgment](#) of April 2010 in a child custody case (which raised concerns about JII practice, including that such interviews were not visually recorded as a matter of course)
- [National Child Protection Guidance](#) issued in December 2010 which sets out common standards for child protection services in Scotland

3. Following publication of *On the Record*, the National Strategic Group (NSG) for Joint Investigative Interviews with Children was established, under the independent chair of Professor Sandy Cameron (also Chair of the Parole Board for Scotland). It was tasked with taking forward work in relation to revision of guidance; purchase and roll-out of visual recording equipment; and consideration of training requirements.

Revised Guidance

4. The revised guidance combines updated best practice with preparation for the introduction of visual recording of such interviews. To allow police and social work practitioners to become familiar with it prior to the roll-out of visual recording equipment and refresher training, the guidance was disseminated to practitioners on 9 March 2011 with the following caveats:

- The 2003 guidance remains extant until further notice;
- It is for information only to enable police and social work practitioners to become familiar with it; and
- It should not be used until visual recording equipment starts to become available and a training strategy is in place

5. The revised guidance updates the 2003 interviewing guidance and promotes best practice for police and social work practitioners undertaking JIIs with children. It makes clear that such interviews should only be undertaken by practitioners who are both trained and competent. The guidance aims to make the interview more child-focussed and less stressful for the child and continues to be based on the principle that every child has the right to protection from harm, abuse and exploitation.

6. The guidance emphasises that every decision made about interviewing a child must be made on the basis that the paramount consideration is the best interests of the child. It also aims to enhance the sharing of information and points up minimum standards for conducting JIIs to improve both the quality of the investigative interview and the interview record for any following proceedings, including as evidence in court if necessary. Additionally, the guidance ensures consistency with the recently updated National Child Protection Guidance which ingrains the 'Getting it Right For Every Child' approach. A new section on 'Complicating Factors', which covers e.g. institutional abuse; trafficked children; and family and community loyalty, has also been added.

7. The main change to the guidance is in relation to the visual recording of JIIs. In brief, where visual recording equipment is available, JIIs should be visually recorded unless there are specific reasons why this may not be appropriate e.g. the alleged offence involved video recording of the child. The guidance outlines the benefits of visually recording child interviews e.g. reducing the number of times a child is interviewed and providing a more accurate record (with exact words and tone of voice and body language) of the evidence provided and also of how the evidence was obtained.

8. Issuing the guidance in draft as we did in March 2011 means that practitioners, supervisors and managers still have time to offer comments on it or suggest areas which need clarification before formal publication. We will be undertaking a final editing review of the guidance before it is published but can consider any substantive comments received before then.

Q1: Do you have any substantive changes or clarifications to suggest to the revised guidance before it is published in autumn 2011?

Equipment

9. In August 2010 an Association of Chief Police Officers in Scotland (ACPOS) Digital Project Manager (Inspector Tom Little) was appointed to work on the roll-out of the visual recording equipment and ensure that draft technical and accommodation standards are finalised. The Scottish Government (SG) is funding the Project Manager post and the initial cost of visual recording equipment. A multi-organisation Project Board (including representatives from ACPOS, ADSW, CPCs, SG, the Scottish Children's Reporter Administration and Crown Office and Procurator Fiscal Service) is overseeing the project. Inspector Little has also set up a User Group which has practitioner representation from the various child protection groups. The aim is that the first phase of mobile visual recording units is available in autumn 2011 and all visual recording equipment is in place by summer 2012.

10. Any queries about the equipment project should be directed to Tom Little ACPOS National Project Manager, Digital Recording Project, email tom.little@lbp.pn.police.uk or telephone 0131 311 3279.

Training

11. The NSG training sub-group, set up in late 2010, is working to ensure the delivery of update training by autumn 2011 and to identify training requirements and delivery mechanisms in the longer term. This group considers that, while it is essential that some updated training is in place by autumn, it is not possible to deliver an optimum training package in terms of both time and resources by then. To ensure competency, quality, and consistency in the provision of training, a strategy of short, medium, and long term aims, which can be delivered in manageable stages, would seem to be needed. In the interests of equality across Scotland it would also seem appropriate for national standards of practice to be set out in the training and development strategy.

Q2: Do you agree, in principle, (a) to a move towards a training and development strategy and (b) that this strategy should set out national standards of practice?

Meeting Training Needs

12. As outlined in paragraph 10, we see a training strategy having 3 elements - short term update training, the development of a training strategy in the medium term and a possible move towards competency and/or accredited training in the longer term. Further discussion on these stages is detailed below.

Immediate Training Needs – Update Training

13. Update training – around the revised guidance and visual recording – is clearly the short term priority. The revised guidance will become the new standard by which the quality and appropriateness of JII practice will be scrutinised and judged. It is **crucial** that update training takes place in the run-up to the revised guidance being published and the first phase of equipment being rolled-out if social workers and police officers are to feel confident when conducting JIIs in this new environment.

14. We are aware that training for child protection practitioners, supervisors and managers will differ from area to area and will be arranged according to local needs and partnerships. It will be important to know what plans are in place to prepare staff for the new guidance and requirements of visual recording so we can confidently publish the guidance in autumn 2011.

Q3: What training is being undertaken in your area to prepare child protection practitioners, supervisors and managers for the introduction of the new guidance and visual recording equipment?

Medium Term Training Needs - Joint Investigative Interview Training (JIIT) National Curriculum

15. Since 1992, police forces and local authorities in Scotland have been undertaking JIIs with children and providing training to underpin this. This was strengthened in 2003 with the National Curriculum for Investigative Interview Training (approved by both ACPOS and ADSW). The National Curriculum provides the framework for the delivery of local JIIT programmes by setting out the core elements necessary to enable interviewers to implement the requirements of the guidance on interviewing child witnesses. The National Curriculum for JIIT was revised in 2009 to take account of the revised guidance and the visual recording of JIIs. It consists of the following seven modules:

- Background to Joint Investigative Interviewing
- Child Development and Communication
- Memory, Trauma and Abuse
- Preparation and Planning
- Interview Process
- Recording of interviews
- The Legal Process – criminal/civil/defence

16. Currently, each police force delivers a five day basic JIIT course for both police officers and social workers. Practical exercises conducting interviews with trained actors are incorporated into the training. All areas organise and facilitate these courses locally and feedback information and statistics to the relevant CPC training sub-group. We would envisage that any review of the JII National Curriculum would be done as part of a Training and Development Strategy.

Q4: Are local JIIT programmes the best way to continue to deliver this training or would you suggest any alternatives?

Q5: Are there any additional areas that could usefully be covered within JIIT programmes or in a future training and development strategy?

Longer Term Training Considerations – Competence

17. At present:

- The competence of participants in the initial JIIT programme is not assessed
- There is no tradition of workplace-based evaluation of skills, self-evaluation or “peer review” between practitioners in respect of interview conduct and practice
- The provision and delivery of JIIT programmes across the country are not ‘quality controlled’

This has led to inconsistency across Scotland with no measurable basis of competence in what is a very important technical task.

Q6: What are your current supervision arrangements?

Q7: Do they include any reviews of performance/competency, and if so, who does it and how?

18. Competence is not something that, once gained, will simply remain. It requires ongoing and regular practise, updating skills in line with policy and practice developments, and review. Given the sensitive nature of the cases in which JIIs are undertaken and the scrutiny which visual recording will bring, some form of ongoing assessment in the workplace would seem sensible for children, practitioners and employing organisations. At present, there is no test of ongoing competence within the JIIT programme.

19. Visual recording of JIIs will create a more transparent means of scrutiny and any shortcomings or discrepancies will become immediately visible. If appropriate training, including a competence assessment element, is not put in place then legal, judicial and public confidence in the ability of JII practitioners to deliver this key task may be weakened. Most importantly, this, in turn, may also have a damaging effect on outcomes for children at risk. In these circumstances, a move towards training which includes a competence assessment element appears to be both a reasonable and a necessary goal.

20. If it is agreed that competence should be included within training, it will be required both at initial training and on an ongoing basis/in the context of continuous professional development. There are different ways of assessing competence during initial training – for example, enhancing the National Curriculum for JIIT to cover competence, through regular “peer review” of interviews or by having JII training accredited (perhaps including a Professional Development Award with assessable units, simulated JIIs, progression depending on meeting competences at each stage of assessment and credits towards attaining a degree qualification).

21. There are also different ways of assessing ongoing competence – for example, requiring interviewers to submit interviews for assessment annually; attending a one-day post-qualification CPD event every year consisting of reflection and review of practice, and updates on legislation and research; or opportunities for “peer review” on a regular basis within the workplace.

22. Similarly, there are different ways of accrediting competence if this is thought the way to go forward. We could explore adding this element to initial training under the existing National Curriculum; it could be built in to local supervision and existing training arrangements; or, more formally, SQA could be used as an accrediting body for the Professional Development Award if that route was followed.

Q8: Should the JII training programme include a competence assessment element?

Q9: Should competence be assessed in (a) initial training and (b) ongoing training?

Q10: If so, what is the best model(s) of assessing competence?

Q11: Should we move towards accrediting training?

Q12: If so, who should accredit the training?

Related Issues

23. We are aware we are seeking your views on JII training issues at a time when financial resources are tight and central and local government must make decisions between a number of competing priorities. These challenges raise a number of associated issues around costs and utilising and sharing resources.

24. The cost of the JII training is currently a matter for police and social work and there is little scope for there to be any additional central funding for training in the foreseeable future. The Scottish Government may be able to provide some limited funding towards national materials or course development but the pace, scale and delivery of training will need to be tailored to local budgets. There may, however, be some potential for keeping costs to a minimum through, for example, (a) the number of practitioners trained (paragraph 25) and (b) the use of training consortia to utilise and share resources effectively (paragraphs 27 and 28).

Number of practitioners trained

25. JII requirements raise major issues on the number of individuals who should conduct – and consequently, be trained to undertake – such interviews. A move to fewer people conducting JIIs could lead to more effective use of resources and training, better and more frequent practice and so enhanced skills and competence. On the other hand, reducing numbers in this area may reduce flexibility, cut across local decision-making and have implications for training in other areas. The NSG training sub-group has been advised that all police forces in Scotland have reviewed the number of JII trained officers and the majority have already reduced or are in the process of reducing numbers. It is clear that the effective interviewing of children is a core social work skill. Conducting a JII requires additional skills and staff need specific and additional support and training to ensure their competence in this area.

26. Another issue for consideration is whether there is value in social work and police, who are likely to work regularly together as interviewers, also training together. Trust, confidence and understanding all communicate themselves to witnesses, and are in any event essential elements of an effective and professional joint interview.

Q13: Do you think that the number of people conducting, and being trained on, JIIs should be reduced?

Q14: If so, against what timescale would you intend to do this?

Q15: Is there value in social work and police who are likely to interview together also training together (please also let us know the reasoning behind your reply)?

Consortia

27. Different JII training arrangements may lead to inconsistent practice. Some regions of Scotland already use a consortium model which could be extended across the country to help provide a more solid foundation for achieving consistency and standardisation in the provision of JII training. It could perhaps involve three JII consortiums:

- **West of Scotland** - the existing consortium of Strathclyde and Dumfries and Galloway Police areas and the constituent 13 local authorities
- **East of Scotland** - Central Scotland, Fife, Tayside and Lothian and Borders Police areas and the 12 constituent local authorities (we are aware, for example, that the existing Edinburgh, Lothian and Borders Executive Group – ELBEG - already have arrangements in place across five local authority areas to design JII courses and deliver or provide packs for local delivery)
- **North of Scotland** - Grampian and Northern Police areas and the 7 constituent local authorities (we are aware, for example, the North East of Scotland Child Protection Committee facilitates JIIT courses for Aberdeen City, Aberdeenshire and Moray councils)

28. Each consortium could provide its own courses and this would potentially be fewer in total than is currently the case. A consortium model also has potential for fewer JII tutors and competence assessors, and more sharing of resources generally should result in a reduction in costs. We are aware, however, that this needs to fit with existing informal consortia e.g. ELBEG, North/East and Central CPC, or that there may be other appropriate models.

Q16: What are your views on using training consortia?

Q17: What is your view of the example three consortium model or are there any other models you would suggest?

General

29. There may be other aspects of JII training that you would like to comment on.

Q18: Do you have any other comments, on issues not covered by the questions posed in the paper, you wish to make?

Conclusion

30. This discussion paper is seeking your views on developing a three stage training package – short term update training, the development of a training strategy in the medium term and on a possible move towards competency and/or accredited training in the longer term. Police and social work conduct JIs while CPCs should be satisfied that detailed arrangements are in place for JIs through local inter-agency procedures. We all need to move forward together otherwise any training strategy introduced will be unworkable. Your response to the questions posed in the paper are key to taking work in this area forward and would be warmly welcomed.

Responding to the Discussion Paper

31. We are inviting responses, on the form below, to this discussion paper, by **Friday 23 September 2011**. Please address your response to:

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If you have any comments or queries about this discussion paper please contact Anne on 0131 244 2293 or any of the contacts listed in the covering letter.

DISCUSSION PAPER ON JOINT INVESTIGATIVE TRAINING AND DEVELOPMENT ISSUES – RESPONSE FORM

QUESTION	RESPONSE
Revised Guidance	
Q1: Do you have any substantive changes or clarifications to suggest to the revised guidance before it is published in autumn 2011?	
Training	
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Meeting Training Needs	
<i>Immediate Training Needs – Update Training</i>	
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<i>Medium Term Training Needs - Joint Investigative Interview Training (JIIT) National Curriculum</i>	
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Q5: Are there any additional areas that could usefully be covered within JIIT programmes or in a future training and development strategy?	
<i>Longer Term Training Considerations – Competence</i>	
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