Interviewing as an investigation tool

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What it is

- Conversation with a purpose
- Means of gathering evidence and obtaining information
- Obtain accurate, relevant and complete information from a suspect, victim, complainant, informant or witness
- Impart information to interviewee
Why we do it

● Testimonial evidence can be crucial
● People can explain why things happened; documents cannot
● Determines facts on which later decisions are taken
● Good investigations demand good interviews
Principles of investigative interviewing

- Purpose is to obtain accurate and reliable information
- Approach the interview with an open mind
- Investigator must act fairly
- Investigator not bound to accept first answer
Principles of investigative interviewing (2)

- Refusal to reply does not mean we cannot ask questions
- Interviewers are not constrained by rules applied to lawyers in court
- Treat the vulnerable with consideration
Interview types/techniques

- Ethical/unethical
- Cognitive
- Enhanced cognitive
- Free recall
- Conversation management
- PEACE
Interview types/techniques (2)

- Forensic hypnosis
- Polygraph
- Statement analysis
- Rationalising, projecting, minimising
PEACE model of interviewing

- Provides a framework suitable for all interviews
  - Planning and preparation
  - Engage and explain
  - Account clarification and challenge
  - Closure
  - Evaluation
A diagrammatic representation
Planning and preparation

- Investigate, then interview
- Use a written plan
- How might the interview contribute to the investigation
- Background information
- Legal requirements
Planning and preparation (2)

- Points to prove
- Disclosure of evidence
- Practical arrangements
Engage and explain

- Manage first impressions – courtesy
- Treat interviewee as an individual – what needs does he have
- Explain reason for interview
- Explain procedure for interview – ground rules
- Explain you want his account in full, in his own words, without fabrication
- Explain rights if appropriate
Account clarification and challenge

- Obtain an uninterrupted account
- Encourage attempts to recall
- Expand and clarify the account
- Summarise as you go along
- Challenge inconsistencies
- Explore reasons for inconsistencies
Closure

- Have you covered all that you set out to?
- Review and summarise the account – do we all understand it?
- May be necessary to return to “account” phase
- Has the interviewee given all the information he is able or willing to provide?
- Does he have any questions?
Closure (2)

- Explain what happens next
- Explain future contact arrangements
- Interviewee should feel he was treated with respect
Evaluation

- Did you achieve your aims and objectives for the interview?

- Re-evaluate the investigation in the light of the interview: do we have new information? Is it consistent with existing evidence? Are there conflicts to resolve? Do we need to make further enquiries?

- How well did you do the interview: what was good? What could have been better? Do you have areas for development?
Interview techniques

- Be approachable – establish a rapport
- Be interested in the interviewee
- Listen actively
- Let the interviewee speak
- Let the interview flow coherently
- Prefer to use open questions
Interview techniques (2)

- Monitor progress – take notes
- Dress and behave appropriately
- Use appropriate vocabulary
- Retain control
Other factors to consider

- Behavioural symptoms analysis (BSA)/body language/non-verbal communication
- Eye access codes (EAC)/channel eye movements
- Interviewee’s use of language
- Interpreters
- Room layout
- Do we use the right interviewers?
BSA

- Theory that communication is approx 55% non-verbal, 38% vocal, 7% oral

- Unconscious mechanisms

- May indicate deception in an interviewee and areas of stress for further probing

- BUT

- There are individual and cultural differences; no agreement on typical non-verbal behaviour; may be of more use in seeking intelligence rather than evidence
EAC

- Theory that eye movement indicates how the interviewee is accessing the information to construct an answer
- Pattern applies worldwide
- Other than with Basques
- BUT
- Reservations as before
Use of language

- Interviewee’s language changes:
  - Inappropriate humour
  - Swearing
  - Promising
  - Vagueness
  - Involves interviewer in story
  - May all indicate deception or stress

- BUT reservations as before
Interpreters

- Make sure they are right for the job
- Brief them on case/vocabulary
- Require direct interpretation
- Use short simple sentences
- No independent discussion
- Maintain control and rapport
- Address yourself to the subject
Room layout

- Ideally, it is your stage
- Up to you to arrange seating and furniture to achieve the effect you want
- Generally considered best for rapport to minimise or remove barriers
The right people

- Evidence that some may have greater aptitude than others
- Training is essential
- Regular practice very important
- May be more productive to make more use of better interviewers