

# Talking with Children and Young People

Office of the Children's Ombudsman in Sweden

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The Office of the Children's Ombudsman works to ensure the implementation of the United Nations' Convention on the Rights of the Child (CRC) in Sweden. One of the basic principles of the CRC is children's right to be heard and to have their views respected. Children under the age of 18 have the right to be heard in all matters that concern them. Not only in child-custody cases, criminal cases, and asylum applications, but also on school matters, in political decisions, and in other everyday contexts. It is important to remember that at the same time that children are to be given the opportunity to make his or views known, they have no obligation to participate in dialogues or provide information if they do not wish to do so. Nor are they to be pressured into giving their views.

In order for children and young people to have a real opportunity to be heard, adults are needed who both can and wish to talk to them. Adults who are interested in finding out the child's perspective. A dialogue between a child and an adult is a very unequal situation and it is the adult's responsibility to do what is necessary to really allow the child to be heard.

# A few things to consider

## 1. Respect the child's time

The child should be told in good time that there is to be a dialogue and what it will be about. The time of the dialogue should primarily be suited to the child's situation.

## 2. Create a calm environment

It is important that the dialogue take place in a secure environment and that the child does not feel endangered or threatened. There must be no telephones that can ring or people entering the room during the dialogue. Nor should the room contain so many interesting things that they distract the child. Comfortable chairs might be enough. Also think about what the child passes on his or her way to the room where the dialogue is to be held. What do any paintings or posters, for example, represent?

## 3. Find out certain things in advance

Such things might, for example, include the child's native language, the correct pronunciation of the child's name, whether the child has any physical or intellectual disabilities and other important circumstances.

## 4. Draw up a list of difficult words

It might be a good idea for the involved adults to make a list of the most common difficult words and try to find alternative words or phrases that mean the same.

## 5. Structure the dialogue

Prepare an introduction, the most important question areas, and a conclusion. If legal security issues are to be considered, it may be a good idea to prepare a dialogue handbook as a basis for the people involved to work from.

## 6. Limit the number of adults in the room

If the child's vulnerability increases the more adults there are in the room, this should be avoided. Two adults asking questions may make the child feel that he or she is being interrogated. The adults in the room can also affect the child's concentration and prevent him or her from talking freely. It may often be better for the close relative accompanying the child to sit outside the room and that the child knows where and how he or she can go to that person and that this is permitted.

## 7. Positions in the room

Use the adults' positions in the room to make it clear that the dialogue is going to be between you and the child. Any other adults present for support can perhaps sit behind the child.

## 8. Using an interpreter involves co-operation

The interpreter must be given the opportunity to prepare. Talk to the interpreter about how the dialogue is structured. Regardless of the kind of interpreter you are working with, for example a language interpreter, a sign-language interpreter or a deaf-blind interpreter, you should ensure that the interpreter adheres to generally accepted interpreting principles. The interpreter must be neutral, unbiased, translate in the first person, and translate

everything that is said. The interpreter is a conveyor of messages and during the course of the dialogue you should maintain contact with the child, not the interpreter.

### **9. Everyone must be introduced**

It is important that the child is told who you are at the outset to avoid any misunderstandings or uncertainty. You should say what your name is, where you are employed and what the purpose of your job is. Show the child your tape-recorder if you use one and explain to the child how the recording will be used. If there are several adults present in the room, you should also introduce them and explain their function. Avoid the child feeling that he or she is speaking to the interpreter by explaining why the interpreter is there.

### **10. Tell the child what is going to happen**

Tell the child how long the dialogue will last and when there will be a break. Tell the child that it is permitted to take a break to go to the toilet or for some other reason. When you talk about times, ensure that the child has the possibility to understand them taking his or her age and maturity into consideration. The child must know what he or she is going to express his or her views on, what the purpose of the dialogue is, how what the child says will be used, and who will be allowed to see any documentation. This gives the child a chance to choose and take up a position. The child must not feel duped into anything. When you tell the child what the dialogue is to be about, you should avoid giving details that tell the child what you expect him or her to say.

### **11. Run through the basic rules for the dialogue**

Tell the child the basic rules that apply for the dialogue. Some children think that they must answer all the questions even if they do not understand them, that all questions have a right and a wrong answer, or that the adult already knows what has happened.

### **12. Begin the dialogue with a warm-up**

Before you begin to talk about what you are going to talk about, it is important to establish contact with the child. It is not a bad idea to chat about some neutral topics. You can, for example, show an interest in the child's games or habits.

### **13. Listen to the child carefully**

When you listen to the child, you must want to take in the child's perspective and try to understand how he or she perceives his or her situation. You should listen more than you talk. When the child is talking, you must be patient and resist the temptation to begin talking as soon as he or she has finished. The child must be allowed to take breaks, reflect, and think before answering.

### **14. Begin with open questions**

The important thing is that the child is allowed to speak freely when he or she is giving his or her views, thoughts, or perspectives or talking about something that has happened. When you ask questions, they should be put in such a way as to encourage the child to speak from his or her own perspective. It is generally a good idea to begin with open, inviting questions. Remember to ask one question at a time. When the child has mentioned a detail, you can ask questions about that detail. If you want to clarify or penetrate more deeply something that the child has spoken about, you can switch to focused, specific

questions that relate to what the child said. Such questions will often contain the words who, what, where, when, how, or why.

Refrain from asking questions that the child can only answer with "yes" or "no", because these are leading questions. Leading questions are also often questions that focus the child's attention on details or aspects that the child has not mentioned, for example "Did she have fair hair?". Suggestive questions, for example "But you thought the book was scary, didn't you?", should be avoided completely because they can influence the child's response.

Research has shown that a child can change his or her story if the same question is asked repeatedly. You should not try to guess what the child said if you did not hear properly. Ask the question again and make it clear that it was you that did not hear properly.

### **15. Speak so that the child understands**

The adult must be able to determine the child's language level and adapt the dialogue method accordingly. For example, it is important to avoid words that children do not normally understand, to use simple sentence constructions (avoid subordinate clauses), to not simplify the language too much, and to ask if you are not certain that the child has understood.

### **16. Be flexible in the way you think**

How we communicate is influenced by several factors, for example gender, age, class, culture, and situation. Every child is unique and you should be open to different interpretations of a child's behaviour. Language also develops differently in different children, even if most children acquire a larger vocabulary the older they become. If a child often answers with "I don't know", this might for example mean that he or she has not been trained to participate in interactive dialogues. Try to encourage the child to talk independently. Be aware that you are controlled by your own hypotheses and attitudes. One example is the concept of "family", which is linked to a person's culture.

### **17. Avoid obtaining too much extraneous information**

In investigative dialogues, it may happen that the child relates things that are not relevant to the topic at hand. If this happens, you should listen but try to bring the dialogue back to the subject. At the same time, it is natural for a child to wander off track. A particular association may be important from the child's point of view and he or she may be inhibited from speaking freely if you return too quickly to the subject. You might perhaps be able to follow up with some clarifying questions to see where the sidetrack leads. This may be a way to return the dialogue to the subject at hand.

### **18. Avoid physical contact**

If you are speaking to a child about difficult things you might find yourself in a situation where you want to comfort the child by hugging or holding him or her. You must be very careful in such situations. The child may have been subjected to abuse and may perceive physical contact with a professional person as threatening or coercive. You can show warmth, interest and sympathy without touching the child.

**19. A child is not silent for no reason**

If a child does not want to talk, he or she has good reason for not doing so. He or she may have previous, negative experience of talking to an adult acting in a professional capacity.

Silence, or answers like "I don't know", are often the result of dialogue situations that have felt uncomfortable or difficult to understand. The important thing is that you respect the child's reasons. If a child does not talk to you, it might be a good idea to meet again later. It may be just on that particular day that motivation is lacking.

If you suspect that a child is not telling the truth you should behave respectfully to what the child says. Not being believed when one is telling the truth is deeply insulting to a child. It is also important to be aware that a child is relating his or her own perception and this may differ from what an adult believes is true or real. For children, above all for young children, it is their perception that is true and real.

**20. End the dialogue appropriately**

When you have finished the dialogue, you should thank the child for coming. You should also tell him or her what is going to happen afterwards and give the child your name and telephone number. Before you part, it is a good idea to talk about something neutral, for example what the child is going to do after the dialogue.

**21. Get some professional advice**

Matters where children talk about their own vulnerability are often complex, unpleasant and difficult to handle, and awaken strong emotions in adults. It can sometimes be difficult to adopt an appropriate attitude as regards what a child has told you and it is important to seek the advice of a professional after such dialogues. It is also a good idea to subject oneself to critical appraisal by a supervisor or colleagues who can help you to enhance your self-knowledge in a positive way.