

# Witness Victims - Interview Techniques

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Treatment of victims as witnesses. Victims should be suggested and treated within the legal procedure. The objective of the treatment of victims is to restore them to normal life and ensure realization of rights.

# 1. Witness protection programs

There are two types of witness protection agreements:

1. Full witness protection program, which is controlled and managed by the government
2. Complex schemes that relate to the support and assistance provided on the basis of co-operation between law enforcement officers and non-governmental and intergovernmental organizations.

# Criteria for inclusion

- The seriousness of the crime for which the victim will testify;
- Necessity of the victims' testimony;
- Level of risk against the witness as a result of the decision to cooperate with the court.

## 2. Principles of victims' treatment

- Safety of victims (and their families)
- Acceptance in writing
- Continuity - specifically appointed investigator
- Contact information
- Issues with the integrity

### 3. Co-operation with other Institutions

- A witness victim may be allowed to stay in the country for the period of time until trial, particularly if her personal security cannot be guaranteed in the country of origin
- During this time, the concept of cooperation may allow the witness victim to stay under the care of the shelter or counseling center

- **Strengths**
- **Problems**

Ideally, according to the counselor's point of view, the victim should have the opportunity to settle in a housing environment so that she/he can move from the shelters to her/his place. This is also the goal of the counseling center to help the victim regain her/his independence as soon as possible.



## 4. Personal responsibility of witness victim

- Respect the rules of Victim protection program
- Avoid areas frequently visited by suspects and/or their friends
- Careful behavior awaiting trial
- Careful when requesting to contact someone abroad
- Do not disclose information about contacts
- Careful in relationship with friends

# 5. Pretrial phase

- As soon as the victim becomes a witness, the level of risk increases considerably and should be promptly reviewed
- Prompt interview by responsible persons
- Risk assessment and warnings

## 6. Risk Review

The review process becomes even more complex as it needs to focus on the security and safety of other victims living in the same shelter, shelter's staff as well as the victim-witness itself.

# 7. Property registration planning

- Ideally, it should be made possible to allow the victim time to reflect on his/her situation.
- She/he may weigh all matters related to the resident status and the security risks that may arise from his/her cooperation with the authorities

- A potential problem for the investigator, while the victim is deciding on the action he/she will take. This problem relates to the detention of suspects and obtaining evidence before the victim makes his /her decision.
- On the other hand, if the investigator delays the action pending the victim's decision, the suspects may leave the relevant jurisdiction and in the meantime any documentary evidence may be lost or disappeared.

The success of an investigation will depend on the victim's ability to give a full explanation on what has happened and his/her ability to come forward as a witness in trial.

# 8. Talking of statement

From first contact, it is essential to ensure trust and the investigator must be completely open and honest with the victim at every stage of the process.

# Calming TV and building trust

There are two key points:

- Safety
- Media exposure

These two points should be addressed from the outset, if we want the victims to be calm and provide detailed evidence.



# Condition of the interview

- Location
- Interviewer
- Duration
- Translation

# 9. Interview methodology

It is important that the victim's story is compiled in a logical and fluent way. This not only helps the victims remember the events, but makes the statements easier to understand by investigators and prosecutors.

- It is also important to combine this explanation with an encouragement for the victim - from the outset, that he/she must only say the truth at all times.
- The victim needs to understand that being an essential part of the investigation, interviewers will need to fully explore the victim's experience and background, and that traffickers' lawyers will certainly do so in all court proceedings that will follow.

The chronology of the crime is very important, although it is very difficult for the victim to recall the events in the chronological order required.

# 10. Interview objective

- The interviewer should reconstruct the victim's story and how the traffickers are acting in each of these three phases:
  - Country of origin – recruitment and exportation;
  - Country of transit - transport;
  - Country of destination– admission and exploitation.

- Specific details
- Traumas incurred

The interviewer should include this “trauma incurred” at the end of the victim’s statement. It should include details of the physical and psychological injuries incurred by the victim as a result of the crime.

# 11. Corroborating the evidence

Once a detailed description of the victim's case has been taken, either by a written statement or video-recording, the next objective will be to use the facts contained therein to prove the credibility of the victim as a strong witness.

- Return to the history of events
- Identification of facts to be confirmed
- Confirmation of evidences on physical injuries
- Confirmation of descriptions
- Documentary confirmation - authentic sources.
- Documentary confirmation - secondary sources



- Country of origin
- Country of transit
- Country of destination
- Various sources of confirmation
- Multi-agency sources of confirmation

# 12. Visits in courts

- During the pretrial phase, the victim should be given the opportunity to attend another hearing session so that he/she gets familiar with court environments.
- Trial phases
- Protective measures of the victim in court
- Escorts to the courtroom
- Psycho-social counseling of the witness victim

# 13. Pretrial phase

The investigator's responsibility with regard to the safety and welfare of the victim does not end with the outcome of the trial - the risk review process must continue.

- Return - repatriation
- Information of the victim

# 14. Child witness

In addition to general measures, i.e, provision of security, making decisions based on complete information, securing confidentiality, etc., in the case of interviewing children, a number of interviewing principles and techniques should be considered.

The methods to be used to create a trust atmosphere include the ability to create different games, references to characters of children's movies and the use of visual techniques.

# Questions?