

## Executive Summary

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# Child Rights Ethical Standards and Psychological Analysis for Law Enforcement Workshop

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THE TRAINING ON  
**CHILD RIGHTS ETHICAL STANDARDS  
AND PSYCHOLOGICAL ANALYSIS  
FOR LAW ENFORCEMENT**

1 - 5 JULY 2019  
SIAM@SIAM DESIGN BANGKOK HOTEL



From 1 July to 5 July, 2019 the Thailand Institute of Justice (TiJ), in cooperation with the Department of Special Investigations (DSI), the National Crime Agency (NCA), ECPAT Foundation, A21, and the German-Southeast Asian Center of Excellence for Public Policy and Good Governance (CPG), organised the workshop "Child Rights Ethical Standards and Psychological Analysis for Law Enforcement Workshop" at the Siam@Siam Hotel in Bangkok, Thailand.

The international workshop brought together nearly 30 distinguished experts from eight countries and various professional organisations, with over 40 law enforcement professionals from Thailand. These included, among others, professionals from the Royal Thai Police (RTP), the Department of Special Investigations (DSI), the Institute of Forensic Medicine, The Office of the Attorney General, the Department of Provincial Administration, the Department of Social Development and Welfare, and the Provincial Social Development and Human Security Office. The central focus of the workshop evolved around an appropriate, victim-centric and coordinated response to crimes against children along the entirety of the criminal justice process, as well as the mental well-being of the professionals involved.



The first day provided the basis for the workshop and presentations evolved around the situation of violence against children in Southeast Asia and the Pacific region, as well as the role of selected agencies and international legal instruments in the fight against such violence. Highlights of the sessions included law enforcement officers sharing their experiences of their respective fieldwork. It was described as being highly rewarding, yet at the same time as having the potential of taking a significant toll on the mental health of the law enforcement professionals due to the violent nature of the crimes and the victims involved. As an example of the particular challenges, participants mentioned that officers having to repeatedly view indecent material in great detail in order to identify victims, locations or perpetrators can experience negative psychological impacts. Further, it was pointed out by several active-duty officers that forensic interviews with victims, in particular children, present another particular challenge. In order to balance what is needed for a prosecution with the mental well-being of the victim, high levels of training are needed but not always provided. With respect to rights of the child, it was pointed out that useful international frameworks do exist, however there are only limited standards in place in Thailand. Participants also expressed concerns with regards to increasingly used live streaming and the challenges it poses for evidence collection, as well as with data protection privacy policies and technological advancements that make it difficult for them to trace perpetrators.



On the second day, a specialist from the Behavioural Analysis Unit of the Federal Bureau of Investigations (FBI) presented on psychological analysis of offenders and on conducting forensic interviews with perpetrators. The presenter pointed out that most offenders are on a continuum between *preferential* and *situational* offenders, with these two representing the respective ends of the continuum. An accurate "classification" of each individual offender is important to an investigation as it may lead the investigators in a particular direction during the investigation and informs how to conduct forensic interviews - an example included that a more situational offender may not have or collect explicit, indecent images of a particular type of victim, whereas preferential offenders are more likely to do so.

The following session focused on the later stages of the criminal justice process and discussed due-process, as well as how a balance could be struck between protecting victims and respecting the rights of the offender from a legal perspective. Discussed examples included Malaysia and Germany which have measures of varying degrees in place that aim to protect children that may be both victims

and witnesses during trial. A major focus in this regard was the question of the role of abused children in court hearings. While truth-finding and prosecution of guilty offenders is the ultimate goal of the process, the mental well-being of victims as well as due procedure need to be taken into account.

The concluding panel of the day brought the focus back to investigation and investigators, with FBI and DSI representatives sharing their views on current investigation practices and cooperation. It was pointed out that more cooperation is needed to identify and protect victims, to strengthen joint efforts between law enforcement agencies to track down perpetrators, and to build global capacities to protect children. It was said that it remains too easy for offenders to exploit existing loopholes, such as travelling sex offenders using third countries to reach a destination country which otherwise would have been difficult to enter due to a warning sent from the country of origin. It was further highlighted that many countries in Southeast Asia lack an effective safeguarding programme for officers as well as training programmes to conduct forensic interviews with child victims in particular.

Day three began with a presentation and discussion of the dynamics of abuse from a psychological perspective. The presentation elaborated on the impact of traumatic experiences by victims of abuse. Throughout this session, the presenting clinical psychologist pointed to the devastating effects of childhood trauma and how crucial an understanding of this is for investigative officers that come in contact with a victim over the course of an investigation. In terms of forensic interviews for instance, an awareness of trauma and its effects are relevant as this can affect the memory of a victim as well as a victim's threat perceptions in objectively non-threatening environments. Natural, neurological reactions can impact a victim's brain functioning in such situations and the knowledge of basic calming strategies and general awareness of indicators of trauma can prove to be relevant tools not only for first responders, but also later in the investigation.

The subsequent session and group exercise regarded child safeguarding policies in different organisations and why these are of particular importance. It was made clear that not all organisations have sufficient policies in place. At the same time, there is a need for and awareness of the relevance of such policies. Basic child protection policies such as those presented by ECPAT are in first instance designed to protect children, but they can also give guidance and security to

officers who encounter child victims during an investigation. During the discussion, active duty officers raised the issue of not always having clear guidelines when encountering child victims in particular, which can lead to additional stress on them during their work.

The positive impacts of clear guidelines and appropriate policies on the work and mental health of officers was echoed in the concluding panel session of the day. A police inspector from Thailand shared on the importance of self-care for law enforcement officers as the profession sees especially high rates of suicide and depression. Following this, DSI and three foreign law enforcement representatives discussed their respective policies and strategies for self-care of investigative officers, as well as personal experiences of stressful situations and how they were overcome. Beyond reporting on the taxing nature of their work, the present experts shared that in addition to personal coping strategies such as humour and regular physical exercise, mandatory and regular mental health examinations, continuous access to mental health professionals and peer support are a crucial part to creating a successful and supportive work environment. However, with regards to Thailand, regular psychological assessments are not yet part of the standard procedure within the DSI or the RTP.

The following day continued with a deeper look at the self-care strategies of law enforcement officers from the view of a mental health professional. Her observations dealt with signs and symbols of burn-out syndrome, traumatic stress and the importance of self-monitoring as treatment is most effective when it starts early. Mental well-being, especially in the context of this workshop, can be viewed as a continuum, rather than something that changes suddenly. During the discussion, participants also noted the importance of having realistic expectations and detaching themselves from stressful situations.

The subsequent session detailed strategies for forensic interviews of child victims in the Netherlands. The presenter, an experienced investigative psychologist, introduced the "structured interview model" as it is applied in the Netherlands in such cases. She pointed out that while each interview needs to be adapted to many factors such as the circumstances of the case or age of the victim, the basic three-step structure of the interview - introductory part, case-related part, closure - remains the same. She then stressed the importance of asking open-ended questions, stimulating free recall and being non-judgemental. To this end, she shared two strategies when interviewing a child reluctant to disclose the abuse – approaching the child in an

indirect way and telling the child neutral information from the allegation. In her opinion, it is crucial that an interview is only conducted by well-trained and well-prepared specialists who can employ strategies that will both elicit information without influencing or leading the interviewee, as well as safeguarding the mental-health of often traumatised victims.

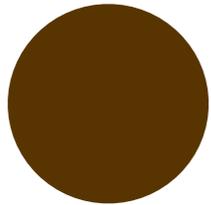
Ensuing discussions and group exercises further developed these points, and included brainstorming activities on how the most important points raised thus far during the workshop – namely on developing a code of conduct, implementing self-care strategies and enhancing protection and prevention measures – could inform a way ahead. The day closed with brief presentations of foreign law enforcement officers in Thailand and how they proceed in their investigations against child offenders abroad. Police officers from Austria, Belgium and the Netherlands all pointed out that in addition to having a coordinated national response, cooperation between agencies across borders is crucial to successfully fighting these crimes that are often committed across multiple countries and jurisdictions.

The final day concluded the workshop with summary presentations by the present law enforcement professionals and a closing ceremony. The workshop participants shared their impressions and results from the workshop, focusing on what could inform a Code of Conduct for officers in Thailand, what can be implemented in terms of formal and informal self-care, and how negative outcomes of investigations on the investigators or victims can be prevented. Informed by examples of other national criminal justice processes and law enforcement standards and procedures, but with a clear focus on the circumstances in Thailand, it was pointed out that organisational policies need to be formulated that take into account the experiences and day to day practices of the frontline officers, but at the same time have the backing and support from the highest management of the respective organisations. Specific training and formalised self-care procedures, as well as an increased awareness of how to minimise the impact of the criminal justice process on victims and how to prevent re-victimisation were also raised as factors that ought to influence codes of conduct and procedural standards in the future. Finally, participants stressed the need for a systemic framework outlining the roles and responsibilities of each organisation in child-related cases in order to have a more holistic, victim-centric and child-friendly response.

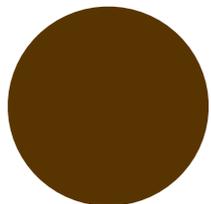




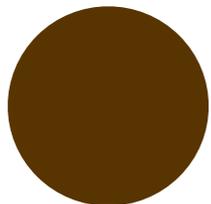
# Key Themes



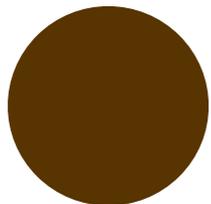
Victim-centric approach e.g interview techniques, avoid re-victimisation



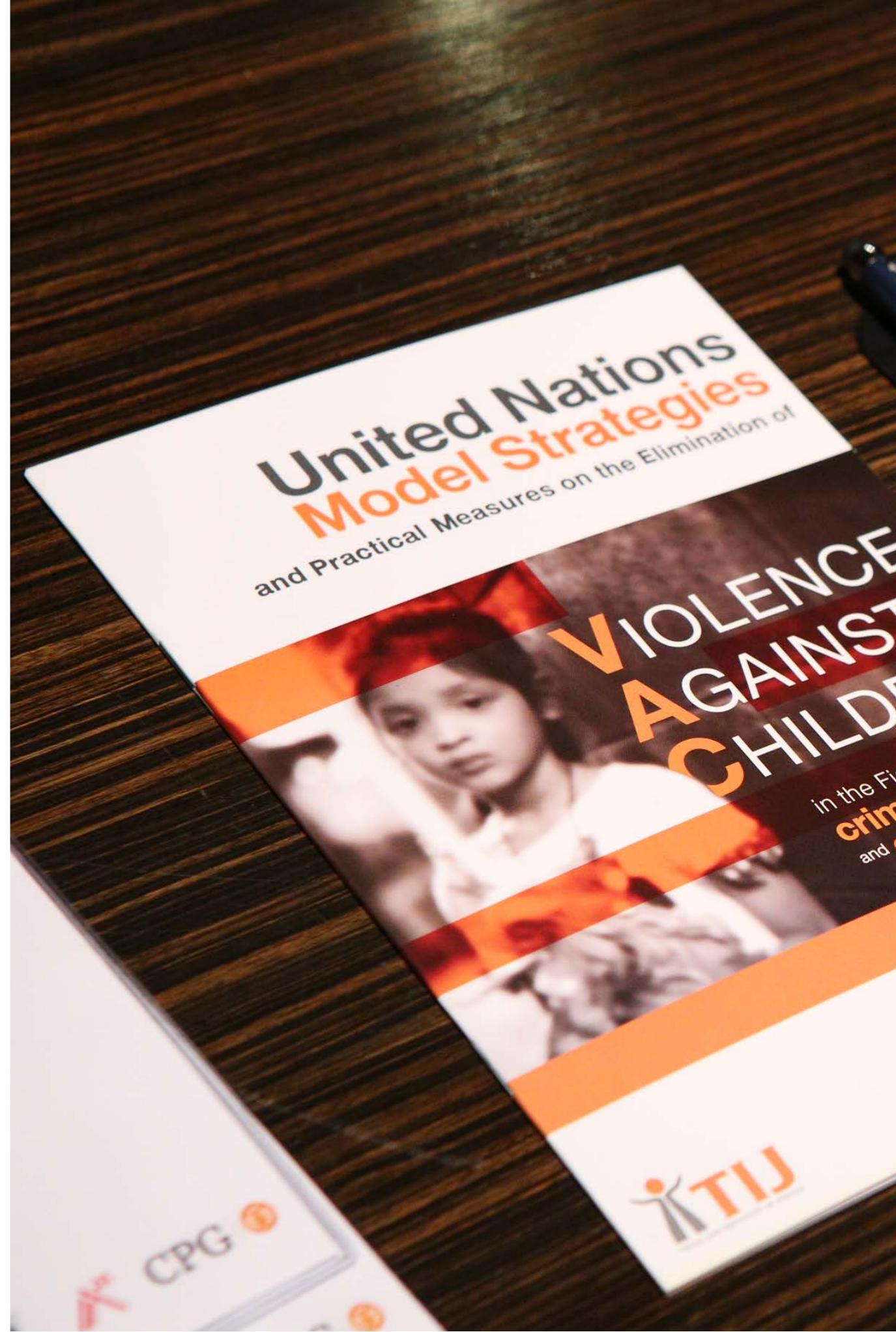
Mechanisms/procedures to protect officers's mental (self-care)



Coordination between stakeholders domestically and internationally



Upgrading of laws (widen scope of what constitutes pornographic material, facilitating collection of data or info from tech/social media firms)



# Key Priorities for SoPs and CoCs

- Continued Professional Development Training for practitioners in cases involving child abuse, in particular with regards to child psychology and forensic interviews
- Sound and continuous psychological and social assistance for victims throughout the criminal justice process
- Role of victim/witness in court hearings
- Sound and continuous psychological assistance for law enforcement officers in addition to periodic mental health examinations
- Avoid repetitive and unregulated exposure to explicit child abuse material
- Coordination between child protection team and law enforcement
- Clear affirmation of procedural rules and responsibilities among stakeholders
- Secure storage of data
- Access to metadata from private companies
- Build strategies for the future covering cloud storage and cryptocurrencies