Pre-Recording Evidence of Child and Vulnerable Witnesses

Scottish Government Consultation Response
September 2017

Question 1 - Do you consider that the ultimate longer-term aim should be a presumption that child and other vulnerable witnesses should have all their evidence taken in advance of a criminal trial?

Yes. As Scotland's National Children's Charity, Children 1st have a long history of supporting child victims and witnesses before, after and during both criminal and civil court procedures. Over and over again child victims and witnesses have told us that Scotland's justice system – designed for adults and rooted in the Victorian era - often causes them greater trauma and harm. At the same time, as scientific understanding of child development has grown, it has become overwhelmingly evident that Scotland's traditional approach to justice is the least effective for eliciting consistent, reliable accounts from child victims and witnesses. Our current system's ability to re-traumatise children and to fail to gather their best evidence is therefore detrimental not only to child victims and witnesses, but also to accused children and adults. Giving better support to children and young people will enable them to give better evidence to the benefit of all parties including the accused. As Baroness Hale observed in W (Children) [2010] UKSC 12 the two aims of improving the quality of the child's evidence and decreasing the risk of harm to the child are not in opposition to one another.[i]

There is clear recognition in international and European law that there should be specific procedural safeguards during criminal investigations and court proceedings to take account of the rights of the child and their particular circumstances.[ii] In 2016 the United Nations Committee on the Rights of the Child Concluding Observations review of the UK, including Scotland recommended the introduction: "as standard, video recording of the interview with a child victim or witness during investigation and…{to}… allow the video recorded interview as evidence in court."[iii] By ensuring that the pre-recorded evidence of child victims and witnesses is used as standard in trial proceedings, Scottish Ministers would be fulfilling their duty: "to keep under consideration whether there are any steps which they could take which would or might secure better or further effect in Scotland of the UNCRC requirements and if they consider it appropriate to do so, take any of the steps identified by that consideration" as set out in Part 1 of the Children and Young People (Scotland) Act 2014.

Children 1st therefore welcome the Cabinet Secretary's commitment to introduce a presumption that all children's evidence should be taken in advance of a criminal trial, while believing that Scotland can and should be even more ambitious for children. Scotland has both the will and ability to develop a truly child-centred and rights-based model of Scottish justice which draws on the strengths in our current system, learns from international examples of child-friendly approaches, such as the Barnahus[iv] and listens to the voices of children and young people about what needs to change.

Children and young people tell us that repeatedly telling their story to a number of different professionals, complex and confusing procedures and long delays compound their trauma and distress and prevent them from starting to recover from their experiences. **Legislative change to support the greater use of pre-recorded evidence in chief and cross-examination can be a crucial step forward, if it is accompanied by measures to encourage the broader shift in culture and practice required to change Scotland's justice system**.

If we timeously evolve our judicial systems, practice and culture to become truly child-centred while continuing to comply with due process and the rights of the defendant, we in Scotland

will not only get this right for children, we will get it right for all vulnerable witnesses and indeed the justice system as a whole.

Question 2 – Should section 271A(14) of the 1995 Act be amended to include the use of (a) prior statements as evidence in chief and (b) evidence by a commissioner as standard special measures?

Yes in order to create the legislative presumption that using prior statements as evidence in chief and evidence by commissioner for cross-examination are the norm where the witness is a child (or a vulnerable adult).

From the stories we hear from children and young people who have experienced Scotland's care and justice system and the research literature it is clear that repeating the same information on multiple occasions to different practitioners can lead to system-induced trauma.[v] In mapping a child's typical journey through Scotland's care and justice system, Children 1st estimate that a child could speak to over 14 different professionals from the point at which they speak out about abuse. [vi] Children and young people have repeatedly told us that they wish some of the people they had to speak to were 'nicer' or 'more understanding.' The tone of voice of the person who is asking questions, the look that questions if a child is telling the truth, the delays in the process and lack of anyone offering emotional support or practical support to help navigate what is often a confusing system can so compound a child's trauma that they say that what happened after they disclosed abuse was as bad as or worse than the trauma of the abuse they had already suffered.

Reducing the number of professionals a child has to speak to and ensuring that those professionals a child does speak to are highly skilled, with a consistent level of knowledge about trauma and child-development and take a relational approach to their practice is crucial to improving the experience and outcomes for child victims and witnesses of crime.

Simply taking a child or young person physically out of court, will not be sufficient to reduce the risk that they will experience further trauma or equip them to give their best evidence – as the experience of introducing standard special measures, such as off-site vulnerable witnesses suites shows. At Children 1st we were recently told by one young person that while they were giving evidence over a video-link the camera accidentally swung around so that they saw the face of the accused. Children and young people tell us that how and when standard special measures are explained to them can vary and that their use can often be determined by what is available and cost-effective in a particular court rather than what is in the child's best interests.

The Scottish justice system will only become more child-friendly and rights-centred by reducing the number of professionals a child needs to retell their story to and ensuring these professionals are highly skilled and knowledgeable. Replacing the presumption that after a child or young person has taken part in an initial investigative interview they give evidence in chief at the time of the trial via standard special measures with a new presumption that after the initial investigative interview their evidence in chief is taken by commissioner will not reduce the number of times a child needs to retell their story.

A change in legislation to introduce a presumption towards pre-recording of children and young people's evidence must therefore be clear that the presumption will be that evidence in chief is taken in the form of a prior statement and cross-examination is taken by commissioner.

Given that less than 1% of special measures between July 2011 and June 2014 involved the use of prior statements or evidence taken by commissioner[vii], legislative change needs to go hand in hand with training and guidance to ensure that all professionals involved in forensic

interviewing of children have the skills and knowledge to sensitively elicit best evidence from a child or young person, without the risk of re-traumatisation. Children 1st therefore welcome the recommendations of both the Scottish Courts and Tribunal Service, Evidence and *Procedure Review,* Child and Vulnerable Witnesses Project – Joint Investigative Interviews (JII) Workstream Project Group report, of which we were part, and the introduction of the new High Court Guideline on Taking Evidence of a Vulnerable Witness by Commissioner (Practice Note Number 1 of 2017).

The Norwegians stopped children and young people giving evidence in court in the 1920s because they collectively understood that this was not the best way to elicit their best evidence. In Scotland we need to achieve the same shared understanding in culture and practice, whereby capturing children's evidence in advance of trial becomes the norm, rather than a 'special' exception. Training, guidance and other measures to encourage this required shift in culture and practice must therefore include other criminal justice professionals: prosecution, defence lawyers, judges and other court practitioners.

Question 3 - If a presumption to use pre-recorded evidence is placed on a statutory basis, how best should it be phased in to allow for appropriate piloting and expansion of necessary operational arrangements, eg: should the initial focus of any presumption be on all child witnesses, or on child complainers or on those under a certain age? Should the initial focus be on all solemn cases, cases in the High Court or cases involving only certain types of offences, eg. Sexual offences; serious violent offences; etc?

Children and young people we support describe negative experiences at all levels of the criminal justice system – for example giving evidence in domestic abuse cases that are prosecuted in the summary courts. Children 1st therefore believe that the initial focus of any presumption to use pre-recorded evidence of child witnesses should be as wide as possible. We recognise the considerable operational and training implications that would be required if the presumption to use pre-recorded evidence initially focuses on all child witnesses. Were however, the focus of pre-recorded evidence to be restricted to particular types of offence or children of a particular age – a significant level of investment in resources and training would still be required, without any certainty about how quickly and frequently professionals would be able to put their new skills and resources to good use. To make best use of investment and to most effectively encourage the cultural and practice shifts required by professionals across all levels of the justice system there may be merit in the introduction of pre-recorded evidence on a statutory footing by geographic area, rather than by type of case or age of witness.

Right to choose to give evidence in Court
The Victims and Witnesses (Scotland) Act 2014 amended section 271B of the Criminal Procedure (Scotland) Act 1995 to place greater emphasis on the wishes of a child as to where they give evidence. Where a child under 12 wishes to be present in court to give evidence at a trial for a serious offence listed in that section, the court must make an order requiring the child to be present unless the court considers that would not be appropriate (section 271B(3) and (4)).)

Question 4 - Do you consider any further change is necessary regarding how a child witness's wishes, on where to give evidence during the trial, are taken into account

Yes. Children 1st believe that section 271B of the Criminal Procedure (Scotland) Act is at odds with the Scottish Government's ambition to take all of children's evidence well in advance of trial and the considerable body of European and international human rights instruments concerning child victims and witnesses. While Article 12 of the United Nations Convention on the Rights of the Child (UNCRC) sets out a child's right to be heard in any

judicial and administrative proceedings that affect them, Article 3 states that in all actions concerning children, including courts of law, the best interests of the child shall be a primary consideration.[viii] It is widely accepted, not only nationally, but internationally that children require special protections in their interactions with the justice system to safeguard their best interests. We know that if a child gives evidence in person in court, they are unlikely to give their best evidence and they may suffer further distress and trauma. Since it is not in the best interests of a child to be physically present at court, the court should never consider it appropriate to make an order for them to do so. As is clear from other judicial systems (both adversarial and inquisitorial), pre-recording of evidence makes it possible for a child's voice to be fully heard within judicial proceedings, without the need to be physically present in court.

Scotland's judicial system is however, underpinned by the cultural understanding that justice is achieved by having: "your day in court.' Television court room dramas reinforce the idea that standing up in court and confronting your abuser is the way that justice is done. And despite the introduction and strengthening of special measures in the Scottish courts, it is only a few years ago since Children 1st heard that the Victim Information and Advice Unit (VIA) had advised a young person that they were more likely to get a conviction against the person who had sexually abused them if they stood up in court without special measures. Our cultural notions of justice can result in some child witnesses expressing a strong preference to give evidence within a court-room setting without a fully informed understanding of what this could be like. Children 1st family support workers have seen children and young people who wanted to give evidence in court become increasingly traumatised after encountering judicial processes they don't understand and lines of questioning that are both confusing and combative.

Children and young people need to be fully informed in order to make proper choices about how they wish to give evidence but our justice system also has a duty to protect them from harm. The policy intent to stop children giving evidence in court because it is harmful must be matched by legislative reform to remove the choice for a child to give their evidence in court.

Question 5 - Should the right to choose to give evidence in court be maintained for all witnesses or limited to those above a certain age, eg. children aged 12 or above?

No. As set out in our answer to question 4 above, Children 1st believe the right for children and young people to choose to give evidence in court is at odds with the direction of Scottish Government policy and international human rights instruments, which state that the best interests of the child should be the primary consideration in all actions of courts of law. While the UN Committee on the Rights of the Child (CRC) emphasises that: "age should not be a barrier to the child's right to participate fully in the justice process," they have also commented that in doing so, States "must undertake all necessary measures to ensure that the right to be heard is exercised ensuring full protection of the child." These measures should, be implemented to avoid re-traumatisation, for example avoiding repetition of testimonies and the use of video-taped interviews.[ix]

A child's right to participate fully in the justice process includes not just their right to be heard, but their right to receive clear and comprehensive information about processes, procedures and choices, appropriate to their age and stage. Children 1st regularly hear from children and young people that they do not understand what is happening during their journey through the justice system. This confusion can increase child witnesses' distress and prevent them from being able to give their best evidence. It also makes it harder for a child or young person to make an informed choice about special measures.

Children 1st believe that in line with the UNCRC definition of a child and in recognition of the risks to children of giving evidence in court, the right for all children under the age of 18 to

choose to give evidence in court should be amended. As the Scottish Government develops proposals for legislative change, we would encourage officials to conduct a Childs Rights and Wellbeing Impact Assessment (CRWIA) at an early stage to maximise the benefits of the proposed changes and to identify, avoid or mitigate any negative or unintended consequences.

Question 6 - Should a child accused in a criminal case be able to give pre-recorded evidence in advance of trial?

Yes. Increasing the use of pre-recorded evidence of children within the Scottish justice system is not about tilting the system in favour of child witnesses. Rather it is about ensuring that justice is done well – for every victim, witness and defendant. Children accused of crime are innocent until proven guilty. Accused children have the same rights to be heard and to be protected from harm within the criminal justice system as children who are victims or witnesses. What we know about eliciting consistent, reliable accounts from children's testimony applies equally to children accused of crime as it does to child victims and witnesses.

We also know that accused children are also extremely vulnerable. It is almost 60 years since Scottish law first recognised the principle that: "rarely does a child harm without having been harmed themselves," with the establishment of the Children's Hearings system. More recently the 2013 Edinburgh Study of Youth Transitions and Crime showed that children and young people who became involved in violent offending were also the most vulnerable and victimised. The study found that children and young people involved in violent crime were significantly more likely than their non-violent counterparts to be: victims of crime and adult harassment; engaged in self-harming, feeling suicidal, suffering depression and experiencing a high level of conflict within families or with caregivers.[x] The principles applied to improving the justice system to better protect children from further harm and to enable them to give their best evidence, need to apply to victims, witnesses and defendants alike.

Question 7 - Are there are any differences to be considered between how a child complainer or witness can give pre-recorded evidence and how a child accused can do so?

Children 1st support vulnerable children and families in local communities across Scotland to prevent, protect and support them to recover from trauma. While we support child victims and witnesses for long periods before, during and after their experiences of both criminal and civil justice proceedings, we do not have a particular expertise in supporting children accused of crime. As set out in our answer to question 5 above, conducting a CRWIA at an early stage of the development of these proposals to encourage the pre-recording of children's evidence would help the Scottish Government in its consideration of how best to realise the rights of all children who become involved in the criminal justice system.

Question 8 - Do you consider legislation should provide for the taking of evidence by commissioner before service of the indictment?

As recognised by the *European Barnahus Quality Standards –Guidance for Multidisciplinary and Interagency Response to Child Victims and Witnesses of Violence*: "avoiding undue delay is a fundamental principle of child protection and child-friendly criminal investigations and proceedings. Developmentally children's ability to recall memories varies with both age and their experiences of trauma. When a child's ability to recall their experiences is compounded by long waits within the criminal justice system this can impact their ability to tell their story consistently, affecting the quality of the evidence they give. As the case of MacLennan v HM Advocate showed in 2015 a delay of a year between the Joint Investigative Interview and cross-examination taken on commission meant that the memories of the young

children giving evidence had deteriorated to such an extent that the cross-examination was found to be ineffective and the trial was deemed unfair.[xi] While Children 1st do not have a particular view on the technical aspects of taking evidence by commissioner before or after service of the indictment, we are deeply concerned by the stories we hear from children and young people we support who have had to a wait for up to, or even more than a year from giving an initial investigative interview to hearing that an indictment has been served on the accused. The evaluation of section 28 pilots in England found that while section 28 cases took on average around half the time for cross-examination than other cases, "for witnesses though, the cross-examination still took place months after they had given their evidence in chief and so they did not have the same sense of this process being earlier and witnesses considered their memory recall to be "patchy."[xii] We would encourage the Scottish Government and its criminal justice partners to give in-depth consideration to how best to reduce the length of time between pre-recording of evidence in chief and taking cross-examination by commissioner while continuing to comply with the requirements of a fair trial. As changes are introduced to the current system, it will be important to collect data to monitor times between reporting, JII/initial investigation, indictment, evidence taken by commissioner and trial in order to evaluate whether the aims of reducing waits and avoiding undue delay for child witnesses are being achieved.

Question 9 – What other barriers, if any, may exist in relation to taking evidence by commissioner before service of the indictment? And how these could be addressed?

See Question 8 above.

Question 10 - Do you have any comments on any other changes that may be required to this process to make evidence by a commissioner a more effective and proportionate mechanism for taking evidence in advance of a trial?

Children 1st welcome the new High Court Guideline on Taking Evidence of a Vulnerable Witness by Commissioner (Practice Note Number 1 of 2017), as described by Lady Dorrian QC as a tool for parties to think: "in some depth, in advance, about how best to ensure the process is as appropriate and effective as possible." [xiii] Ensuring that the environment in which the commission is taken is as child-friendly as possible should be a crucial element of the preparation for a commission. Children and young people we speak to about experiences in court, often describe the negative impact that un- child-friendly environments and/or professionals can have on their levels of anxiety and their ability to give their evidence confidently. The need for more careful consideration of the appropriateness of rooms is an issue that has been highlighted in the evaluation of the English section 28 pilots. The European Barnahus Quality Standards for a Multidisciplinary and Interagency Response to Child Victims and Witnesses of Violence have identified a child friendly environment as one of ten best practice standards for realising a child-sensitive and rights based approach to care and justice for children. We would therefore encourage the Scottish Government, Scottish Courts and Tribunal Services and other partners to work together to ensure that any future pilots of a Barnahus type multi-disciplinary service in Scotland include a facility for evidence to be taken by a commissioner.

Question 11 - Do you agree that a grounds rules hearing should be a requirement for all cases where a cross examination of a child witness is to be pre-recorded?

Yes. There is an accumulating body of research that shows that conventional cross-examination misleads and confuses witnesses – particularly children and young people.[xiv] Through Children 1st's participation over the last two years in the European-wide Promise Exchange, to promote child friendly approaches to care and justice, we have learnt much about more child-centred processes in a variety of jurisdictions. One of the things that is particularly striking is that in Iceland and Norway – there is a clear understanding across

professions of what evidence a child can give, based on their cognitive ability. In Children's Houses in both countries charts are up on the wall during forensic interviews to ensure everybody, particularly legal representatives, understand exactly what type of questions a child can or cannot answer at their age and stage. The introduction of ground rules hearings in England, accompanied by specific training for judges and advocates about child development and best practice around handling vulnerable witnesses and defendants appear to be facilitating a shift in culture and practice. The evaluation of the section 28 pilots: "suggests that greater scrutiny of cross-examination questions at ground rules hearings may lead to a more positive experience of cross-examination."[xv]

While Children 1st would welcome the introduction of ground rules hearings in all cases where cross-examination of a child is pre-recorded, as a key step towards shifting broader culture and practice towards vulnerable witnesses, we believe careful consideration needs to be given to whether it would be appropriate to introduce intermediaries alongside ground rules hearings in Scotland given the Scottish Government's long term ambition to take child witnesses out of court. Achieving a child-centred, rights based Scottish justice system requires a transformational change whereby all of the professionals involved have an appropriate understanding about what evidence a child can give, the appropriateness of questions and how to encourage a child to give their best evidence without experiencing further trauma. It also involves reducing the number of professionals the child has contact with. If Scotland is to successfully achieve this ambition, changes to the current system must contribute to this ultimate aim. Children 1st have concerns that the introduction of registered intermediaries within the Scottish system could have the unintended consequence of 'specialising' knowledge and thinking about the needs of child witnesses and introducing yet another professional within the traditional setting of the 'court-room.' Introducing registered intermediaries would require significant resources in order to achieve a tweak to the current system , rather than being a step along the journey to achieving the changes that are ultimately required to enable children to give their best evidence while be protected from further trauma.

Question 12 -Do you have any comments on the proposed timing for the ground rules hearing?

Timing of the ground rules hearing should be based on the principle that it is in the best interests of a child to give their complete testimony as soon as possible. Avoiding undue delay helps ensure children's memories are as fresh as possible, reduces the distress children feel because they are having to wait to give evidence and would allow children to start their journey of recovery more quickly. By doing so it will also improve the quality of the child's evidence, which is in the interest of all parties in the proceedings.

Question 13 - Should the same individual (i.e. Judge/ Sheriff) who will act as the Commissioner also preside at the trial?

Yes. Commissioners have a pivotal role to play in supporting the cultural and practice shifts required to realise a child-sensitive and rights based justice model in Scotland. The English case law which the new High Court of Judiciary Practice Notes on Taking of Evidence of a Vulnerable Witness by Commissioner invites practitioners to consider that trial judges are: "not only entitled, he is duty bound to control the questioning of a witness. *He is not obliged to allow a defence advocate to put their case.* He is entitled to and should set reasonable time limits and to interrupt where he considers questioning is inappropriate." Enabling the same individual who acts as the Commissioner to preside at trial, will enable him or her to give appropriate direction to the jury to help them understand why cross-examination has been pre-recorded. This is particularly important given that there is some evidence from other jurisdictions which also adopt an adversarial approach to justice that video-recorded testimony may impact negatively on jurors' decision-making. [xvi]

The evaluation of section 28 pilots in England found that many judges observed that front-loading the work on section 28 cases had a positive effect on the amount of work required towards the end, particularly at the cross-examination and trial stage.[xvii] Children 1st would therefore anticipate that using the same individual at trial as at Commission could result in more effective elements of overall case management.

Question 14 – Do you consider that the Commissioner should be able to review the arrangements for a vulnerable witness giving evidence?

Yes. Given the extremely low use of evidence taken by Commissioner in Scotland at present, significant investment needs to be made in upskilling Judges and Sheriffs to enable them to make appropriate decisions about where, when and how a Commission should be conducted based on a strong understanding of children's cognitive capacity, child development and trauma. Commissioners should be able to assure themselves and all other parties that the arrangements made will enable a particular child to give their best evidence without further risk of harm.

Question 15 - Should the Commissioner be the ultimate decision maker on which questions are appropriate to be asked during a pre-recorded cross examination?

Yes .In England it has become well-established through case law that, in the words of Peter Rook QC, judges are duty bound, to "adopt an interventionist approach to ensure compliance with clearly defined rules…tailored for that particular vulnerable witness."[xviii] . As in question 14 above Commissioners need to be considerably upskilled to be able to make the final decisions, not just about the questions to be asked at a ground rules hearing but about the broader issues of when, where and how a Commission should be conducted in order to enable a child to give their best evidence without risk of further harm.

Question 16 - Do you have any other comments relevant to this consultation?

As described in several of our answers to this consultation, legislative change that makes it the norm for all child victims, witnesses and defendants to give all of their evidence through pre-recording must be accompanied by considerable upskilling of all those involved in the justice process and the development of more comprehensive trauma support and recovery services for children and families both during and after their journey through the justice system. One young person recently told Children 1st that when she discovered that specific charges against her abuser had been dismissed as a result of a plea bargain, she began to self-harm and have suicidal feelings. While the outcome of that case is not open to change, ongoing support to help that young person make sense of the court's decision and their increased confusion, distress and trauma would have made a considerable difference to her mental health and wellbeing.

Data collection and monitoring will be crucial to evaluating whether Scotland is making the rapid progress that is urgently required to develop a child-centred, rights-based model of justice and support for child victims, witnesses and defendants. The dearth of information to-date about the use of special measures in cases involving children has made it extremely difficult to track progress and must be urgently addressed. Through the European Promise Exchange, a tracking tool has been produced based on ten quality standards that have been developed to help countries achieve a rights-based child sensitive approach to supporting child victims and witnesses of violence. Children 1st would recommend the Scottish Government use these standards as a starting point for developing a framework for measuring progress in Scotland.

[i] http://www.familylawweek.co.uk/site.aspx?i=ed54115
[ii] O'Donnell R, (2017) PROMISE *Compedium of Law and Guidance,* Council of the Baltic States Secretariat and Child Circle.
[iii] CRC/C/GBR/CO/5: Para: 81
[iv] Haldorsson O. L. (2017) *European Barnahus Quality Standards – Guidance for the Multidisciplinary and Interagency Response to Child Victims and Witnesses of Violence,* Council of the Baltic States Secretariat and Child Circle.
[v]Poole, D. A. and Lamb, M. E. (1998) Investigative Interviews of Children: A Guide for Helping Professionals, American Psycological Association.
[vi] Children 1st (2016) What can happen what a child or young person speaks out about abuse available at https://www.children1st.org.uk/blog/delivering-justice-for-children/
[vii] Scottish Government 2017 *Pre-Recording Evidence of Child and Other Vulnerable Witnesses Consultation*
[viii] http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx
[ix] Haldorsson O. L. (2017) p34 *European Barnahus Quality Standards – Guidance for the Multidisciplinary and Interagency Response to Child Victims and Witnesses of Violence,* Council of the Baltic States Secretariat and Child Circle.
[x] http://www.research.ed.ac.uk/portal/files/17725465/Justice_for_young_people_web.pdf
[xi] MacLennan vs HM Advocate [2015] HCJAC 128
[xii] Baverstock J (2016) Process evaluation of pre-recorded cross-examination pilot (Section 28) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/553335/process-evaluation-doc.pdf
[xiii] Speech by Lady Dorrian QC (2017) http://www.scotland-judiciary.org.uk/Upload/Documents/PNNo1of2017speechLJC28March2017.pdf

[xiv] Baverstock J (2016) Process evaluation of pre-recorded cross-examination pilot (Section 28) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/553335/process-evaluation-doc.pdf
[xv]*Ibid.*
[xvi] *Ibid.*
[xvii] *Ibid.*
[xviii] Rook P Advocacy and the Vulnerable https://www.icca.ac.uk/images/download/advocacy-and-the-vulnerable/video-transcripts/01-course-introduced-questioning-the-vulnerable-hhj-peter-rook-qc.pdf