

WITNESS STATEMENT OF KYLIE WILSON

- I am a self employed trainer and investigator specialising in various aspects of legislation and policy, trading under the name of 'Kylie Wilson Training and Investigation'.
- I make this statement on behalf of Ms Ella Draper in this matter, whom I have never met. I have also never met her children Gabriel and Alisa.
- The matters set out in this statement are within my knowledge; where they are not within my knowledge I state the basis for my belief. Where matters are within my own knowledge they are true. Where matters are not within my own knowledge they are true to the best of my knowledge, information or belief.

My Experience:

- I am a former police officer in the Metropolitan Police Service in London, having served for over ten years I resigned in December 2013 with an exemplary record. For the majority of my police service I was a Detective Constable.
- I specialised in sexual offences and worked both as a specialist sexual offences interviewer in accordance with the Achieving Best Evidence Guidelines, interviewing both adults, vulnerable victims and children. I also investigated cases of serious sexual offences, from initial allegation to investigating, managing evidence, monitoring and conducting interviews, seeking CPS advice, producing case files and delivering evidence as Case Officer in Crown Court.

- My last four years in the Metropolitan Police were spent at the New Scotland Yard Crime Academy based in Hendon, London where I taught Investigative Interviewing for Serious and Complex Crimes including Achieving Best Evidence in interviewing Vulnerable Victims and Witnesses.
- I left the Metropolitan Police in December 2013 and I have been self-employed as an investigator and trainer since. I have worked with the Home Office, Foreign and Commonwealth Office, private individuals and corporate entities providing training in the area of Law, Procedure, Best Practice and Policy.

Instructions from Ms Draper

- Ms Draper instructed me to review the ABE interviews conducted by the Police and to review the actions taken in regard to the CRIS Report.
- To this end Ms Draper supplied me with a copy of the following for consideration:-
 - Seven recordings made by Police of Alisa;
 - Seven recordings made by Police of Gabriel;
 - Twenty home recordings of both Alisa and Gabriel individually and together.

Investigative Interviewing Practice:

- When dealing with interviews the primary goal is to facilitate the witnesses account, the best questions to ask are open questions, these used in conjunction with minimal encouragers make for a clear unadulterated account from a witness.
- The structure for an interview conducted in accordance with ABE is:-

- Planning & Preparation;
 - Establishing Rapport;
 - Initiating & Supporting a Free Narrative Account;
 - Questioning;
 - Closure;
 - Evaluation.
- Ideal ABE interviews would show minimal questioning with an 80%-20% split of conversation in the ratio of witness 80% interviewer 20% (or less) of the conversation.
 - Witnesses should be interviewed separately and encouraged not to discuss their statements. Interviewing witnesses together can taint their accounts and develop false recollections.
 - Witnesses do not always understand what is being asked of them, such as children or vulnerable adults and in some cases more closed specific questions may be more appropriate to elicit an account.
 - Reinstating the context (i.e. putting someone back in the situation they are trying to describe) of what has previously been said to jog a witnesses memory are also useful tools.
 - There are also many questions that are asked that are unproductive such as multiple questions, leading questions and opinions or assumptions.
 - Question types explained:-
 - Open Questions; tell me, explain, describe, show or sketch.

- Minimal Encouragers; such as go-on, and then, uh-huh and mmm. Echo's are

another useful minimal encourager, where the words used by the witness are

echoed back to them.
- Closed Specific/Probing; who, what, where, when, why and how. These are useful when eliciting details such as time, place, locations and people present.
- Forced choice; was it this or was it that (forces a witness towards one answer

or another).
- Multiple questions (many questions rolled into one, witnesses will usually only answer part of the question).
- Leading questions (asking a witness to agree with a statement).
- Summaries are also an excellent interviewing tool to reinstate the context of where an interview is at and where it should go next.
- Regarding the appropriateness of an interviewer in planning an interview any Police Officer with a close connection to a witness would not be a suitable person to conduct an interview for many reasons. Not least of these is that a witness, especially a child, may be reluctant to go into detail about intimate matters in the presence of a parent or carer.

- The younger the child the less embarrassed they are about talking about body parts, but the higher the level of education or proximity to puberty the more reluctant, embarrassed and awkward the child may become.
- The younger a child is the less they understand the scales of seriousness, for example, something that is naughty may be the same whether it is stealing a sweet or causing serious harm to a person. Nor do they put the same weight around the stress of a situation that adults do, if they want to talk they will.
- Young children specifically will often freely give accounts willingly and without much encouragement around extremely serious matters. Age should not preclude a child being listened to about such allegations.
- As to whether it is fair and appropriate to allow a young child to give evidence is covered by case law. In the case of *R v Stephen Barker* (a case of the rape of Baby Peter Connolly's sister Emily the court heard the evidence of Emily who was four and a half years old at date of trial, she had been raped at the age of 2 years old. Emily was found to be a competent witness by the judge and also later on appeal. Other case law *R v Powell* and *R v Malicki* precede this and also cover young children and their competence to give evidence in a court of law.
- People in positions of authority have a history of eliciting false confessions, withdrawals and admissions throughout the adversarial process of law. There have been many miscarriages of justice in UK legislation where this has occurred.
- The presence of inconsistencies in the account (or between the accounts of siblings) may be an indication that the child is making a false allegation.

Although, equally, inconsistency may well be an indication of veracity. The issue merits very careful attention in pre-interview preparation, particularly where previous abuse is known or suspected, or where there are suspicions that abuse may have occurred on different occasions over time. In the absence of such preparation, the interviewer's conduct may contribute in no small measure to a subsequent lack of clarity. The probability is that short, single events from early childhood will better be recalled in words than will extended, multiple or variable events. Children may well confuse the different occasions when the offences were alleged to occur, and thus appear inconsistent. Inconsistency and lack of cogency does not necessarily equate with untruthfulness.

- In Police ABE interviews a Form 3320 the interview planning document used by the Metropolitan Police would indicate how much planning was undertaken in regard to the Police ABE interviews and details of any pre-meetings and if relevant any CPS advice prior to interview.

College of Policing Policy (Direct from <http://www.app.college.police.uk>):

- An interview with a child should take place after the strategy discussion with children's social care. The interviewing team may, therefore, have access to detailed information about the child which can be used when planning and conducting the interview. This information can also assist any registered intermediary used. The interview should not, however, be delayed solely for the

purposes of a strategy discussion if it is not in the best interests of the child to do so.

- Everyone involved in interviewing child victims should be trained to apply the procedures set out in [Ministry of Justice \(2011\) Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and guidance on using special measures.](#) They should also be trained to communicate with children, if possible. In some cases professionals from other agencies (eg, children's social care) may be involved in the interview process, if this is in the best interests of the child.
- A child abuse investigation unit officer will need to take any withdrawal statement from a child victim. This should be carried out using the same means as the original statement. A carefully taken withdrawal statement may still be used, together with the original statement, as evidence in current or future criminal proceedings or the child protection process. It may also be used within the family court system (eg, in a child contact dispute).

Coaching & Lying:

- In dealing with children where they have lied there are two forms of dishonest behaviour that should be considered: false denials of true events and false allegations of untrue events.

- Often in cases where there are multiple children where coaching is involved there will be a common thread of phraseology and age or education inappropriate language.
- Children will also adhere to the elements they have been told to describe and will not often be able elaborate further. Often they will have no answer to further probing questions.
- When taking an account from children adults often summarise accounts given and replace a child's words with adult terminology, or assist where a child does not know the word. This can lead to age inappropriate language being used.
- When lying detail is generally missed, areas such as sensory factors are omitted and feelings are not described as it is difficult to lie about these factors in detail if the events have not actually occurred.
- Children tell lies for many reasons, depending on the situation and their motivation. Children may lie to:-
 - Cover something up, hoping to avoid consequences or punishment;
 - Explore and experiment with their parents' responses and reactions;
 - Exaggerate a story or impress others;
 - Pleasing parents or people in authority by saying what they think they want to hear;
 - Gain attention, even when they're aware the listener knows the truth;
 - Normal childhood fears or fantasies;

- Manipulate a situation or set something up – for example, saying to grandma, ‘but mum lets me’.
- Other factors include:-
 - Parent alienation;
 - Pseudo memory / False memory;
 - Traumatic memory;
 - Dissociative Identity Disorder;
 - Other mental health issues;
 - Munchausen Syndrome;
 - Overzealous Interveners;
 - Actual abuse described;
 - Other abuse resulting in false allegations.
- In cases where a child has lied about any element of a case the fact they have to admit to that lie could have the effect that they retract the whole allegation, rather than explain which parts are true, and which are not.
- Retractions are common especially where there are external pressures such as care proceedings, court proceedings and family or caregiver pressures and as such the retraction itself is not always true.
- When a person has to admit to lying they automatically look for the reasonable explanation for that lie. People will rationalise that but for some other external factor they would not have had to lie. It is common therefore for people to find something or someone else to blame for their lies.

- When a truth has caused or may cause a situation that a person does not want, they can rationalise that it would be more beneficial to lie. We are all familiar with the term 'white lies'.
- In cases where false allegations are made there are often root causes for this as listed above. Rarely are allegations simply malicious and as such investigators should look at why a false allegation/retracted allegation was made in the first place.
- Just because a child is not lying does not necessarily mean the child is telling the truth. In the majority of cases, the victims are not lying. They are telling you what they have come to believe has happened to them.
- When a person is lying they will often overlay a story onto a factual basis, people, places and events will often be real, just the actions and events that occurred, this makes it easier to remember.
- The person may have personal knowledge of sexual or ritual acts, but not as a result of the alleged victimisation. The knowledge could have come from viewing pornography, sex education, or occult material; witnessing sexual or ritual activity; or witnessing the sexual abuse of others.
- Knowledge of sexual or ritual abuse could also have come from having been sexually or physically abused, but by other than the alleged offenders and in ways other than the alleged offence.

- Children rarely lie about sexual abuse or exploitation, but they do fantasize, furnish false information, furnish misleading information, misperceive events, try to please adults, respond to leading questions, and respond to rewards.

Conclusions:

- The interviews conducted by Ms Draper and Mr Christie are clearly not being conducted under the circumstances that an ABE interview would have been conducted by trained interview professionals. However, they are not trained interviewers and I would not expect them to be able to produce an interview in accordance with ABE. In my experience Police Officers with training often struggle to do this competently with witnesses to whom they have no personal connection.
- These interviews show the use of summaries where Mr Christie uses adult language instead of the language used by the children, this may have tainted the age appropriateness of the language the children use. It is clear from the interviews that Ms Draper and Mr Christie have strong views on how to bring up the children. They talk about telling the truth and being strong and the children appear to want to please them. Mr Christie also praises the children for their accounts. Non-professional interviewers may not understand that a small amount of praise in an interview may cause a child to embellish or add to an account.

- To be able to interview children in a stressful and distressing situation would be incredibly difficult to remain as professional and detached as an interviewer needs to be and in this case Mr Christie and Ms Draper have conducted multiple short interviews with the children, again this may well have cemented something that they made up to excuse their being caught touching each other into something that they themselves thought they were giving genuine accounts of.
- The accounts themselves may be far fetched and in some cases physically impossible, however given the current prevalence of child abuse enquiries that have been unearthed in recent years due to the Jimmy Savile scandal and subsequent allegations of ritualized group activities including senior politicians and police being involved in high level cover ups it is not surprising that a parent may get swept up into believing there is some truth to an apparently articulate account given by a child.
- Given the prevalence of reporting in the press of these allegations it is possible that a child may have been exposed through the media to such accounts.
- I have reviewed the ABE interviews using the Metropolitan Police Interview Assessment form. The interviews of Alisa are as follows:-
 - In the first interview of Alisa on 05/09/2014 conducted by Steve there is little in the way of rapport building, in fact family structure appears to be used loosely to build rapport. This is not a suitable rapport topic. The style of interviewing is very closed. There are very few open questions and the interviewer interrupts or talks over Alisa regularly. There is very little

apparent structure to this interview and topic hopping is apparent. There is a forced choice question and a leading question. There is some use of minimal encouragers, silences and summaries, however a lot of the minimal encouragers are yes or okay and these are poor minimal encouragers that seem to leak that the interviewer is impatient, does not really want to listen to what is being said or perhaps has a particular specific agenda for the interview.

- In the interview of Alisa on 11/09/2014 the interview is conducted by Steve, he appears to adhere to pre-planned topic structure. There is a good opening topic question followed by minimal encouragers and summaries.
- After this interview, at 19:50 with children were taken into Police Protection and details passed to Social Services and an Emergency Protection Order was applied for and obtained.
- In the interview of Alisa on 17/09/2014 again conducted by Steve it is clear from the opening conversation that there have been conversations about what will be discussed on the car journey to the interview suite. Steve talks about what they have discussed and Alisa states *“Abraham told us to tell some things which are not true.”* Steve says *“You mentioned about Zorro and about heads being cut off in that film and obviously I wondered whether or not that...is that how you knew about the babies.”* Alisa replies *“Yes because I had an idea, so then I told to Abraham and then Abraham said “good, then do that and tell that to the Police”.* This is a very leading

question from Steve and it would appear this is either due to this subject having been discussed outside of the interview (of which there should be a record if this was so) or an assumption by Steve that then leads Alisa into agreeing. I have reviewed the film the Mask of Zorro and Alisa was able to describe the plot clearly.

- Alisa talks about Sophie and her friends touching her and telling her to touch her brother in her retraction as her explanation for how the allegations came about in the first place. Alisa also states that Sophie showed her plastic willies on her Ipad mini and that she likes “sexy stuff”, that Sophie showed her a picture of plastic willies sticking in a bum and that she told Gabriel this.

Alisa also says that she has no idea why she had any scarring to her bum.

- I have reviewed the ABE interviews using the Metropolitan Police Interview Assessment form. The interviews of Gabriel are as follows:-
 - The interview of Gabriel on 05/09/2014 is fairly well paced and generally follows the ABE principles. Gabriel gives a similar account to Alisa, although there are some details that differ. More probing could have been undertaken in regard to certain topic areas.
 - The second section of interview of Gabriel on 05/09/2014 appears to be 20 minutes of Gabriel alone in the interview room.
 - The interview of Gabriel on 11/09/2014 gives further accounts and the structure of the interview is clearly on certain topic areas and is better paced. Gabriel gives an erratic and disjointed account throughout. The extensive

amounts of information with tangents in conversation are detailed and consistent.

- Some of the detail is age and education inappropriate, it would indicate that Gabriel has witnessed these incidents in some form or another. For example, Gabriel's description of sniffing the white powder off his own hand that Mr Dearman gives him, and the little bags that it comes in.
- At 15:40 in this interview Gabriel is talking about food and says to Steve *"don't tell my mum"* when he describes liking food that Ms Draper doesn't allow him to eat that Mr Dearman lets him have. It is clear from this that Gabriel has the ability to lie and to collude with others.
- Sophie is also mentioned in this interview as a school friend who is not nice to him and Alisa.
- After this interview, at 19:50 with children were taken into Police Protection and details passed to Social Services and an Emergency Protection Order was applied for and obtained.
- The interview of Gabriel on 17/09/2014, he is very confused as to what happens. When asked by Steve *"we talked in two other interviews...was what you told me the truth?"* Gabriel responds *"yeah"* Steve replies *"so all that stuff about the babies, and the church and all that"* Gabriel replies *"no, well the babies, the babies...there is some of the babies killed yeah"* are you sure *"yeah, but not much, not every single day..."* Steve says *"because I heard you watched a film Zorro...and there was someone killed...there, 'cos*

of the way it sounded it sounded to me similar to the way you told me about the babies and that's why I was...wondering are babies actually killed or that's what you were made to say, so are babies actually killed or is it something that you have been made to say" Gabriel responds *"it's something I have been made to say"* Steve says *"so are babies being killed"* Gabriel responds *"no, not much but there is..."* Steve replied *"by who"* Gabriel says *"by my dad, but not much"*. Steve then goes on to ask if it is true and Gabriel says no and that he was made to say it by Mr Christie "accusing" him. When asked if there are secret rooms Gabriel says there are secret rooms, followed by not much, then there are no secret rooms and that he was made to say it. He indicates that Mr Christie was asking questions and he had to think of a response and just said things.

- This the theme that runs through this interview, with Gabriel saying things have happened, then not so much then agrees they aren't true.
- Unlike Alisa's interview on the 17/09/2014 Gabriel denies that the root cause of the allegations was being caught touching Alisa. Gabriel stated *"do you know the first time he [Mr Christie] found out we were touching...it wasn't actually true...we actually never touched...I know its against the law and we never touched"*.
- When questioned about the bruising up his bum he says he has no idea how it happened.

- When questioned about plastic willies and whether he has seen one he says *“no, I never ever in my life ever seen one”* Steve responds *“so how did you think of that idea, was it you that thought of it”* *“no, no, yeah I am the one that thought of it, when he found out I was touching he said, he said yes they put real willies in my bottom...then he said they also have plastic willies don’t they...”*. This appears to contradict the previous assertion above that he and Alisa had never touched. As to whose idea the plastic willies were, Alisa had previously said that it was her friend Sophie who had showed her this and she had told Gabriel.

- Other named suspects are mentioned in the interviews, none of these appear to be recorded as suspects on the Crime Report.
- To state categorically that the children had been coached (which is written on the Crime Report) which I understand is the assertion from Social Services, is simply not feasible. To find a lie in a conversation without some other comparative evidence to contradict such an assertion from a witness is extremely difficult and not generally admissible on its own, but merely opinion. Even a confession from a child to coaching would not in itself be conclusive evidence that this was in fact true, corroboration of some kind would be necessary support this. In fact in this case both children indicate they gave in to the mistaken beliefs of Mr Christie and made up their stories, neither actually say Mr Christie invented accounts that he then forced them to say.

- It would appear that the children have talked amongst themselves, that they have spoken with Ms Draper and Mr Christie, Social Services, their Guardian, the Police and other parties. All of this together would undoubtedly lead to confusion as to what is the truth and what is an invention.
- In the initial interviews there are some similarities of phraseology between Alisa and Gabriel. Specifically the use of the phrase "*They do sex to me*". When asked to describe what sex is both talk about plastic willies in their bum/privates. This would give an indication that the children have spoken together, or listened to each other when they have given their accounts.
- Setting aside the content of the children's account, at various points in interviews Gabriel corrects Ms Draper, Mr Christie and the police interviewer. The children both are robust in giving their own accounts.
- The planning and preparation appears to be lacking around rapport building and assessment of the children.
- The ABE interviews should have probed further topic areas that would have allowed further investigation or ability to corroborate or disprove elements of the accounts.
- The ABE interview on 17/09/2014 should have probed further the reasons why the children have lied and how they felt about this.

Final Conclusions:

- It is clear that both Alisa and Gabriel are clearly articulate children capable of using their language skills and education to give an elaborate, detailed and extensive account. The children easily pick up on the language used by others, can be led by suggestion, and even well intentioned questioning.
- It is clear from the retractions that Alisa and Gabriel are not giving the same account in their retractions. They do not give the same sources of material as to where they got their ideas from for touching, whether they touched or not, where the idea for plastic willies came from etc. Gabriel's retraction is particularly confused and he appears to be led through it by the police interviewer.
- The police interviewer Steve appears from the start of these interviews to have pre-conceived ideas that the accounts are untruthful, for example there is a large amount of challenging within the first interviews when the interviewer asks how and why. This is not appropriate at that stage of the interview process and should be saved to the end of an interview.
- Unfortunately due to the quantity of interviews conducted the children themselves are highly likely to be confused as to what is reality and what is make believe. It cannot be ruled out that abuse has occurred in some form, it need not necessarily be of a sexual nature. What abuse and by whom is unfortunately tainted by the questioning and handling of this matter.
- I do not feel it was suitable to close this investigation at this point without further enquiries and corroboration being sought.

Statement of Truth

I believe that the contents of this statement are true:

Name: Kylie Wilson

Signed:

A handwritten signature in black ink, appearing to read 'Kylie Wilson', with a long horizontal flourish extending to the right.

Dated: Sunday 28th December 2014