



**OFFICE OF REFUGEE RESETTLEMENT
PREVENTION OF SEXUAL ABUSE
COMPLIANCE AUDIT TOOL**

**ICF INTERVIEW GUIDE
FOR
UNACCOMPANIED CHILDREN**

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13) STATEMENT OF PUBLIC BURDEN: The purpose of this information collection is to interview and document responses from UC during site visits. PSA audits are required in the Interim Final Rule on Standards to Prevent, Detect, and Respond to Sexual Abuse and Sexual Harassment Involving Unaccompanied Children (45 CFR Part L). Public reporting burden for this collection of information is estimated to average 0.5 hours per response for the care provider and 0.5 hours per response for the contractor performing the audit, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. This is a mandatory collection of information (Homeland Security Act, 6 U.S.C. 279). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information subject to the requirements of the Paperwork Reduction Act of 1995, unless it displays a currently valid OMB control number. If you have any comments on this collection of information please contact UCPolicy@acf.hhs.gov.

Interview Details

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|--|--|--------------------------------|--|
| | | | |
| UC Name: | | A#: | |
| Date of Admission: | | Gender/Age: | |
| Date/Time of Interview: | | Country of Origin: | |
| Name of Auditor: | | Primary Language of UC: | |
| Name of Interpreter: | | Language of Interview: | |
| Facility Name: | | | |
| Name of witness present confirming minor volunteered to be interviewed without their attorney(s) present: | | | |
| | | | |

Instructions

The purpose of this guide is to ensure:

- ✦ The interviewer explains to the unaccompanied child that the interview is not mandatory and confirm that the child is voluntarily participating in the interview without their attorney(s) present.
- ✦ The interviewer explains to the child the monitor's role, the purpose of the interview, and the use/role of an interpreter (if applicable).
- ✦ The interviewer explains the purpose of your visit in a child friendly, age and culturally appropriate manner.
- ✦ The interviewer answers any questions the unaccompanied child has about the Office of Refugee Resettlement (ORR) or your visit.
- ✦ The interviewer asks questions 1 through 9 and listens for the items noted under each question, which could prompt the need to ask other questions.

These questions are NOT intended to be asked verbatim. You will want to ask questions that build a rapport and are engaging.

GUIDELINES FOR AUDITORS: UNACCOMPANIED CHILDREN INTERVIEWS

Auditors must follow the requirements for sampling and conducting interviews with unaccompanied children (UC).

Purposes of the conversation with the unaccompanied child:

- **Ensuring the overall safety of the child from sexual abuse, sexual harassment, or other inappropriate sexual behavior from staff, contractors, volunteers, and other UCs. (411.11–411.14, 411.16)**
- **Ensuring the child has received the required information about the facility’s responsibility to keep them safe from sexual abuse, sexual harassment, or other inappropriate sexual behavior. (411.33)**
- **Ensuring the child receives information about the facility’s responsibility in keeping them safe and that the information is timely and in a format that is age and culturally appropriate. (411.33)**
- **Ensuring a child with disabilities and/or limited English proficiency is accommodated. (411.15)**
- **Ensuring the child knows how to report if they have been sexually abused or sexually harassed, including where the phones are in the facility. (411.33, 411.51, 411.52)**
- **Ensuring the child is not retaliated against should they report sexual abuse or sexual harassment. (411.67)**
- **Ensuring the child knows what services outside the facility are available to them. (411.53)**
- **Ensuring the child has access to medical and mental health services, victim advocacy services, counselors, and forensic medical examinations. (411.21)**
- **Ensuring the child has received a risk assessment of sexual victimization and abuse within 72 hours of coming into facility. (411.41)**
- **Ensure the child has the right to privacy and the facility respects their gender. (411.14)**
- **Ensuring the child is aware of their ability to talk with a legal representative and knows how to talk with their legal representative. (411.55)**

Informing UC of the audit’s purpose and the reason for their requested participation:

Prior to interviewing, the auditor should consider the age of each child and adjust the use of certain words to be more age appropriate. Communicate the following using your own cadence, style of speaking, and quality engagement skills:

“Good morning/afternoon [Unaccompanied Minor Name]. Thank you for agreeing to meet with me. My name is [NAME].”

“I am talking to you today to see if [NAME OF CARE PROVIDER FACILITY] (*adjust language if term care provider is confusing*) is following the rules made by the federal government to keep you safe and prevent sexual abuse and sexual harassment.” *Ask what these terms mean to them; if they are unclear or their definition isn’t in line with our definitions, please explain in an age and culturally appropriate way. Keep in mind the trauma informed principles and the resources regarding sexual abuse victims).*”

Ask if they have any questions so far.

“I don’t work for or report to [NAME OF CARE PROVIDER FACILITY].” (*Ask them what they call the place and use that term as you have a discussion with them.*)

“The Office of Refugee Resettlement in the federal government gave me permission (*other words that could be used: approval, OK*) and the authority (*other word that could be used: ability*) to do this audit. (*Do not use words like power, right, as these are not level playing field words.*) The company I work for, ICF, has a contract with the ORR to conduct audits of the facilities where unaccompanied children and youth are housed.”

“I want to explain how your name came up. As part of our process, the facility gave us a list of the children and youth living here, and we picked the names of several to visit with today.”

Ask if they have any questions so far.

“I want to ask you some questions about the facility and the staff to make sure all children and youth here are kept safe. I am interviewing other youth from this facility and asking them the same questions. I will be asking you questions about program operations (*another way of saying could be: how things are done here*), the staff, and what you know about services (*another word: help*) that may be available to you.”

“There are some things I want to make sure you understand about our conversation today:

- You may choose to not answer any or all of the questions.
- There are no risks to you for participating in our discussion.
- You can pause at any time for a break.
- If you have any questions for me or aren’t clear about a question I am asking, please let me know and I can rephrase it.
- You may skip any questions that make you uncomfortable or that you don’t want to answer.
- If some of these questions make you uncomfortable or upset, and if you would like to talk to somebody about this, just let me know and we can arrange that.

- I also want to make sure you understand if you chose NOT to participate this will NOT result in any loss of benefits or services to you.
- I will do my very best to protect the confidentiality (*privacy*) of anything you tell me.
- Our conversation will probably be around 30 minutes.”

“You may see me writing some things down while we talk. I am doing this because sometimes it’s hard for me to remember everything.”

Ask if they have any questions so far.

“I won’t give any of my interview notes to [FACILITY NAME, *or name they use*] even if they ask for them. I won’t discuss what you tell me with any of the staff here. But — just so you know — I have to give this information to the Office of Refugee Resettlement so that they can make sure any illegal activities stop. Do you understand?”

Ask if they have any questions so far.

“I will be giving [NAME OF CARE PROVIDER FACILITY] a final report. Your name, or any other information that would make it clear you were the source of the information, will NOT be included in that report.

If anyone tries to punish you or to make you feel bad in any way for talking to me, you should call me. I am available at **[THIS SHOULD BE THE SAME CONTACT INFORMATION PROVIDED IN ADVANCE OF THE AUDIT VISIT THAT SOLICITS UC COMMENTS].”**

Ask if they have any questions.

“Do I have your permission (*approval, OK*) to ask you some questions?”

IF YES, GO TO QUESTIONNAIRE.

UNACCOMPANIED CHILD INTERVIEW QUESTIONNAIRE

Interviews need to be engaging: They should use language appropriate to the age and culture of the unaccompanied child being interviewed. Through your discussions, you are ascertaining the information to help ensure/validate compliance with the standards listed above.

1. Could you tell me about when you came to this facility?

2. When you came here, what were you told? When you came here what kind of information did they give you about inappropriate sexual behavior, sexual abuse, and sexual harassment?

The auditor should be listening for things like the following:

- a. *Their right to not be sexually abused or sexually harassed. (§411.33)*
- b. *The definitions of sexual abuse and sexual harassment. (§411.33)*
- c. *How they can report sexual abuse, sexual harassment, or inappropriate sexual behavior. (§411.33)*
- d. *Their right not to be punished for reporting sexual abuse, sexual harassment, or inappropriate sexual behavior. (§411.33)*
- e. *How long it took after coming before they got the information mentioned above. (§411.33)*
- f. *Did they get the facility's rules against sexual abuse and harassment? (§411.33)*
- g. *How was this information given to them? (§411.15)*
- h. *Was it in a format that was age and culturally appropriate? (§411.15)*
- i. *Did someone help them read, write, speak, or explain things to them? If so, do they remember who that person was (interpreter, another UC, staff)? (§411.15)*

I would like to ask you some questions about your privacy.

3. Are you allowed to use the toilet, take a shower, or change clothes without someone watching you? (§411.14)

4. Are you and other children ever naked in full view of staff (not including medical staff such as doctors and nurses)? (§411.14)

If they answer yes and don't provide any detail, see if they can tell you when this happens and then ask if they can tell you how often this happens. (§411.14)

*Note to the auditor: You will need to check to see if the facility has elected **not** to do pat-down searches before proceeding with the questions related to pat-down searches. If so, you do not need to ask questions around this topic.*

*If the facility **does** allow pat-down searches, you will need to clarify the child's understanding of a pat-down search. If they do pat-down searches, you will want to ask a question that will allow you to find out the following:*

5. Has someone of the opposite gender (sex) of you, ever searched you by touching your body? (*Note to the auditor: These types of pat-down searches are permitted under the standards in exigent circumstances.*) (§411.14)

Note to the auditor: These questions are to ascertain if the UC was screened for risk at intake. You may need to probe about the types of questions they were asked (if any). The following question provides some examples:

6. When you first came to the facility, do you remember whether you were asked any questions about your sexual experiences? Things like whether you have ever been sexually abused? How you identify yourself (*gay, bisexual, transgender*)? Whether you thought you might be in danger of sexual abuse at the facility?

The auditor should be listening for things like the following:

- a. *If they were asked about their sexual experiences, whether they have ever been sexually abused; whether they identify with being gay, bisexual, or transgender; and whether they think they might be in danger of sexual abuse here? (§411.41)*

If **yes**, can they remember when they were asked the questions?

- b. *Have they been asked these types of questions again by staff since they first arrived? (§411.41)*

Ask them if they have any questions so far.

7. Do you know how to report any sexual abuse, sexual harassment, or inappropriate sexual behavior?

The auditor should be listening for the following:

- a. *How they would report any sexual abuse or sexual harassment that happened to them or someone else. (§411.33)*
- b. *If there is someone you want to report sexual abuse or sexual assault to, who does not work at this facility, how would you do that? (§411.51)*
- c. *Do they know if they are allowed to make a report without having to give their name? (§411.51)*
- d. *Can they make reports of sexual abuse or sexual harassment either in person or in writing? (§411.52)*
- e. *Can someone else (a friend or relative) make the report for them so they don't have to give their name? (§411.52)*
- f. *Have they ever told anyone who works here they were sexually abused or sexually harassed while in this facility?*

- g. Do they know services are available outside of this facility for dealing with sexual abuse, if they ever need it? (§411.53)*
- h. Can they tell you about what kind of services these are? (Probe to see if they know they have access to victim advocates for emotional support services.) (§411.53)*
- i. Does the facility give them telephone numbers for these outside services? (§411.53)*

If YES:

- a. How does the facility give them this information? (Probe to determine if the information is posted, included in a handbook, or otherwise available.)*
 - b. What are these services? (Probe if this information is provided for local, state, or national victim advocacy or rape crisis organizations.)*
 - c. Do you know where the preprogrammed phones are located? (§411.51)*
 - d. Do they know when they can use the phones?*
 - e. Do they know what they can use the phones for?*
8. Does staff allow you to see or talk with your lawyer or another lawyer, and are you allowed to talk with that person privately? (§411.55)
9. Does the facility allow you to see or talk with your parents or someone else? (§411.55)