

## APPENDIX 12B

### CHILD-SENSITIVE INTERVIEWING TECHNIQUES

Asylum officers and immigration judges are advised to use specific techniques to elicit thorough information from child asylum-seekers. Attorneys and representatives should use these same techniques throughout the fact-gathering process when representing child asylum-seekers.

<b>Do:</b>	<b>Do Not:</b>
Explain your role, why you are meeting, and that you will not share the information with others	Talk about sensitive topics until the child knows who you are, understands why you are meeting, and feels comfortable
Conduct the interview in an environment that generates trust	Use a judgmental tone or choice of words
Start with neutral topics	Jump straight to the traumatic events
Use short, clear questions	Use long or compound questions
Use one or two-syllable words	Use three or four-syllable words
Ask the child to define or explain a term or phrase in the question posed to check the child's understanding	Use complex verb constructions
Ask the child to define or explain terms or phrases that he or she uses in answers, then use those same terms	Use legal terms, such as "persecution" or "particular social group"
Tolerate pauses, even if long	Coerce a child into answering a question
Ask the child to describe the concrete and observable	Ask the child to describe the hypothetical or abstract
Use visualizable terms	Use categorical terms
Explain any repetition of questions	Use idioms
Use the active voice	Use the passive voice
Keep questions simple and separate	Use front-loading questions
Use open-ended questions to encourage narrative responses	Use leading questions
Accept that many children will not be immediately forthcoming about events that have caused great pain	Be satisfied with "I don't know" responses – instead, ask follow up questions
Recognize that children may not know specific details	Expect children to present testimony with the same degree of precision as adults
Acknowledge that children may try to answer questions regarding measurements of distance or time without the experience to do so with any degree of accuracy	Expect children to be able to accurately measure distance and time
Take age, gender, cultural background, and maturity into account in formulating questions	Use the same techniques, word choice, and question structure for all children

Use non-verbal communication methods, such as playing, drawing, writing, role-playing, story-telling, and singing	Use a formal, question-and-answer interview style
Use active and reflective listening	Use passive listening in which you are not a participant who is demonstrating an interest in understanding
Show empathy	Make the child feel like you cannot relate to him or her
Continually check-in with the child regarding how he or she is feeling	Ignore how the child may be feeling as the interview progresses
Hold shorter meetings and take breaks	Conduct long interview sessions without breaks

For more information on child-sensitive interviewing techniques, see the guidance is set forth in the Refugee, Asylum, and International Operations (RAIO) Directorate on Children's Claims, as well as the UNHCR, Guidelines on International Protection No. 8: Child Asylum Claims Under Articles 1(A)2 and 1(F) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees (Dec. 22, 2009). Additionally, there are many helpful resources available to assist practitioners in understanding best practices for working with child clients. For example, see *"Representing Unaccompanied Children: Training Manual for Pro Bono Attorneys*, Chapter 1: Representing Children in Immigration Matters," by Kids in Need of Defense. The Center for Gender and Refugee Studies also published a Children's Asylum Manual that covers procedural issues in children's cases, substantive legal standards related to children seeking asylum, and best practices for working with children. It also has a helpful practice advisory from 2015, which provides substantive guidance on children's asylum claims. Although it is not available in all jurisdictions, the Young Center for Immigrant Children's Rights has a Child Advocate Program that accepts referrals of children who are paired with child advocates who champion their best interests. The Young Center also has a thorough resources page with links to many helpful resources for representing immigrant children.