Lawyers and children:

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Lawyers and children: Is there a need for mandatory legal assistance in suspect interviews?

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Abstract
In 2016, Belgium introduced legislation mandating legal assistance for juvenile suspects. However, legal assistance can only serve as an effective procedural safeguard if it is provided appropriately. The current study examined how lawyers in Belgium fulfil this role in practice. Seventeen video-recorded police interviews of juvenile suspects were observed. The juveniles were aged between 12 and 17 years, and were suspected of various less serious, volume crimes. The findings of this study show that the 'law in action' does not always reflect the 'law in the books'. The mere presence of a lawyer is insufficient: it is necessary for them to actively engage. Although police interviewers typically adopt an information-gathering approach, some interviews do require the lawyer's intervention to protect the juvenile's interests. Moreover, lawyers often restrict themselves to 'legal' assistance and offer limited (emotional) support. Because there is no 'appropriate adult' regime in Belgium, lawyers could take up this double role. The information-gathering approach also seems to enhance cooperation between lawyer and interviewer, resulting in a joint search for the truth in which neither adopts an antagonistic role when interviews are conducted properly.

Keywords
Legal assistance, juvenile suspects, police interview

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Introduction

There is widespread consensus that juvenile suspects are more vulnerable than adults simply because of their age, and they are therefore in need of additional protection (Cleary, 2017; Liefaard and van den Brink, 2014). Because of their developing maturity and cognitive and emotional skills, juveniles experience greater difficulty participating in criminal proceedings than adults (see, e.g., King (2006) with respect to juvenile suspects in America and Rap and Zlotnik (2018) in Europe). As found in a multi-country study in Europe, this vulnerability is probably greatest during police interviews where the situation may be unfamiliar and stressful (Panzavolta and de Vocht, 2015). Research from the United States suggests that juvenile suspects may frequently consent to suspect interviews in the absence of important legal safeguards (Cleary, 2014; Haney-Caron et al., 2018) and that even when the ordinary

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safeguards are available, it is doubtful they are used effectively because juveniles do not appreciate their value (Grisso et al., 2003). Accordingly, as concluded in a study from England and Wales, specific procedural safeguards for juveniles are needed because of their additional vulnerabilities (Gooch and Von Berg, 2019). Throughout Europe, implementation of these safeguards should be informed by principles of child-friendly justice and ensure that juveniles' rights are protected through, for example, being age-appropriate and adapted to the cohorts' particular needs and vulnerabilities (Council of Europe, 2010).

One key legal safeguard is the availability of legal assistance before and during the suspect interview. The presence of a lawyer is designed to protect other important rights such as the right to silence, to guard against procedural breaches and to promote equality of arms (Pivaty, 2018). Such provision has been in place in England and Wales since the 1980s (Gudjonsson, 2003). Other European countries, like France, Scotland, the Netherlands and Belgium implemented frameworks for legal assistance following the European Court for Human Rights decision in *Salduz v Turkey* (2010) (Ogorodova and Spronken, 2014). In Belgium, legal assistance for both adult and juvenile suspects was implemented in 2012 through the Salduz Act (*Belgian Law Gazette*, 5 September 2011). For arrested juveniles, a confidential legal consultation pre-interview, and legal assistance during the interview, became mandatory. However, interventions by the lawyer during the interview were, at that time, confined to safeguarding the juvenile suspect's legal rights. This limitation circumscribed the role of the lawyer into one of relative passivity (Minnaert, 2012). Recent Belgian research, forming part of a larger European study, showed that although lawyers in the aftermath of Salduz made efforts to assist their young clients, further improvement was required because lawyers remained mostly passive. Belgian practice was thus found to ineffectively safeguard young suspects (Vanderhallen and van Oosterhout, 2016).

In 2016, with the introduction of the Salduz Bis Act (*Belgian Law Gazette*, 24 November 2016), the scope of the right to legal assistance was (re-)characterised by a wider interpretation that made the role of the lawyer more active. Lawyers can now intervene by asking for clarification or making comments about the investigation or interview (art. 47*bis*, §6 Belgian Code of Criminal Procedure), thereby also strengthening the role of the lawyer beyond protection of legal rights. The right to legal assistance also became mandatory for all juvenile suspects, whether arrested or attending the interview voluntarily by invitation (Maegherman and Vanderhallen, 2018). National guidelines also note that juveniles should preferably be assisted by a specially trained juvenile lawyer (*Belgian Law Gazette*, 9 January 2019).

Such a framework of mandatory legal assistance is supported by various research. For example, research in North America showed that juveniles waive their rights to silence and to a lawyer more than adults, typically 90% of the time or more (Feld, 2013b; Grisso and Pomicter, 1977; Viljoen et al., 2005). Redlich et al. (2004) found that no juvenile in their sample was assisted by a lawyer during the suspect interview. A more recent study in England and Wales similarly found a low uptake of legal assistance by young suspects (Bevan, 2020).

However, the mere existence of a legal framework for mandatory and active legal assistance is insufficient; lawyers must actually assume this role in the interview room. If lawyers are simply present but not taking necessary action to protect the juvenile, it could diminish the effectiveness of this right as a safeguard. It is therefore important to examine whether and how lawyers in Belgium assumed their more active role following introduction of the Salduz Bis Act. This holds the potential to shed light on whether the mandatory and active nature of the lawyers' legally defined role in Belgium actually serves the underlying pursuits of the right to legal assistance for juveniles in practice and may inform effective implementation.

Although Belgium is just one jurisdiction with a unique framework, any insight could guide whether and how other jurisdictions (including more adversarial ones) might implement mandatory legal assistance, bearing in mind relevant differences such as the presence or absence of an appropriate adult (AA) regime.

Thus, this research aimed to: (a) explore how mandatory legal assistance is provided in volume crime cases in the aftermath of the Salduz Bis Act; and (b) examine whether, in practice, mandatory legal assistance serves as a procedural safeguard in volume crime cases, given the interpretation of the juvenile lawyer's role in Belgium as being more active.

Juveniles suspects: What renders them vulnerable?

Vulnerability in the context of police interviews is often determined with reference to the classification of risk factors for false confessions (Mergaerts et al., 2017). Research from the United States shows that there is a greater likelihood of false confessions with juveniles (Cleary, 2017; Feld, 2013a; Gross et al., 2005; Haney-Caron et al., 2018; Kassin, 2017; Kassin et al., 2010; Meissner et al., 2009; Owen-Kostelnik et al., 2006; Redlich and Goodman, 2003; Redlich et al., 2004). In a recent survey of scientific experts in the United States, 94% agreed that youth is a sufficiently reliable risk factor for false confessions on which expert testimony could be based. These experts on the psychology of confessions strongly agreed that the risk of undue

influence by police is higher among adolescents (Kassin et al., 2018). Other than the innocence of the suspect (Kassin, 2005; Kassin et al., 2010), two main categories of risk factors have been distinguished: personal factors and situational factors (Kassin and Gudjonsson, 2004).

Personal factors

A number of personal factors have been found to increase the vulnerability of juvenile suspects. Juveniles are more prone to compliance and suggestibility than adults (Gudjonsson, 2003; Kassin, 2017; Kassin et al., 2010) and are more limited in their understanding of their rights and criminal procedure more generally (Heilbrun et al., 2016; Kassin and Gudjonsson, 2004; Rogers et al., 2016; Scott and Grisso, 1997). Even when juveniles do understand their rights and the importance thereof, they experience difficulties appreciating the complex dynamics of an interview and are not able to correctly reason through the implications of some of the statements made (Scott and Grisso, 1997). Further, they tend to focus more on short-term gains instead of long-term consequences (Kassin, 2017; Kassin et al., 2010). Accordingly, by virtue of their developmental immaturity, juveniles experience different and additional limitations in the process of decision-making in this context (Cauffman and Steinberg, 2000; Feld, 2013a).

Situational factors

Personal factors are compounded by situational factors including the setting and process of the interview (Horselenberg et al., 2006; Meissner et al., 2009). A recent study in the United States confirms that the risk of false confessions results from an interaction of personal characteristics and interviewer techniques rather than developmental immaturity alone (Haney-Caron et al., 2018).

Situational factors refer to, among other things, the notification of rights by the police, their interview method and accompanying techniques (Kassin and Gudjonnson, 2004; Meissner et al., 2015). Previous research has shown that, despite the best endeavours of some police, there is room for improvement when it comes to notifying juveniles of their rights. Vanderhallen and van Oosterhout (2016) in the Netherlands and Kemp and Hodgson (2016) in England and Wales found that, although police informed juvenile suspects about their rights on multiple occasions, the process of checking their understanding was often lacking or insufficient because some police simply asked juveniles whether they understood. With respect to interview method and techniques, the main concern relates to the fact that more coercive and deceptive techniques have been found to make suspects more prone to false confessions (Gudjonsson, 2018; Kassin and Gudjonsson, 2004; Woody and Forrest, 2020). The accusatorial style is confrontational and adopts a 'guilt presumptive' approach characterised by techniques such as minimisation and repetitive and leading questions that manipulate and apply pressure to a suspect by design with the focus being the procurement of a confession (Meissner et al., 2014; Miller et al., 2018). It predominates in North America and is typified by the Reid technique (Cleary and Warner, 2016; Malloy et al., 2014; Miller et al., 2018). By contrast, an information-gathering style, such as the prototypical PEACE method developed in England and Wales (Miller et al., 2018), places theoretical primacy on obtaining information and the pursuit of truth, and encourages rapport-building, open mindedness, a positive attitude and open questions (Bull, 2013; Bull and Rachlew, 2019; Cleary and Warner, 2016; Meissner et al., 2014). Information-gathering styles have also been adopted at the policy level in Australia, New Zealand and elsewhere in Europe and have been associated with gathering more valid and reliable information (Bull, 2019; Meissner et al., 2014, 2015).

Both interview models were developed for adult suspects. Problematically, police do not appear to differentiate their approach when interviewing juveniles. A study by Gooch and Von Berg (2019) found that no police force in England had child-specific policies for suspect interviews. According to findings from self-report studies (Cleary and Warner, 2016; Redlich et al., 2004, Repucci et al., 2010), which are confirmed in observational studies (Feld, 2013b), some police in the United States use coercive and accusatorial techniques such as repetitive questions and minimisation comparable with when interviewing adult suspects. These results were replicated in a Belgian study which identified the use of similar techniques for adult and juvenile interviews (Vanderhallen and van Oosterhout, 2016).

The absence of an appropriately modified approach to juvenile suspects is in sharp contrast to the attention paid to juvenile victims and witnesses (Gooch and Von Berg, 2019). In various countries such as England and Wales[1], Canada[2], the United States[3], the Netherlands[4] and Belgium[5], dedicated interview models are developed for interviewing juvenile victims and witnesses of a crime to obtain accurate statements, whereas no (evidence-based) model exists for juvenile suspects (Panzavolta et al., 2016).

In Belgium, this leaves police officers to choose between an interview model for adult suspects and one for juvenile victims and witnesses. This has resulted in an interview practice characterised by diversity, on the one hand, and common pitfalls such as suggestive questioning, use of difficult language and persuasion, on the other hand (Vanderhallen and van Oosterhout, 2016).

Need for protection: Mandatory legal assistance as an important procedural safeguard

As with the absence of age-appropriate interview models for juvenile suspects, the attention paid to their legal rights in police interviews within Europe falls far short of that paid to juvenile witnesses and victims (Panzavolta et al., 2016). This is also the case in the United States, where research focuses primarily on examining and designing safeguards to protect juvenile witnesses or victims (Owen-Kostelnik et al., 2006; Redlich et al., 2004).

In this regard, the mandatory legal assistance regime for juveniles in Belgium might be considered meaningful progress. However, the extent to which it effectively increases the juveniles' protection in police interviewing depends on how the legal assistance is implemented in practice. Moreover, any added value should be interpreted in light of other protective measures in place for juvenile suspects and regulations on police interviewing in general. This enables a more contextualised understanding of the strengths and limitations of a mandatory scheme through which to inform the generalisability of findings across jurisdictions.

It is generally accepted that legal assistance extends beyond the protection of legal rights and includes the provision of advice (Gooch and Von Berg, 2019; Quinn and Jackson, 2007). However, limitations of the lawyer's role in supporting juvenile suspects at the police station have been documented. For example, Kemp and Hodgson (2016) observed that juveniles in England and Wales were misinformed or misunderstood about the cost or importance of legal advice, leading to a waiver of this right. Dehaghani and Newman (2019) also note that lawyers often experience funding and capacity issues, and other procedural limitations, that restrain the provision of a comprehensive service and circumscribe their ability to support the juvenile interpersonally. Factors such as these might lead to legal advice to be a less effective protective mechanism in practice.

Accordingly, to provide additional safeguards for juvenile suspects, many jurisdictions have implemented an AA regime[6]. Common purposes of the AA are to protect vulnerable suspects at the police station by assisting with comprehension and communication, safeguarding rights, and ensuring the interview is conducted properly and fairly (Panzavolta et al., 2016; Pierpoint, 2008; Quinn and Jackson, 2007). In some accusatorial jurisdictions such as in the United States, where equality of arms is key, appropriate adults are given important additional protective functions such as their mandatory presence during waiver of Miranda rights (Marcus, 2017; Oberlander and Goldstein, 2001).

Yet the role of the AA is often questioned; how appropriate actually is the AA (Pearse and Gudjonsson, 1996; Pierpont, 2011, Quinn and Jackson, 2007)? Research in England and Wales shows that efficacy in practice can be reduced because the scope of the role is sometimes unclear and subject to interpretation, and often AAs are relatively non-interventional (Dehaghani and Newman, 2019, Gooch and Von Berg, 2019; Pierpoint, 2006). AAs in England and Wales may inappropriately assist or hinder police, become too combative, and otherwise undermine the legal strategy because they were unaware of it or did not properly understand (Pierpoint, 2011). Efficacy can vary considerably depending on whether the AA is independent and professionally trained in the criminal justice process and/or matters impacting vulnerability of juveniles (Gooch and Von Berg, 2019; Pierpoint, 2011). According to research conducted in England and Wales, the United States and Northern Ireland, parents and family members may be less appropriate because they, for example: assume disciplinary roles in the presence of the police and pressure the juvenile to cooperate (Dehaghani and Newman, 2019; Oberlander and Goldstein, 2001; Quinn and Jackson, 2007); take an antagonistic approach towards the police (Pierpoint, 2000; Quinn and Jackson, 2007); or are predominantly passive (Medford et al., 2003; Quinn and Jackson, 2007). Quinn and Jackson's (2007) study in Northern Ireland revealed some evidence for the effectiveness of social workers, who better understood their role and were able to take a more active stance.

By contrast, and perhaps counterintuitively, lawyers are specifically prohibited from fulfilling the role of AA in England and Wales (Dehaghani and Newman, 2019; UK Home Office, 2018) although this is not the case in Belgium, where no AA regime exists. Dehaghani and Newman (2019) suggest that, particularly in the context of an adversarial legal system, lawyers may not be appropriate to assume this role because, as opposed to the neutrality required of AAs, lawyers are expected to advocate strongly for the suspect. The current study explored how lawyers in Belgium, a more inquisitorial jurisdiction where mandatory legal assistance is in place for juvenile suspects but no AA regime exists, take up this dual role in practice and whether it serves as an effective procedural safeguard.

Method

Before legal assistance became mandatory for all juvenile suspects and the lawyer's role became more active, research found deficiencies with the provision of legal assistance to juveniles in Belgium (Claeys, 2017; Vanderhallen et al., 2016). The present study builds on earlier research by Vanderhallen et al. (2016) conducted as part of a broader European project. Specifically, how legal assistance is provided when a lawyer is present during every juvenile suspect interview and theoretically has an active role was explored through an observational study of

videotaped interviews and analysis of the written police record. As volume crimes are, by their very nature, those in which lawyers most often provide legal assistance, analysing these cases provides useful insight. It is also possible that, in these more mundane or 'run of the mill' types of cases, lawyers consider their role less important. This may have the effect of rendering the aim of mandatory legal assistance ineffective.

Ethical approval

Because juveniles can be considered a vulnerable population in research as well, additional protections may be necessary to minimise risks (Wolbransky et al., 2013). Accordingly, four protective measures were taken to safeguard the juveniles involved.

First, if not critical to the research questions, researchers may choose to limit the collection of sensitive information (e.g. criminal history, substance use history, mental health information). Therefore, only age, crime type and arrest status were coded in the observation scheme. Furthermore, serious crimes and sex offences were specifically excluded from the sample due to the particular sensitivities around information contained in these files. Second, permission from the Crown Prosecutor to conduct the research was obtained through the police commissioner of the police district where the observation took place. Third, the researcher involved in accessing confidential information signed a nondisclosure agreement with the police station and conducted the research within the framework of a Master's level internship. Furthermore, all videotapes and written records were observed and analysed at the police station as a precaution to guarantee nondisclosure. Only anonymised data were stored in encrypted files on a secured laptop.

All police officers whose interviews were selected gave their informed consent. Of the lawyers involved, only one did not provide consent and one could not be reached; corresponding interviews for these lawyers were excluded from the sample. No informed consent from the juveniles was requested because doing so could have been harmful and therefore run counter to the overarching aim of informed consent to protect their rights and welfare as human research subjects. In such sensitive cases, risks versus benefits should be balanced and the need for informed consent can be waived if the research involves no more than a minimal risk to the subjects (Nijhawan et al., 2013; Wolbransky et al., 2013). In this study, waiver of the requirement of informed consent would not adversely affect the rights and welfare of the juveniles. Given the unobtrusive data collection method, there was no direct contact with the juveniles. For these reasons, it was considered more harmful to the juveniles to obtain informed consent than not.

Materials

Videos and written records were coded by means of an observation scheme yielding quantitative data, supplemented with qualitative data including examples, quotes and other relevant information like observed dynamics. With regard to the latter, observations about the relationship between lawyer and juvenile were recorded.

The observation scheme was based on that used in the study of Vanderhallen et al. (2016) and modified where necessary to account for the changes in legislation and the focus on the lawyer's role. The scheme originated from a combined top-down (legal framework-driven) and bottom-up (practice-driven) approach: both the application of relevant legal provisions and actual practices in the interview room were captured (Vanderhallen and Hodgson, 2016).

The adjusted observation scheme consisted of two parts. The first part documented general information, which could be derived from the written record, and background characteristics of the three parties involved (juvenile, lawyer and interviewer), type of offence and duration of the interview. The second part related to information about the course of the interview itself such as interview setting, interview style, lawyer interventions and juvenile suspect behaviour. A coding manual, also based on that used by Vanderhallen et al. (2016), was used to minimise subjectivity and ensure consistency of coding across interviews. For each variable coded, the coding manual provided an explanation and/or criteria to indicate whether a given behaviour was clearly or implicitly present or absent. For example, an information-gathering interview style was, according to the coding manual, present when interviewers acted neutrally, asked open questions, were friendly and gave time to think about answers. If this occurred throughout (almost) the whole interview, the interview style was coded as 'mostly information-gathering', whereas present but non-systematic usage in more than half of the interview was coded as 'rather information-gathering'. Interventions by lawyers were first counted then each intervention was categorised as directed towards police or the juvenile. Subsequently, the intervention was coded with an intervention type and for each type observed, one or more examples were recorded. For example, interventions directed towards the police could be coded into four intervention types: (a) comment about behaviour, (b) providing additional information, (c) comment on written record and (d) asking for an additional consultation. If the intervention could not be assigned to an intervention type, that intervention was coded as 'other' and recorded in the observation scheme.

All interviews were coded by one researcher. This presents some limitations to the reliability of the data, especially given the inherent subjectivity associated with some of the variables (e.g. those relating to the characterisation

Table 1. Sample characteristics.

Ref	Sex	Age	Crime type	Nationality	Arrested	Interview duration (hours)
1	F	15	Assault and battery	Belgian	No	01:03
2	M	12	Assault and battery and discrimination on the basis of sexual orientation	Belgian	Yes	00:28
3	M	14	Illegal carrying of a weapon	Polish	No	00:33
4	M	13	Threats and distributing nude pictures of a minor	Belgian	No	00:27
5	M	17	Assault and battery	Turkish	No	00:29
6	M	16	Drugs	Belgian	No	00:28
7	M	17	Breach of trust	Belgian	No	00:35
8	F	13	Hacking	Belgian	No	00:58
9	M	16	Threats	Belgian	No	00:35
10	M	13	Threats and distributing nude pictures of a minor	Belgian	No	00:35
11	M	17	Assault and battery	Belgian	No	00:41
12	M	16	Drugs	Belgian	No	00:38
13	M	16	Assault and battery	Belgian	No	00:23
14	M	16	Assault and battery	Belgian	No	00:51
15	M	17	Criminal damages	Belgian	No	00:33
16	M	15	Assault and battery	Afghan	No	00:43
17	M	16	Criminal damages	Belgian	No	00:44

of behaviour observed). The impact of this was limited where possible through: detailed guidance in the coding manual adapted from the previous research by Vanderhallen et al. (2016); and initial training, input to resolve uncertainty where it arose, and periodic reliability checks of completed observation schemes undertaken by a researcher involved in the previous research, albeit that inter-rater reliability was not measured.

Interview sample

Because audio-visual recording is not common practice in Belgium, interviews with juvenile suspects were selected from one of, if not the only, Belgian police district where suspect interviews have been systematically audio-visually recorded since implementation of the Salduz Act in 2012. After the Salduz Bis Act, the systematic recording practice was abandoned because of the limited capacity to store the recordings. However, following a recommendation of the Prosecutor General to record when feasible and appropriate, the practice of recording was maintained in certain cases because, for example, of the vulnerability of the suspect or the seriousness of the crime.

The observation sample comprised interviews with juveniles from a specific criminal investigation unit for volume crimes. In total 22 interviews were recorded between January and June 2019. The sample included the first 20 interviews recorded in that period. Three interviews were subsequently excluded after informed consent was not obtained from the lawyers involved in these interviews.

An overview of the sample is provided in Table 1.

The juvenile suspects were mostly male ($n = 15$, 88.2%) aged 12–17 years ($M = 15.2$, SD = 1.6). All but three were Belgian and all were proficient in Dutch. A variety of volume crime types were included. The nature of the alleged offences being less serious and less complex, volume crimes meant only one juvenile suspect was under arrest at the time of the interview and interviews were comparatively short, with the duration varying between 23 and 63 minutes ($M = 37.9$, SD = 11.1).

Interviews were conducted by four police officers, with one officer conducting 13 of the interviews. This police officer interviews juvenile suspects on a regular basis as he is the 'school officer' of the region and is responsible for interviewing suspects not under the supervision of the juvenile court. Two of the other police officers undertook specialised training for interviewing children as witnesses[7]. Legal assistance was provided by 10 lawyers, of whom most ($n = 8$, 47.1%) trained to become a juvenile lawyer. At least two lawyers undertook training implemented by the Flemish Bar Association in 2018 which was developed and tested as part of an EU funded project titled 'SUPRALAT' (Pivaty et al., 2019). The training comprised seven theoretical modules delivered through e-learning, a two-day in-person practical skills training session focusing on how to conduct the confidential consultation and advise clients during the police interview, and a follow-up session (Mols, 2017).

Given the non-systematic manner of audio-visual recording, the sample size was small and some interviewers may have been more inclined to record their interviews, which might reflect a bias in the sample[8]. The small number of police officers involved suggests that variation in

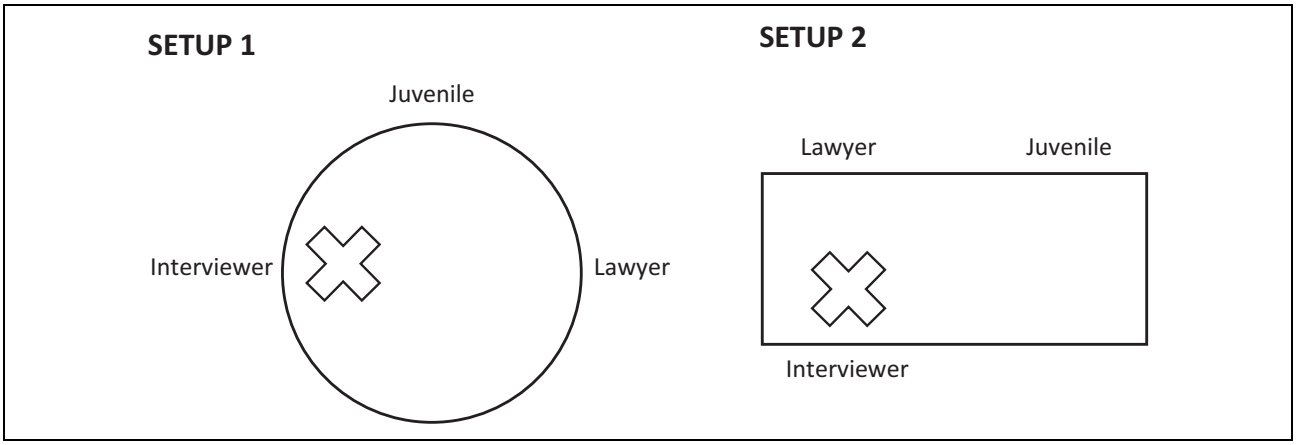

Figure 1. Set-up of the interview room.

interview styles might be smaller in the sample than the population. Nevertheless, the data can still provide useful information about what actually happens during the interview of a juvenile suspect for three reasons. First, the study has an explorative nature and builds on an earlier study conducted in a period when interviews were still systematically recorded. Second, the main goal of the study was to explore the lawyer's fulfilment of mandatory legal assistance in volume crimes. Finally, the research was partly qualitative in nature to complement quantitative findings and provide insights that could lead to future recommendations.

Results

Confidential consultation

For 12 of the 17 suspect interviews, the written record contained information about the duration of the confidential consultation prior to the interview[9]. Consultations took between 1 and 20 minutes ($M = 8.4$, SD $= 5.9$).

Interview setting

All interviews took place in the daytime, starting between 9:06 a.m. and 5:07 p.m. Interviews were conducted in a neutral room, with white walls and no decoration, good lighting but no windows. As depicted in Figure 1, the physical layout of the interviews differed.

In the first set-up there was a round table in the middle of the interview room with the interviewer sitting next to/opposite the juvenile, whereas in the second set-up traditional square tables were present with the police officer sitting in front of the juvenile. In both set-ups, the lawyer was positioned next to the juvenile. In the first set-up, the interviewer used a laptop, whereas in the second set-up a desktop computer was installed, which was quite high.

Even though the interviews were all rather short, quite some time was spent on typing out the answers of the juvenile suspects contemporaneously. This meant that when juveniles gave an extensive answer, the police were confronted with difficulty documenting the whole answer, leading the police to slow them down or even stop them, which hampered a fluid conversation. In the only case in which the police let the juvenile finish the answer, the interview took more time. As an additional side-effect, typing during the interview also impeded eye contact between police and juvenile.

Suspect strategy and outcome of the interview

In six interviews, the juvenile suspect invoked the right to silence but only in response to certain questions, for example when police asked the juvenile to name an accomplice. Most juvenile suspects partially or fully confessed to the crime.

Information on rights and charge

At the start of the interview, Belgian police are expected to inform the juvenile suspects about their rights. As shown in Table 2, this occurred rarely. No police officer explicitly mentioned that the juvenile was being interviewed as a suspect, potentially because this information was already given, either at arrest or in the invitation to voluntarily attend an interview which was sent to juvenile suspects who were not under arrest ('the invitation') .

Table 2 shows that all of the rights that, according to art. 47*bis* of the Belgian Code of Criminal Procedure, should be provided to the juvenile suspect at the beginning of the interview, were barely provided. In the rare case the information was (partly) provided, this was given in the police officer's own words.

Table 2. Notification of rights.

Information on rights	Yes	No
Right to legal assistance	2	15
Right to silence	2	15
Right not to incriminate yourself	1	16
Statement can be used as evidence	–	17
You can ask to record literally	1	16
You can ask for investigative acts	1	16
You can add/use documents	–	17

Remarkably, in one of the interviews, the lawyer interrupted the police when explaining the right to silence any further:

Police: So you know, if I'm asking you difficult questions, you can remain silent, that is a right.
Lawyer: I've already explained to him his rights.

In a further 5 of the 16 interviews by invitation, the police referred at the start of the interview to the rights outlined in the invitation but did not restate these rights. In two of these interviews, the police officer merely mentioned that the suspect's rights were stated in the invitation. In three interviews, the police officer subsequently asked whether the juveniles had understood their rights. In response, all three juveniles indicated they understood their rights by nodding their heads or stating 'Yes, I did'. The juveniles never asked for clarifications of their rights.

In addition to the notification of their rights, juveniles were informed of the charge for the first time at arrest or in the invitation. In most cases ($n = 11$, 64.7%), the police repeated the charge with reference to a time and/or place at the start of the interview. In six interviews this was supplemented by the 'notification of facts'[10] and, in two cases, with both the notification of facts and the identity of the victim. In two interviews, only the notification of facts and the victim were mentioned, and in one interview the juvenile suspect was only informed about the facts, without reference to a time and/or place. In the majority of these cases, the notification of facts was formulated as a question, serving as an invitation for free recall: 'What can you tell me about what happened at *location* on *date*?'.

Interview style and lawyers' interventions

Most interviewers adopted an information-gathering style to a greater ($n = 14$, 82.4.0%) or lesser ($n = 2$, 11.8%) extent. In only one interview was the style predominantly accusatorial. This was also the only interview of an arrested suspect and the sole interview conducted by two police officers.

Some police officers maintained a rather pragmatic approach in which little effort was put into building rapport with the juvenile ($n = 3$, 17.6%). Additionally, although their style could be considered more aligned with information gathering, subtle forms of pressure were observed in multiple interviews. For example, one interviewer appeared open and empathetic towards the juvenile but stimulated the juvenile to cooperate by emphasising the importance of telling the truth:

> Yeah, everyone tells his side of the story. And then, it is up to us to put all the pieces together. And if people lie, this gets even more complicated. (...) Of course, it's easier when everyone tells the correct version of the story, but that's not within my powers.

Or by using (subtle) suggestion: 'And then, you took two flowerpots. Smashed them?'

Furthermore, some police officers used an educational approach, convincing juveniles that they had to change their behaviour: 'I think that you'll have to start thinking carefully. You're only 12 years old, and you were suspended from 2 schools already'.

With regard to the sometimes-challenging background of the juveniles, such as being institutionalised or seeking asylum, police responded in an empathic manner and demonstrated understanding towards the juvenile.

When examining the interventions of the lawyers, it was observed that in a minority of interviews lawyers did not intervene at all ($n = 3$, 17.6%). During eight interviews, the lawyer intervened one or two times, during three interviews three to five times, and in another three the lawyer intervened more than five times. Figure 2 categorises the interventions made by lawyers.

Figure 2 first distinguishes unnecessary from necessary legal interventions. A legal intervention is any attempt to further the specified goals of legal assistance: (a) to supervise the right not to incriminate oneself and to ensure the suspect's freedom to answer questions, give a statement or remain silent is respected; (b) to supervise how the suspect is treated and make sure they are not subject to undue oppression; and (c) to supervise the notification of rights and adherence to procedural rules during the interview. A legal intervention was considered necessary when the juvenile encountered problems in one of these respects. However, a legal intervention is not always needed. In such cases, when the lawyer did intervene this: (a) did not hamper the interview; or (b) contributed to a collaboration between lawyer and police. When police conducted an interview that was for the most part in line with best practice as understood within the framework of an information-gathering style ('a proper interview'), the coder observed behaviour by the lawyer consistent with lowered

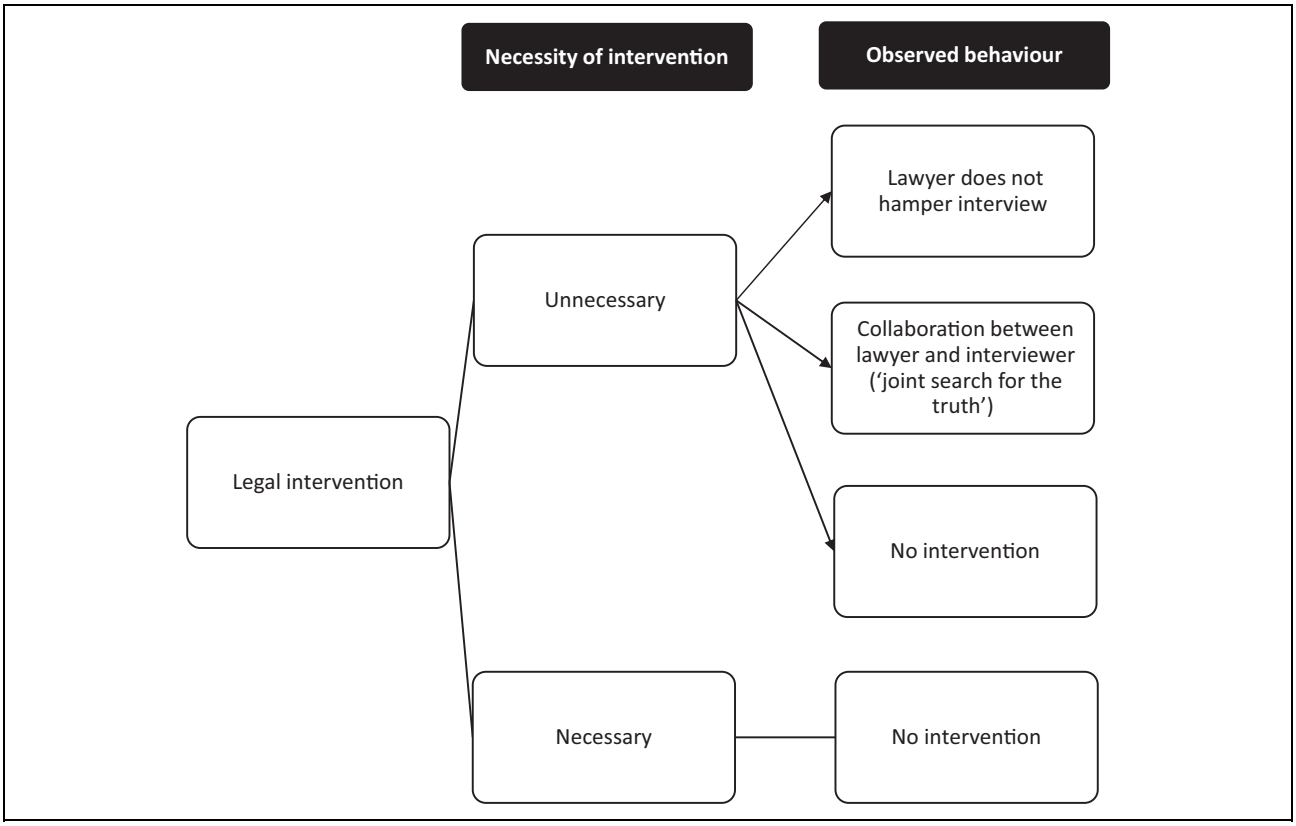

Figure 2. Lawyer interventions.

concentration (e.g. looking at phones, around the room or their fingernails). This in turn may have caused the failure to intervene when needed.

Figure 2 shows that when legal interventions were necessary lawyers did not actually intervene. This was most apparent for the notification of rights; lawyers did not intervene when the information on rights was incomplete or not given at all. In addition, on no occasion did a lawyer challenge police behaviour or ask them to rephrase a question even though in one interview police acted in an accusatory or coercive manner. At one point in the more accusatorial interview, where the juvenile was arrested, interviewer 2 was leaning over the juvenile suspect when confronting him:

Interviewer 1 *raises voice*:	So, you just threw him on the floor? The other people had to pull you off of him! And next, you start to provoke him again! That is not okay.
Interviewer 2 *raises voice*:	You wanted to be a tough guy? Show them what you got?

In general, lawyers adopted a more passive approach. When an intervention was not necessary for legal reasons, or otherwise to serve a strategic purpose such as where the juvenile was providing too much information against pre-interview advice, lawyers did not intervene. As a consequence, unnecessary impediment of the interview process did not occur.

Facilitative interventions were also observed. In five interviews, lawyers actually made a comment to the police through which they provided information on the case. These interventions were along the lines of: 'I have a hunch that [X] likewise said that [Y] was the one who punched the victim, instead of my client. I suppose there are plenty of witnesses'.

In two interviews the lawyer provided additional information to the police ostensibly to introduce elements of which the lawyer was aware –because the juvenile suspect told him earlier– but the juvenile had not mentioned during the interview despite being in the juvenile's favour:

Lawyer (to the juvenile):	You told me something earlier . . . (to the police) It might be mitigating circumstances.
Juvenile:	Ooh right . . . some days ago, he (the victim) tried to provoke some of my friends as well.

In five interviews, the lawyer asked the police for clarification. This was mostly done to obtain a clearer picture

of the information that the police had at their disposal: 'Can we see the invoice of the phone? Or can you tell me whether it is the invoice of a new phone?'

Lawyers made a comment to the police about the written record in two interviews. One comment concerned a correction of what was said by the juvenile and was in his favour but was not included in the written record.

Interventions towards the juvenile were in line with those directed towards the police in facilitating communication. During no interview did the lawyer advise the juvenile suspect to remain silent. On the contrary, in the three interviews in which the lawyer advised the juvenile, the advice was always related to what the juvenile should say to the police: 'You said that you didn't log in, so you can just state "what you're telling me is not correct"'.

In seven interviews, the lawyer explained the procedure or used other wording so the juvenile could understand what the police were talking about: 'The officer refers to what I've explained to you earlier. This is the basis of the investigation, and next, the prosecutor will decide what is going to happen'.

Other lawyer interventions, which occurred in ten interviews, were related to additional questions asked to the juvenile to clarify what happened. For example: 'What do you mean, is it some sort of festival, or a block party, or . . . ?'.

In three interviews, an additional confidential consultation took place which invariably led to a change in the juvenile's behaviour. For example, a juvenile initially stated that the windows of a bus he was on broke suddenly without his involvement, although some witnesses had inculpated him. After the confidential consultation, the juvenile suspect admitted causing the windows to break. On these occasions the confidential consultation enhanced the information-gathering process.

Overall, when the interview was performed in a correct manner, the concentration of lawyers often appeared low because they used their phone, studied their nails, etc. In 6 of 17 interviews, the lawyer used a mobile regularly.

The relationship between lawyers and juveniles/police

In most interviews, there was a working relationship between the lawyer and the juvenile ($n = 14$, 82.4%). In three interviews this relationship appeared poor or even non-existent.

Regarding the relationship between lawyers and police, the police notably responded obligingly when lawyers asked for clarification or to add something to the written record.

Discussion

Duration of consultations and interviews

Results of the current study support earlier findings on short confidential consultations prior to the juvenile suspect interview. Insofar as duration was known from the written record, consultations were well within the legally provided 30 minutes, the longest taking 20 minutes. This practice is at odds with earlier research from England and Wales in which lawyers noted that 30 minutes is insufficient to discuss all relevant issues (Hodgson, 2015) and that consultations are believed to take longer with juveniles than with adults (Kemp and Hodgson, 2016). A contradiction between actual duration of consultations and Belgian lawyers' view of the length of time required was found by Vanderhallen and van Oosterhout (2016) where lawyers stated 30 minutes was too short notwithstanding consultations were found to last on average 16.7 minutes. This is almost double the 8.4-minute average in the current study which might partly be explained by the less complicated nature of the crimes. Because only volume crimes were included, advice on strategy might have been less challenging and time-consuming. To clarify this, further research on what happens during the confidential consultation is needed[11].

Likewise, the duration of the interview itself was rather short, supporting the notion that less complex cases (i.e. volume crime) require less time. With an average duration of 37.9 minutes, interviews were somewhat shorter compared to the average duration of 44.4 minutes in the prior Belgian study (Vanderhallen and van Oosterhout, 2016) which might again be explained by the incorporation of more serious crimes in that earlier study. Additionally, the predominantly cooperative behaviour of the juveniles may have contributed to the short duration.

Short interviews can be beneficial because suspects in the United States have been found sometimes to confess falsely to escape the stress of the situation caused by, among other things, the length of the interviews (Garrett, 2010; Malloy et al., 2014). Moreover, American juvenile suspects have demonstrated the tendency to consider short-term perspectives only (Kassin, 2017; Kassin et al., 2010) and in four European jurisdictions this was particularly observed to be the case for minor crimes (Blackstock et al., 2014). In this light, the short duration of interviews in this study can be considered protective against false confessions and aligned with the recommendation of Malloy et al. (2014) to avoid lengthy interviews with juveniles.

Notification of rights for juvenile suspects

In line with concepts of child-friendly justice, recommendations have been made to provide juveniles information about their legal rights in a way that is tailored to their specific needs so as to facilitate comprehension (Goldson and Munice, 2012; Gooch and Von Berg, 2019). The notification of rights at the beginning of interviews in this study was observed to be far from adequate for an adult let alone

appropriately adapted for juveniles. One reason for this might be the presence of a lawyer, on whom police rely when it comes to the notification of rights, as previously reported by police in Belgium (Vanderhallen and van Oosterhout, 2016). Claeys (2017) also found that police officers in Belgium consider the notification of rights a mere procedural formality and are not concerned with whether the juvenile understands. This finding of Claeys (2017) was contradicted by the study of Vanderhallen and van Oosterhout (2016) in which police provided the rights on multiple occasions and asked whether juvenile suspects understood. However, a mere affirmation of understanding, a nod in agreement, or a lack of questions about the rights, may not reflect true understanding. Rather, it could, for example, result from compliance with the interviewer (Feld, 2013b; Sim and Lamb, 2018; Vanderhallen and van Oosterhout, 2016) or from an overestimation of comprehension (Fenner et al., 2002). It is preferable to ask the juvenile to explain the rights in their own words (Feld, 2013b). These findings are especially problematic because lawyers did not intervene when not all rights were given and explained. Combined with the short duration of the confidential consultations prior to the police interview, one might question whether the presence of the lawyer served the facilitative purpose of ensuring juveniles effectively received and understood their rights. Although less effort from both police and lawyers regarding the notification and comprehension of rights might be explained by the lower seriousness of the crime, there is clear need for improvement because an incomplete comprehension of rights renders the safeguards less effective or even ineffective.

Challenges to the overall information gathering interview style

In line with previous research on juvenile suspect interviews in Belgium (Vanderhallen and van Oosterhout, 2016), most police officers conducted interviews that were broadly consistent with an information-gathering style. Although there are some limitations with respect to the coding of this relatively subjective variable by a single coder, this finding is supported by Claeys' (2017) previous Belgian research in which police were observed to engage in a less distinct accusatorial interview style in juvenile suspect interviews where a lawyer is present. Thus, the presence of a lawyer might have shifted the interview more towards an information-gathering style. Moreover, because all the interviews were about minor, volume crimes, there might have been less pressure on the police officer to solve the case and consequently less need to resort to more accusatorial questioning.

However, although an information-gathering style was generally observed, the findings of the present study are also consistent with previous research demonstrating that police encounter difficulties maintaining this approach for the duration of interviews with juveniles (Vanderhallen and van Oosterhout, 2016). Even though pressure was not overt, more subtle pressure was sometimes present in multiple interviews. Problematically, this did not prompt lawyers to intervene.

Although an information-gathering interview style is considered a rapport-based approach (Areh et al., 2016; Bull and Baker-Eck, 2020; Hartwig, 2005; Holmberg and Madsen, 2014; Gabbert et al., 2020), not all police officers invested in building or maintaining rapport. This result confirms previous Belgian findings that attempts to build rapport with juvenile suspects do not automatically flow from adopting an information-gathering style (Vanderhallen and van Oosterhout, 2016). This observation is, however, not particular to juveniles. Research from England and Wales has shown that there is also room for improvement when developing rapport with adults (Clarke and Milne, 2001) and that opportunities to initially build rapport are missed and sometimes not maintained even if initially developed (Walsh and Bull, 2012).

Legal assistance remains passive but . . .

Consistent with previous research in Belgium, lawyers remained in general rather passive, notwithstanding the legal (re-)interpretation of their role as active (Claeys, 2017; Vanderhallen and van Oosterhout, 2016). This is perhaps not surprising given the predominantly information-gathering style, which made the need for interventions less compelling. In some interviews legal assistance even resulted in a 'joint search for the truth' arising from interventions by the lawyer towards both police and juvenile to clarify what happened. In these cases, the lawyer facilitated communication between police and juvenile by addressing one of them through comments, information and questions. These interventions were beneficial to both police and juvenile, and illustrate that interventions occurred beyond the protection of legal rights, which had been the circumscribed scope of the role before the Salduz Bis Act. In this regard, lawyers did become more active.

Relatedly, police responded obligingly to the lawyers' interventions, which differs from previous findings in England and Wales (Kemp and Hodgson, 2016). However, interventions from the lawyers in England and Wales corresponded more to police conduct and providing advice, whereas the former type of intervention was hardly observed in the present study. By contrast, interventions were predominantly aimed at facilitating communication or clarifying what occurred. Although not focusing on juvenile suspects specifically, Leahy-Harland and Bull (2020) similarly found that interventions from legal advisers

assisting during interviews for serious crimes in England and Wales were, on several occasions, helpful to the process. This occurred through the provision of explanations about the meaning of things or prompting the suspect to disclose relevant facts. These findings might be seen to partly contradict the suggestion by Dehaghani and Newman (2019) that the oppositional role of the lawyer as strong advocate for the juvenile suspect would present a conceptual conflict. On the other hand, this practice might also be (partially) explained by the absence of an AA regime in Belgium, the more inquisitorial nature of the Belgian system, or the preference for specifically trained juvenile lawyers to provide legal assistance to juvenile suspects.

Additionally, the tendency to adopt an information-gathering interview style observed in this study could have enabled lawyers to encourage cooperation with the police, as was reported by lawyers in previous European research (Vanderhallen et al., 2014) and could have led to limited interventions related to challenging police conduct (Leahy-Harland and Bull, 2020). In turn, as already mentioned, police might also have been inclined toward a more information-gathering approach because of the presence of a lawyer (Claeys, 2017). The seriousness of the crime might also have had an impact on the decision to cooperate because the prosecution might be more lenient from an educational viewpoint if juvenile suspects cooperate in less serious cases. In previous research, lawyers reported that they mostly advise the suspect to give a statement except where related to serious crimes (Vanderhallen et al., 2014). In the same study, police acknowledged that interventions by lawyers sometimes lead to a more complete and quick confession in less serious crimes. This finding on how lawyers contribute to the interview and criminal investigation diverges from the common viewpoint that police and lawyers are antagonists, pursuing opposite goals in the suspect interview: whereas the police theoretically aim to find the truth, the focus of lawyers is defending the suspect's interests (De Meester and Venstermans, 2014). Further research on interviews with juvenile suspects about more serious crimes is needed because dynamics between lawyers, police, and juvenile might change in those circumstances.

As a possible side-effect of such an overall information-gathering interview style, lawyers remained passive with regard to interventions about police conduct even on occasions within interviews that warranted one. In almost all interviews, the notification of rights was poorly executed and in multiple interviews police did not consistently adhere to their interview style, sometimes using subtle pressure such as suggestive questions. On those occasions, lawyers did not intervene, which might have resulted from possibly low concentration during interviews generally conducted correctly. This apparent lack of interest could also be a side-effect of mandatory assistance for interviews relating to minor crimes for which the lawyer might see their role as less important. Research exploring the motivations of lawyers in these circumstances would inform understanding of the (dis)advantages of mandatory legal assistance in practice. This notwithstanding, even in the interview in which the juvenile was arrested and the police adopted an accusatorial interview style, the lawyer did not challenge the conduct of police. These findings reveal a clear need for lawyers to actively engage when interventions are necessary.

Dangers of a passive attitude have been identified by several authors. It might cause the police to use even more oppression (Claeys, 2017) and might legitimise police misconduct or unlawful pressure during questioning (Pivaty, 2018). Moreover, lawyers in Belgium also reported that it makes it more difficult to legally challenge the interview later as the lawyer should have intervened contemporaneously (Maegherman and Vanderhallen, 2018). Research in England and Wales shows promising potential to remediate this situation, demonstrating that lawyers who were initially passive—specifically when juvenile suspects were interviewed—became more active when a mandatory accreditation system was established (Blackstock et al., 2014). Training on providing legal assistance at police stations in Belgium also contributed to a more active role being taken by lawyers (Mols, 2017).

The dual role of the lawyer

In contrast to many other jurisdictions that do have an AA framework, Belgian lawyers are in a position to assume a dual role encompassing both legal assistance and the additional support elsewhere assigned to the AA. In a previous study, Belgian lawyers were found not to be in favour of an AA regime. Some lawyers reported a belief that they could also act as an AA and facilitate communication between police and juveniles, given special training therein (Vanderhallen et al., 2016). The current study revealed that after 2016, when their role was extended beyond protecting the juvenile's legal rights, lawyers did facilitate communication between police and the juvenile suspect. Although they were also attending the interview to ensure proper and fair police conduct—in line with the role of AAs—lawyers remained rather passive in this regard, which might be explained in part by the non-confrontational atmosphere of the suspect interviews. Thus, although Belgian lawyers are legally enabled to assume the dual role, in practice the efficacy of both roles could be improved. In particular, the protection of legal rights and the supervision of proper and fair interviewing could be strengthened. Research has uncovered similar shortcomings with AAs generally being too passive yet intervening inappropriately on occasion

(Dehaghani and Newman, 2019). Because some jurisdictions only provide for mandatory AA (but not legal assistance) regimes, the finding is even more worrisome in terms of ensuring effective procedural safeguards. Previous research in England and Wales has found that the right to a lawyer was waived more frequently when an AA was present (Bevan, 2020; Medford et al., 2003).

The dual role of a lawyer should, however, also be viewed in light of the legal provision in Belgium that preference be given to lawyers trained to work with juveniles assisting juvenile suspects. When taking into account the differences between professionals and family members who act as an AA, it could be argued that training lawyers as 'juvenile lawyers' might be as, or more, beneficial than training professional AAs. Moreover, it could be recommended that one lawyer be assigned to assist a juvenile in all legal cases, both criminal and civil, from the first moment he or she encounters the justice system, as lawyers in a previous study reported should be the case (Vanderhallen and van Oosterhout, 2016).

This might also help to overcome any deficiencies in the working relationship between lawyer and juvenile found in the current study. Although there are limitations associated with having had only one person code this relatively subjective factor, support for this finding can be found in previous research by Claeys (2017) which also took place in Belgium and identified similar deficiencies. A poor or absent relationship should be considered problematic because previous research in the Netherlands has shown that juvenile suspects report distrusting lawyers providing legal assistance (Vanderhallen and van Oosterhout, 2016). In line with this finding, about one-third of the juvenile defendants in a Canadian study reported that they would not disclose information to their lawyers or were unsure about doing so (Viljoen et al., 2005). The lack of a good relationship might not only hamper the dynamics of legal assistance, but also might compound the absence of a provision in Belgian law for an AA and therefore reduce effectiveness of legal assistance as a procedural safeguard for the protection of juvenile suspects in police interviews. This is particularly true given the finding of Bevan (2020) that young suspects reported being overwhelmed with more general worries about their lives, which calls for a good relationship with the adults that provide support during the interview.

Conclusion

Juvenile suspects are vulnerable in an interview room because of a combination of personal and situational factors. This gives rise to risks including a heightened possibility of providing inaccurate statements or even false confessions. Despite these findings, much more attention has been paid to juvenile witnesses and victims than suspects.

International and national legal systems provide for minimal procedural safeguards during police interviews of a juvenile suspect. One such safeguard, the importance of which is well-established within international and European legal frameworks, is the right to legal assistance. While the abstract existence of this right is a necessary precondition to ensuring the protection of individuals moving through the criminal justice system, it is also imperative to analyse the concrete manifestation of this right in specific jurisdictions to understand whether the intended purposes are fulfilled in practice.

Belgium is a particularly interesting jurisdiction to consider in this regard. First, juvenile suspects are in the rather unique situation that they cannot waive the right to legal assistance. Second, the role of the lawyer is interpreted as active and, in principle, a specially trained 'juvenile lawyer' must provide assistance. Finally, there is no AA regime. By conducting field-based research, this study aimed to contribute to the knowledge on this relatively new and unique standard of mandatory legal assistance for juvenile suspects in Belgian criminal procedure, taking into account the jurisdiction specific dynamics of the suspect interview.

The analysis of 17 audio-visual recordings and written records of police interviews with juvenile suspects showed that the impact of the lawyer's mandatory presence tends to be positive. In most interviews that were conducted using an appropriate information-gathering style, lawyers took a cooperative position which led to a joint search for the truth. However, there are evident deficiencies in the lawyers' approach when legal intervention is necessary. There is clearly room for improvement, particularly when police use subtle pressure.

This study has shown that, although various authors call for mandatory legal assistance (Cleary, 2017; Malloy et al., 2014), it is insufficient alone and must be accompanied by additional supporting mechanisms such as training specific to assisting juvenile suspects at the police station. Only if the lawyer adopts an active role in practice and is thus able to prevent or react immediately to coercion or misconduct, will their presence be optimally effective (Pivaty, 2018). Given promising results from previous research, specific training for providing legal assistance to juveniles at the police station could be of added value (Blackstock et al., 2014; Mols, 2017). This is true not only with respect to the provision of legal assistance, but also to be well-equipped to provide other support in the absence of the right to an AA in the Belgian legal system.

When providing for mandatory legal assistance, some negative consequences of having two 'interested adults' present can be prevented by assigning a dual role to the

lawyer. The relationship between lawyer and AA is not always constructive and uncertainty about the AA's role gives rise to potential conflict (Quinn and Jackson, 2007). However, if lawyers are in the position of adopting this dual role, they should then also provide the support, advice and assistance that is within the described scope of the AA. In this regard, the idea of assigning the same youth lawyer to a juvenile for each of his or her encounters with the justice system, might be worth considering. As suggested by Bevan (2020), juveniles should perhaps also be allowed not to consult with the lawyer in order to preserve their autonomy.

The current study, taken as a whole, suggests that lawyers—under certain conditions—do have the potential to act as an effective procedural safeguard on the condition that they invest in a working relationship with the juvenile and are trained sufficiently to actively engage and provide additional support and assistance. If this occurs, an AA might not be needed. This provides some preliminary support for the findings of English courts that have considered interviews admissible, notwithstanding the absence of the mandated AA, because the lawyer was believed capable of adequately safeguarding the vulnerability of the suspect (Dehaghani and Newman, 2019). However, the dynamics should be examined in more serious offences as well, because the information-gathering style, and the more cooperative relationship between lawyers and police might also result from the less serious character of the crime.

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Supplemental Material

Supplemental material for this article is available online.

Notes

1. The National Institute of Child Health and Development Protocol (NICHD, Lamb et al., 2008) and Achieving Best Evidence (ABE)—The Memorandum of Good Practice on Video Recorded Interviews with Child Witnesses for Criminal Proceedings (Davies and Westcott, 1999).
2. The Stepwise Interview (Yuille et al., 2009).
3. The Ten-Step Investigative Interview (Lyon, 2005).
4. The Dutch Scenario Model (Otgaar et al., 2019).
5. Technique Audiovisual recorded interview of Minors (TAM; Dommicent et al., 2008).
6. See, for example, Australia (Henshaw et al., 2018), England and Wales, The Netherlands, Italy, Poland (Panzavolta et al., 2016) and some American states (Marcus, 2017).
7. TAM training.
8. A selection bias may have occurred because police officers were informed of the research into juvenile suspects and the decision whether to use audio-visual recording for the interview was at their discretion.
9. This information might not be included in the remaining five written records because the majority of the juvenile suspects were invited to attend the police station for a voluntary interview and had the opportunity to consult a lawyer before going to the police station.
10. In Belgium, prior to the confidential consultation between suspect and lawyer, police officers must provide the facts and circumstances (date and time) about which the suspect will be interviewed. This is most comparable with the charge as stated in the caution in the United States.
11. In earlier research about adult suspects' rights in police detention, researchers combined observations and interviews with relevant actors (Blackstock et al., 2014). Researchers accompanied lawyers when they attended suspects in police detention. Such an approach could also be used for juvenile suspects that are arrested. For juveniles who are invited to the police station, who consult a lawyer at the law firm, observations could be conducted at the firm. In these cases, informed consent would be advisable, from lawyers and juveniles (and in case of young juveniles, their parents), given the more obtrusive research method of attending the consultation in real life.

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