

# **AN EXAMINATION INTO THE EFFICACY OF POLICE ADVANCED INVESTIGATIVE INTERVIEW TRAINING?**

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Whilst registered as a candidate for the above degree, I have not been registered for any other research award. The results and conclusions embodied in this thesis are the work of the named candidate and have not been submitted for any other academic award

*There must be a beginning of any great matter  
but the continuing unto the end until  
it be thoroughly finished yields the true glory*

*Sir Francis Drake*

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## ABSTRACT

The history of investigative interviewing in England and Wales has two distinct eras: one before and one after 1992. The era before 1992 was characterised by a lack of training and an over reliance on confessions from suspects, which led to the condemnation of police tactics by the Court of Appeal in high profile cases. Wider psychological research also revealed a general lack of interviewing ability amongst police officers with both suspects and witnesses at this time. This resulted in the introduction of the PEACE interview programme by the Association of Chief Police Officers (ACPO) in 1992. This was a one-week national training course for all officers that covered both suspect and witness interviewing. By 2002 the 'one size fits all' approach of the original PEACE model had evolved into a tiered approach for officers dependent on their type of work. This approach included *advanced interviewing* for certain detectives involved in interviewing suspects and witnesses in major crime cases. The research in this thesis provides the first evaluation of the effectiveness of *advanced interviewing* through a series of empirical studies that followed a cadre of advanced interviewers through both training and real life interviews. The first study evaluated the training effect of an advanced suspect interview course by examining simulated interviews with suspects conducted before and after training. The second study assessed skills transference from training by examining post-training real life major crime suspect interviews. A third study, longitudinal in nature, then examined real life major crime witness interviews, for which the advanced interviewers had received further training. The fourth study was a qualitative study that focused on the questioning strategies used by the advanced interviewers, while the fifth and final study reported a thematic analysis of the patterns of question usage across different types of investigative interview conducted by interviewers with different levels of training using the Griffiths Question Map (GQM).

The results of study 1 demonstrated that before the advanced training course the advanced interviewers were more skilled than other police interviewers. In particular they had good questioning and listening skills. Their weakest areas were rapport building and summarising. After interview training the advanced interviewers improved across all the areas of the interviews and clusters of

behaviours analysed showing a strong positive training effect. The results of study 2 were varied. Initially the improvements in skill noted after training did transfer to real life successfully, although rapport building was notably weaker than the other behaviours examined. In addition, over time all behaviours then showed tangible skill erosion with the exception of legal behaviours, topic structure, questioning and listening. Study 3 revealed that the witness interviews conducted by the advanced interviewers were less skilfully executed than the suspect interviews. The advanced interviewers failed to use the enhanced cognitive interview effectively, preferring a conversation management approach which suggested an 'overshadowing' effect from the primary suspect interview training. The deeper examination of questioning strategies used by the advanced interviewers conducted in study 4 demonstrated that this approach to witness interviews was deliberate and reflected a preference for a probing question style regardless of interview situation. The final study identified the patterns of questions that were evident in different types of investigative interviews conducted by interviewers with different levels of training. Using a specially designed tool called the Griffiths Question Map (GQM) the results of study 5 are presented as visual representations of the different patterns of questions that were visible in investigative interviews conducted by interviewers with different levels of skill. The GQM introduces a new and unique method of analysing question use across all types of investigative interview. The final chapter is a discussion of the main findings and includes recommendations for future research.

Overall the research studies indicate that advanced interview training does improve the interview ability of police officers. The studies also indicate, however, that further research is required into interview training design, the effect of time on skill and assumptions of competence for the same interviewers across witness and suspect disciplines.

Advanced interviewing is a new concept, but one that is essential to the evolution of major crime investigation. This in depth evaluation of an advanced interview training programme makes a significant contribution to both overall knowledge of investigative interviewing and the effectiveness of modern day interview training.

## **Chapter One: A review of the literature on investigative interviewing of suspects and witnesses**

### **SUMMARY OF CHAPTER**

The first chapter of this thesis opens by providing a brief history of police interviews with suspects. This history focuses on the events that resulted in new legislation to regulate the detention and questioning of people suspected of crime in England and Wales. The chapter also includes a discussion of the literature on the subject of *false confessions* which has been a major source of psychological research in relation to police interviews. The rather less controversial history of witness interviewing is then traced, along with the psychological research that led to the development and use of the cognitive interview by police officers on both sides of the Atlantic Ocean. The chapter then moves on to discuss the implementation of the PEACE interview training programme for all police officers across England and Wales. The design of the training programme is analysed in the context of established models of learning and skills transference theory. The literature review concludes by discussing the more recent developments in the evolution of investigative interviewing, namely the implementation of advanced interview training for officers dealing with major crime and the use of the enhanced cognitive interview. The chapter concludes by describing the studies that will form the remainder of the thesis.

## Introduction

The interviewing of witnesses and suspects is a core function of policing across the world. However in Britain, until 1992, there was no service wide interview training for police officers to interview either suspects or witnesses. Prior to this date very little attention had been paid to the quality of witness evidence; confessions obtained from suspects were seen as the best evidence of guilt, and 'good' interviewers were recognised as those who could persuade suspects to confess to crimes.

In 1992, the Association of Chief Police Officers for England and Wales (ACPO) published the first national training programme for interviewing which was designed to train all police officers to interview both witnesses and suspects. It was known as the PEACE interview model and was designed to train police officers to interview both witnesses and suspects for all crime types (Central Planning and Training Unit, 1992a; 1992b). Williamson, a senior police officer and one of the originators of the programme, later stated that the course was always seen as a foundation for further developments (NCF, 1998). In fact, the programme remained unchanged for almost a decade. It was not until recommendations were made at the conclusion of research examining the effectiveness of PEACE training (Clarke & Milne, 2001) that the National Investigative Interview Strategic Steering Group decided to review the level of police interview training.

In 2002, an updated five-tier interview strategy was implemented as the latest step in the evolution of police interviewing within the United Kingdom. This strategy developed the original single model into a more comprehensive approach based on academic research and recent developments in the criminal justice system. The tiered strategy was designed to equip officers with the appropriate training depending on their level of service and the type of crime with which they were dealing. However, whereas the original PEACE training course was thoroughly evaluated over the decade following its implementation (e.g. McGurk, Carr & McGurk, 1993; Clarke & Milne, 2001) the efficacy of the



individual elements within the updated strategy has not yet been examined. This thesis, therefore, provides the first evaluation of tier three interviewing, otherwise known as *advanced interviewing*, which is focused on providing interview training for detectives who deal with major crime.

The review of the literature commences with a description of police interviewing with suspects in Britain before the Police and Criminal Evidence Act (PACE, 1984). This section of the review explains how significant miscarriages of justice cast a dark shadow over the integrity of the police service and led to a radical change in the procedures that controlled police interviews. The review then goes on to discuss the important empirical research that was also generated by this concern over police interviews with suspects. Following this, the altogether briefer evolution of witness interviewing is then examined showing how the history of witness interview research did not stem from miscarriages of justice, but originated from psychological research into the fallibility of memory and psychological techniques that improved memory retrieval. The development of the original *cognitive interview* and the *enhanced cognitive interview* through research studies is described in this section.

The literature review then shows how, from their very different backgrounds, the histories of suspect and witness interviewing in England and Wales were brought together by the PEACE programme. The introduction of this nationally co-ordinated interview training programme, with a commitment to train all police officers in England and Wales, was a significant step in the evolution of investigative interviewing. The PEACE model as it relates to both suspect and witness interviewing is then explained. Section 1 of the thesis concludes with a description of the how the original PEACE model has now been developed into a sophisticated five-tier strategy which aims to deliver different levels of interview training to police officers dependent on their experience and sphere of work. The individual tiers are outlined and a fuller description of the focus of this thesis, tier three (otherwise known as advanced interviewing) is given.

## A brief history of interviewing with suspects

### *The period before legislative control*

The legislation that regulates the detention and treatment of criminal suspects in England and Wales defines an investigative interview with a suspect as:

“The questioning of a person regarding his involvement or suspected involvement in a criminal offence which is required to be carried out under caution” (PACE, 1984)

This definition, in 1984, was the first legal definition of an interview with a suspect and yet, historically, an interview with a suspect, or more accurately the interrogation *of* a suspect had been the focal point for every criminal investigation. In fact, PACE (1984) was enacted due to the problems caused by an over reliance on confessions by the police. This over reliance resulted in miscarriages of justice, which had seriously undermined public faith in the police and other parts of the criminal justice system (Williamson, 2006).

In terms of the criminal justice process, the role of an interview with a suspect conducted by the police is relatively new. In contrast to the barbaric practices of physical torture that characterised earlier ‘justice’ systems, the privilege against self-incrimination initially gained acceptance in the late 17th century. By the early 18th century, defendants had the right to remain silent at trial. Essentially all questioning of a person without that person’s will to testify was prohibited. Indeed, in England, only since 1898 has a defendant been deemed *competent* to testify at his or her own trial (Bryan 1997, Easton 1998). The police involvement in the process commenced following the formation of the Metropolitan Police in London in 1829. Due to this, and the subsequent development of other police forces in England and Wales, the police gradually took over the responsibility of pre-trial enquiry from the Justices of the Peace. However, it was not until the Judges’ Rules of 1906 that any formal control was applied to the admissibility of the product of police interviews. The Judges’ Rules were actually no more than administrative guidance but continued to be

the only control on the admissibility of interviews with suspects until the advent of PACE (1984). Under the Judges' Rules police officers were permitted to conduct interviews and then present their recollection of the interview in Court from their own notes made 'as soon as practicable' after the interview. Throughout this period confessions became an important part of the prosecution case and this remained the position until growing concern about the role of police in the investigation of offences, including their conduct their treatment of suspects, resulted in the 1981 Royal Commission on Criminal Procedure (Williamson, 2006). The concern over police treatment of suspects in fact arose from miscarriages of justice caused by unreliable confession evidence. One case that had caused particular disquiet was the murder of Maxwell Confait in 1972, where three juveniles who were arrested and interviewed by police confessed to his murder and were subsequently convicted. However, an appeal quashed the convictions as unsafe. The subsequent enquiry by Sir Henry Fisher (1977) concluded that the defendants had been subjected to unfair and leading questioning by the police, which affected the reliability of their confessions (Fisher, 1977; Gudjonsson, 2003). Public feeling about police conduct was a second source of concern behind the 1981 Royal commission. A survey on policing amongst Londoners at that time testified to the fact that a significant percentage of the public felt that threats and unfair pressure during questioning were widespread and that the police fabricated evidence (Smith, 1983).

The worst possible confirmation of the concerns felt by both government and community (Smith, 1983; Williamson, 2006) came in two of the most significant appeals ever to come before the Court of Appeal (Gudjonsson, 2003). The appeals concerned the convictions of two separate groups of individuals at two separate trials in 1975 following terrorist bombings committed a year earlier. In 1989 the appeal of the Guildford Four came before the Court of Appeal for the second time following an earlier unsuccessful appeal in 1977. Confessions allegedly made to the police during interviews had been central to the Guildford Four's convictions. The appeal, which followed years of campaigning in the public eye, proved that the confessions put forward by the police were unreliable and that four innocent people had spent over 14 years in jail for crimes they did not commit (Gudjonsson, 1992; 2003). This case was followed

in 1991 by the acquittals on appeal of the Birmingham Six. Once again the confessions that had been central pillars of their convictions were shown to be unreliable and, in some cases, coerced. On this occasion six innocent men had spent 16 years in jail as a result (Gudjonsson, 2003). Gudjonsson (2003, p. 439) argues that these cases were the worst miscarriages of justice in Britain in the last century but, in all, lists 22 landmark Court of Appeal cases in Britain which revolve around disputed confessions, most of which originate from this period.

As part of its work, the Royal Commission on Criminal Procedure (RCCP 1981) commissioned several studies to examine the police interviews with suspects. Irving's (1980) study of 76 interviews conducted at one police station over six months was the first time any police force in England and Wales had given unrestricted access to an independent research observer (Irving, 1980). This ground-breaking study revealed that a variety of manipulative and persuasive tactics were commonly used by police officers; these were: (i) pretending the police had more evidence than they actually had, (ii) pointing out the futility of denial and the 'benefits' of confession, and (iii) manipulating the suspect's self esteem (Milne & Bull, 1999, p75). Another study that examined 218 interviews at four police stations (Softley, Brown, Forde, Mair & Moxon, 1980) concluded that the interviewers were generally fair to the suspects. However, the study still identified the use of persuasion by police officers in 60% of the interviews, telling the suspects that the police had overwhelming evidence against them in 13% of the cases and bluffing about extra evidence in 15% of the cases, as well as minimising the seriousness of the offence in 6% of the cases. At a time when suspects were not allowed a legal adviser by right and when interviews were not audio recorded these studies represented rare access to police interviews. The Royal Commission led to the introduction of PACE (1984), which tightened considerably existing controls on the conduct of the police in their detention and treatment of prisoners.

*Problems exposed by wider research*

PACE (1984) and the mandatory recording of interviews with those suspected of crime allowed a comprehensive picture of police interviewing practices to be developed. Moston, Stephenson and Williamson (1992) examined 1067 interviews with suspects for crimes ranging from minor theft to murder. As part of the study each interviewer was asked to complete two questionnaires, one before and one after the interview. They found that in the majority of cases the officer's aim was to obtain a confession during the interview. This aim was based on the officers' pre-interview assumption of the suspects' guilt (Moston et al, 1992). The actual examination of the interviews in this sample revealed that 41.8% of the suspects did confess but that the factors affecting the probability of confession were the strength of the evidence against the suspect, the seriousness of the offence and advice given by a solicitor. The interview skill of the officer was not a factor that affected the outcome of the interview. Further, regardless of the skill of the interviewer, few changed from their initial stance of denial.

Mortimer's (1994a) research examined the attitudes of 150 police officers with regard to the evidence contained in five simulated crime files that related to volume crimes of the type the officers would normally investigate. The files were constructed so that they did not contain overwhelming evidence against the suspect. The participants were given the files and asked to prepare to interview the suspect (this was the second part of the procedure). After preparing for the interview the officers completed a questionnaire. Seventy-five per cent of the officers believed that the suspect they were about to interview was guilty. In addition, in regard to three of the files 66% of the officers saw the aim of the interview as obtaining a confession. The performance of the officers in the actual interviews was accusatory. Questioning was characterised by a high ratio of closed confirmatory questions and suspects were frequently interrupted. Significantly, even the officers who had rated the suspect more likely to be innocent than guilty made direct accusations during the interview.

These studies confirmed that in the early 1990s, despite significant and very public miscarriages of justice associated with confession evidence, most police officers still operated under the belief that the suspects they were interviewing were guilty and, as a result, set out to prove it. Stephenson and Moston (1994) further pointed out that the emphasis placed on the importance of confessions also reduced the effectiveness of the interview because officers ignored the opportunity to seek effective corroborative evidence.

#### *Frequency and causes of false confessions*

The emphasis placed by the police on confession evidence, and shared by other parts of the criminal justice system (Emson, 1999), needs to be put into perspective against the literature on the reliability of confessions made during police interviews. The problem of false confessions is widely recognised through individual examples (e.g. Birmingham Six, Guildford Four). However, the frequency of false confessions can only be estimated. Kassin and Gudjonsson (2004) recently highlighted 157 cases in the USA where DNA evidence has exonerated people who have confessed to the most serious of crimes. Kassin (1997) reported that estimates of false confessions in America range from 35 to 600 per year, a very small number when viewed against the number of interviews that are conducted in America. Twelve per cent of convicted prisoners in a study of Icelandic prisoners claimed to have falsely confessed to police, either to protect somebody else or to escape police pressure (Sigurdsson & Gudjonsson, 1996). Gudjonsson (2003) also reports that the figures within the Icelandic study equate to a false confession rate of less than 1% for all police interviews. However, although the rate of false confession appears to be low, the effect of one wrongful conviction on both the individual and wider society is immense as it undermines trust in the criminal justice system.

Perhaps of greater relevance to this thesis than their frequency are the causes of false confessions as they relate to interviewing. Gudjonsson (2003), a psychologist who had been involved in both the Guildford Four and Birmingham Six cases, showed that certain individuals, particularly those with reduced

cognitive ability (i.e. a learning disability) were more suggestible than the general population and were particularly susceptible to questioning which is leading or confirmatory (Clare & Gudjonsson, 1993). The danger of this situation is that this type of disability is not always obvious, particularly in borderline cases. Therefore, the risk of such people being arrested and subjected to leading questioning raises the chance of false confession that could lead to a miscarriage of justice. Gudjonsson (2003) identified three distinct types of false confession made by those interviewed by the police. These were:

*Voluntary false confessions.* This type of false confession is made without any external police pressure and often involves voluntary attendance at the police station. Kassin and Wrightsman (1985) categorised five causes of voluntary false confession. These were a morbid desire for notoriety, feelings of guilt over previously unpunished wrongdoings, an inability to distinguish fact from fantasy, a desire to protect the real criminal, and the hope for leniency. Gudjonsson (2003) added a further category to this list: the desire to take revenge on another. This type of confession is not directly affected by police interviewing.

*Coerced compliant confessions.* This type of false confession does result from pressure during the interview. Rather than being voluntary it is brought about by the pressure exerted by the interviewers. The interviewee makes the confession due to a perceived immediate instrumental gain such as a belief that he or she will be released from custody. The suspect may have an awareness of the consequences of the confession but has rationalised that the short-term gains of the escape from intolerable pressure outweigh the less certain long-term consequences. The suspect may also believe that the 'truth will out' in the long run, either through natural justice or the efforts of their solicitor.

*Coerced-internalized confessions.* This type of false confession is where the suspect comes to believe during interrogation that they have committed the crime for which they are being interviewed even though they have no actual memory of committing it. This category can be divided into sub-categories: suspects who have no memory of committing the offence due to amnesia (or substance abuse induced amnesia), and suspects who commence the

interview with a clear recollection that they did not commit the alleged offence but who gradually begin to distrust their memory due to the leading or suggestive nature of the interview.

When reviewing the different types of false confession it is easy to make a connection to the increased chances of such an occurrence through poor interviewing and the interviewing environment itself.

### *Lack of Skill*

As well as guilt bias being evidenced by academic research, a lack of skill in the approaches of interviewing officers was also found in the post-PACE era. Moston and Engleberg (1993) investigated the interview tactics employed by police interviewers and found that the manipulative interrogators identified by Irving (1980) had largely vanished but that officers lacked the necessary skill to deal with suspects who did not confess at an early stage of the interview. Moston and Engleberg (1993, p236) said, "Should the suspect fail to confess at this stage, responding instead with a denial or the use of silence, interviews frequently disintegrate". This finding was corroborated in a major study conducted by Baldwin (1993), who examined the interview tactics used by police officers in 600 interviews. It must be said that Baldwin did assess 63% of the interviews as satisfactory. However, he identified four general flaws in the techniques of interviewing officers (1993). These were:

General ineptitude. This was characterised by a lack of interview planning. Even in straightforward cases there was no real structure to the interview and the officers appeared to lack both interview skills and the ability to communicate generally. The interviewers were nervous and lacked confidence.

Assumption of guilt. This was shown by leading and repetitive questioning and a general attitude of scepticism towards the suspect from the outset of the interview. These interviews were also characterised by premature closure of the interview following a confession and the failure of the interviewer to seek corroborative detail.



Poor interview technique. This was evidenced by poor communication skills and failure to establish facts. Interviewers failed to listen to the replies given by suspects and frequently interrupted suspects' replies. Even with co-operative suspects the interviewers failed to establish the points to prove of the offence and became unsettled by hostile suspects or assertive third parties (solicitors or appropriate adults).

Undue pressure. This was defined as unfair and unprofessional questioning. There were two main approaches in this category, one where officers were aggressive towards suspects, and one where officers offered what appeared to be inducements to suspects. In both types of approach the practice of quoting the length of sentence the suspect might receive was frequently noted. In some of the cases in this category Baldwin viewed the tactics as completely unacceptable (1993).

Baldwin (1993, p331) also exploded the myth that interviews were lengthy, tense confrontations reporting that "most were short and surprisingly amiable discussions in which it seemed the officers were rather tentative in putting the allegations to a suspect". Furthermore, in only 20 out of the 600 interviews did the suspects alter their account during the course of the interview and only in nine of these cases was this felt to be attributable to the skill of the interviewer. Pearse and Gudjonsson (1996) found a similar picture in their examination of 161 police interviews where suspects were only challenged over their account in 20% of interviews. Research therefore has consistently found that the most significant factor which affected whether a suspect confessed to a crime was the strength of the evidence presented to the suspect and not the skill of the interviewer (Baldwin, 1993; Moston, Stephenson & Williamson, 1990, Moston et al, 1992; Stephenson & Moston, 1994; Pearse & Gudjonsson, 1996).

#### *The end of persuasive interviewing*

The flaws in an interview strategy consisting of a confession-driven interrogation conducted by unskilled and untrained interviewers are summed up

in one watershed case that finally ended persuasive interviewing in Britain: the Heron Case (Clarke, 1994). In October 1992 Thomas Heron, a 23 year old man confessed to the murder of a 7 year old girl during lengthy interviews conducted by senior detectives. The interviews were judged to be oppressive and were excluded by the trial judge. This led to Heron's acquittal. In this case the officers were criticised for misrepresenting the strength of the evidence against the suspect, specifically a description of a man seen with the victim shortly before she disappeared was 'overplayed'. The Court also disapproved of the officers' repeated assertions of Heron's guilt and suggestions that it was in his interests to confess.

The significance of the Heron case was that the false confessions in earlier cases such as the Birmingham Six and Guildford Four had been obtained through threats, violence and fabrication of interview notes when the suspects had no legal advisers present and the interviews were not audio or video recorded. The Heron interviews were tape-recorded and took place in the presence of a solicitor. As a result, the Heron judgement extended the definition of oppression to include tactics such as overstating evidence and emphasising the benefits of admitting the offence. While no-one could disagree with the verdict in Heron, part of the reason for the techniques employed by the interviewers could have been the lack of clear direction within PACE as to what techniques are permissible within an interview (Brown, 1997; Bull & Cherryman, 1995; McKenzie 1994). Even the judge in the Heron case had said that officers were not prohibited from being 'persistent, searching and robust' in their questions (Police 1994b, p31). However, there appeared to be a fine line between what was permissible and what was not. It was accepted of course that physical violence was unacceptable but, for example swearing, or misleading a suspect were grey areas.

Despite generally criticising police officers' interview skills Baldwin (1993, p345) acknowledged this point when he said:

Interviewers are operating in a sea of uncertainty. It is not possible for them to know what sort of conduct, short of physical violence or intimidation, the courts would be prepared to tolerate.

The short-sighted approach of the RCCP (1981), who felt it was neither practical nor desirable to define permissible tactics (Brown, 1997), was probably responsible for some ill-conceived techniques that sprung up in the period between PACE and the inception of a national interview model, as officers struggled to produce interviews under the increased stringency of new custody procedures. Unfortunately, due to the Royal Commission's oversight, it was left to the Court of Appeal to define parameters of acceptable behaviour within interviews with suspects. Of course the problem with this approach was that it was reactive and required a miscarriage of justice in order for the Lords to pass comment. The Court of Appeal frequently passed down judgements that defined which activities were not permissible in interview. Examples are: (i) the case of R v Blake (Criminal Law Review, 1991) in which the conviction was quashed after officers informed the suspect his voice had been recognised on a tape when it had not; (ii) R v Mason (CLR, 1988) in which the Law Lords made it clear that lying to a suspect as to the presence of his fingerprints was unacceptable. The judge in granting the appeal made it clear that the practice of such deception on a suspect was wholly unacceptable; and (iii) R v West, where an officer repeatedly interrupted a suspect during an interview, shouting at him and using an obscenity to indicate that the suspect was lying (National Crime Faculty, 1998). This conviction was also quashed.

### *Early approaches to training*

With the benefit of hindsight it seems easy to suggest that the lack of training and guidance was the core problem faced by the police service and it is ironic that this issue was commented on by the 1981 Royal Commission (Gudjonsson, 2003), but not addressed. It is worth emphasising once again that even at a time when the police service focused so heavily on the interviewing of or interrogating of suspects there was no consistent training investment in this skill and it was generally learnt by watching others (Norfolk, 1997; Moston & Engleberg, 1993). In the vacuum left by a lack of service-wide training there were individual efforts to change this position.

Walkley (1987), a serving police officer in England did produce an interrogation manual that was based on a best-selling book about American interrogation techniques (Inbau, Reid & Buckley, 1986). The technique described by Inbau, et al (1986) is a 'persuasive' interview model that promotes confession by the suspect based on the interviewer's prior *assumption* of the suspect's guilt. The serious concerns with this technique, identified by Memon, Vrij and Bull (2003, p63), are: (i) trickery and deceit are a pillar of the method and make false confessions more likely, particularly from the vulnerable; (ii) the method is unethical because it includes lying to the suspect; (iii) the pressure used may leave suspects feeling aggrieved and may influence future contact with the police; (iv) bluffing to a suspect damages the credibility of the interviewing officer (also highlighted by Moston, et al 1992); (v) use of trickery and deceit in the interview context may encourage officers to lie at other times, and (vi) the method is heavily reliant on using non-verbal cues to deception in identifying a guilty suspect. Contrary to popular belief few people are skilled at this and most score little better than chance in detecting deception, as consistently supported by research findings (e.g. DePaulo & Pfeifer, 1986; Köhnken, 1987; West, 1992; Vrij, 1993; Vrij & Mann, 2001). Fortunately, it does not appear that Walkley's manual was widely adopted. The timing of publication, coming soon after the implementation of PACE and not long before the successful appeals of the Birmingham Six and Guildford Four, may have been the cause of this (Gudjonsson, 2003).

A different approach to Walkley was offered by Shepherd and Kite (1989) who promulgated 'conversation management'. They directly opposed the confession strategy approach of Walkley with 'ethical interviewing' (Shepherd, 1994), which was based on an open minded, information gathering approach. Shepherd and Kite (1989) argued that professionally managing a conversation with an interviewee demanded the ability to:

Create an across relationship. This was achieved by posing questions, listening and responding appropriately and sharing equitable time with the interviewee, whether suspect or witness.

Make sense of the situation. This was achieved by monitoring oneself and others constantly, being mindful of the risky nature of person perception, the mechanics of conversation and the psychological pressures of the situation.

Make decisions prior to interview. This involved planning appropriately, identifying any extra information needed, and gathering that information. Also by identifying objectives for the interview, physically preparing for the interview, and mentally setting parameters for the initial question after rapport has been established.

Structure, manage and respond to the communication flow. This was achieved by applying the GEMAC principles (see below).

Shepherd's approach had been developed at the request of one UK police force after the implementation of PACE (1984) and was known as GEMAC, an acronym which stood for Greeting, Explanation, Mutual activity and Closure (Shepherd & Milne, 1999). The greeting phase of the approach sent relationship messages of equality by establishing an agreed mode of address at the start of the interview. The explanation phase defined the working relationship at the outset of the interview, a concept borrowed from psychotherapy where resistant individuals were commonplace. Mutual activity referred to the monitoring and assertion elements of the main part of the interview where the interviewer would pay close attention to the account of the interviewee and probe the account offered systematically through productive questioning and active listening. The closure phase involved summarising the interviewee's account to check back on the detail provided. Shepherd stated that GEMAC summarised the effective steps that facilitated maximum disclosure from someone treated as an equal (Shepherd & Milne, 1999). GEMAC was at variance with traditional police culture and required a high level of self- and other awareness by interviewers. It was also intellectually demanding, requiring application of academic psychology (Mortimer, 1994c).

Mortimer (1994c) describes the interview situation in England and Wales in 1990 as a three way split. The majority of forces still used the traditional admission-based approach, consistent with a negative view of PACE and

dominant interviewer behaviour. The ethos of Walkley, using 'lie signs' and 'buy signs' to detect deception and obtain confessions from the 'guilty', was apparent in this approach. A minority of forces used an ethical model promulgated by Shepherd through training programmes and other forces used an "impossible hybrid of both approaches" (Mortimer, 1994c, pp 43-44).

The overall situation regarding interviews with suspects by the early 1990s can be summed up as one where high profile cases had deeply affected confidence in the police due to flawed confession evidence, much of it originating from before PACE. A MORI poll conducted in 1991 showed that 73% of the public believed that the police bent the rules to gain convictions (Williamson 1991). This view was supported by a growing body of research that indicated that police officers were unduly focused on confessions (e.g. Moston et al, 1992; Mortimer, 1993, 1994b), which could be unreliable, particularly from vulnerable people (Gudjonsson, 1992). Further, the picture presented by the empirical evidence across a broader sample of different types of interview was of bland ineffective interviews where suspects were not challenged over their stories often enough (e.g. Baldwin, 1993; Pearse & Gudjonsson, 1996). There is an argument that the pressure on police to produce convictions in high profile cases led to tactics not normally employed day-to-day and that unskilled interviewing was more common than bad interviewing. The rate of false confessions reported (Sigurdsson & Gudjonsson, 1996; Kassin, 1997; Gudjonsson, 2003; Kassin & Gudjonsson, 2004) somewhat supports this view.

Both issues were acknowledged at the highest level of the police service -

The conviction of an innocent person does not, and cannot ever, serve our cause. Publicity in high profile cases is having a serious effect on how we are regarded. And poor standards of interviewing are losing us cases that we ought to be winning. In most interviews the problem is not with the interviewee - it is with the interviewer

(Chief Constable Crew, Police 1994, p30)

This position could not be allowed to continue and the Association of Chief Police Officers (ACPO) had to act. A working party was set up to improve the

situation. This led to the implementation of a national interview training programme for both suspect and witness interviews. Before discussing this development further it is relevant to describe the rather less controversial history of witness interviewing up until the equivalent point in time.

### The origins and evolution of witness interview training

Even though Munsterberg (1908) recognised that psychology had the potential to inform the criminal justice system about errors in *witness* accounts 100 years ago (Wells et al, 2000) the history of police interviewing in England and Wales is dominated by miscarriages of justice cases arising from false confessions by suspects (as described above). The relative scarcity of literature on the real life impact of witness fallibility in criminal cases, despite the considerable laboratory research evidence on the same subject (e.g. Loftus & Zanni, 1975; Loftus, 1979; Mello & Fisher, 1996) is perhaps due to two reasons. Firstly, attention was drawn to the issue of false confessions through the direct relationship between a false confession and a miscarriage of justice and, secondly, witness interviews have never been widely recorded. It was mainly the mandatory recording of suspect interviews that revealed the extent of the problems caused by interviewer behaviour in suspect interviews. The mandatory recording of witness evidence has been suggested (Heaton-Armstrong & Wolchover, 1999) but the evidence of most witnesses is still obtained by way of a written statement constructed by a police officer. Therefore, the full contribution of erroneous witness testimony, as influenced by interviewer behaviour, to miscarriages of justice will only be known when all witness interviews are recorded. However, psychology has retained its interest in witness memory over the last century.

Hollin (1999) described three broad stages in the psychological study of witness memory. The first stage was one of discovery where psychologists realised the applied potential of their research. The second stage, in the early 1970s, was where certain psychologists highlighted the shortcomings in witness memory. The third stage, commencing in the late 1970s, was where

psychologists turned their collective attention from identifying problems to offering solutions. Common to both phases two and three is interest in the influence of interviewer behaviour. In particular, if it was accepted that errors in witness recall were due to retrieval failure then what could be done to improve this by way of improved interviewing? In this 'third phase' (Hollin, 1999), psychological research into witness reliability, as affected by different interview techniques, has been conducted. In particular this research has concentrated on the previously neglected area of interrogative suggestibility (Gudjonsson, 2003), and its potential to adversely affect witness accounts.

Before discussing the concept of interrogative suggestibility, however, it is important to note the distinction that needs to be drawn between suggestibility and the related concept of suggestion. Gudjonsson (2003) warned that this distinction has not been clearly recognised within some literature. McDougall (1908) defined suggestion as -

a process of communication resulting in the acceptance with conviction of the communicated proposition in the absence of logically adequate grounds for its acceptance (p.100).

Gudjonsson (2003) maintained that there are two main problems with this definition. First, it implies that every suggestion that is made is accepted and, secondly, it does not recognise the separation that exists between the suggestion as a stimulus and the reaction of the recipient to the suggestion. Gudjonsson (2003) simplified matters by proposing that suggestion be seen as the stimulus that provides a recipient with a message to respond to, and suggestibility as the tendency of an individual to respond to suggestions in a particular way.

Interrogative suggestibility itself has two main theoretical approaches. The first of these is the 'individual differences approach' (Gudjonsson, 2003) which views suggestibility according to the varying ability of different people to cope with the uncertainty and expectations of an interview situation. The second is the 'experimental approach' (Loftus, 1979) which concentrates on analysing the



conditions under which certain types of questions are most likely to affect witness accounts. Through the experimental approach Loftus (1979) first identified the misleading effect of poor questions on the reliability of eyewitness testimony.

Combining knowledge of both of the approaches within interrogative suggestibility theory it is easy to understand that interviewer behaviour is a critical element in producing reliable witness testimony. However, Gudjonsson's (2003) proposed definition of suggestion and the experimental approach within interrogative suggestibility have an important common ingredient which differentiates them from the individual differences approach. Both are directly influenced by interviewer behaviour as opposed to interviewee personality trait or characteristic. Therefore, it can be seen that appropriate interviewer behaviour is vital in producing reliable and complete witness testimony, especially where an interviewee's individual suggestibility is unknown. However, early field evaluations of witness interviewing identified that interviews with witnesses were dominated by poor interviewer behaviour.

In England McLean (1992) conducted a small study of real life witness interviews by police officers (n=16) in one police force. Although limited in size the significance of the McLean (1992) study is that he had previously carried out a similar study examining suspect interviewing (n=14) in the same police force (1990). McLean used a similar methodology for both studies and compared the police officers that conducted the suspect interviews with the officers in the witness interviews. Based on results of the suspect study, McLean predicted that the police officers in the witness interviews would use a high proportion of closed and leading questions. He also predicted that they would monopolise the conversation and distort the witnesses' accounts.

In line with McLean's hypothesis the results showed that a high percentage of the questions (66%) in the witness interviews were counter-productive or inappropriate. This compared to the lower figure of 25% of all questions in the suspect interviews. In addition the suspect interviews contained a far higher percentage of open questions (26%) than the witness interviews (15%). According to McLean, "this indicates a much greater willingness by the police

officer to encourage a suspect to talk freely than a witness” (1992, p28). Later research by Rock (2001) tracked the genesis of information from a witness interview into a witness statement and illustrated how officers constructed witness evidence through editing the accounts given to them in line with their own beliefs about an incident.

In America, Fisher, Geiselman and Raymond (1987) examined a sample of witness interviews (n=11) conducted by detectives from a robbery team. None of the participants had received any formal training in how to interview witnesses. Through a qualitative analysis Fisher et al (1987) identified numerous shortcomings in the interview techniques of the officers. The list included interrupting the witness, excessive use of a short question-answer format, inappropriate sequencing of questions, negative phrasing of questions, non-neutral wording of questions, inappropriate language, staccato style of questioning, and judgemental comments.

These research studies show that the poor interview techniques found in evaluations of suspect interviewing (e.g. Baldwin, 1993; Moston & Engleberg, 1993) were also present in witness interviews conducted in the same period. Furthermore, the witness research identified a confirmation bias in the mindset of officers. Confirmation bias is defined as a mindset where people seek and interpret information in ways that are partial towards existing beliefs and avoid information which contradicts those beliefs (Ask & Granhag, 2005; 2006). This confirmation bias mirrored the guilt bias found in suspect interviews (McConville, 1992; Mortimer, 1993, 1994b, 1994c) in that officers appeared to approach the interviews based on their pre-determined concept of what had occurred. This approach was characterised by the use of closed and leading questions, frequent interruptions of the interviewee’s account and other poor interviewer behaviour. The momentum to improve the interviewing of adult witnesses originated from Fisher and Geiselman’s (1987) field research and led to the development of the cognitive interview in response to requests from American police officers for a more efficient way to interview witnesses (Milne & Bull, 1999; Memon, 2006).

### *The Cognitive Interview*

The original cognitive interview consisted of a combination of four primary retrieval enhancement techniques based upon two theoretical principles. The first of these is multiple trace theory (Köhnken, Milne, Memon & Bull, 1999). This theory sees memory as a network of associations, and the memory of an event is not held not as a single representation of the event in one place but as a combination of facets stored in different places within a person's memory and accessible by different stimuli (Tulvig, 1974). Long term memory is highly organised (Cohen, 1999) and a particular memory can be accessed by a number of different cues (Cohen, 1999; Memon, 2006). The effectiveness of memory retrieval is influenced by the second theoretical principle. This is the overlap between information encoded in the memory of the witness and the retrieval cue itself (Köhnken et al, 1999). Therefore, an environment which is similar to the environment which existed when the memory was initially stored will assist recall efficiency (Cohen, 1999). The original cognitive interview consists of four individual mnemonics (Clifford & Memon, 1999; Köhnken et al, 1999; Milne & Bull, 1999; Memon, 2006) designed to mentally recreate the environment which existed when the memory was stored and thereby increase retrieval.

The first of the CI mnemonics is *context reinstatement*. This instruction asks the witness to mentally reconstruct both the physical and personal features of the witnessed event. This would include the physical description of the scene and sensory features such as what they could hear or smell. The theory behind this technique is that any aspect of the witnessed event that has been encoded into memory can serve as an aid in accessing other parts of memory to improve recall of the witnessed event. The task of mentally recreating the context is not easy (Memon, 2006) and the interviewer assists the interviewee by giving a context reinstatement instruction. This consists of a number of linked instructions delivered with a pause between each, thereby allowing the witness to recreate the context as required. For example, this would be a typical example of a context reinstatement instruction for a witness who reported seeing a man run from her neighbour's house as she left to go shopping: "Think

back to that day. Picture the house in your head, think how you were feeling, what you were going to do. Then, when you are ready tell me everything you remember about the man”.

The second mnemonic is an instruction to the witness to *report everything*, including the smallest details so that all the information known to the interviewee is given to the interviewer. The importance of this technique is that an event is represented in memory at several different levels ranging from the general to the very detailed and unless specifically prompted witnesses tend to report from the general (Milne & Bull, 1999). This decision is influenced by a number of factors including previous experience of the police and assumptions about the interviewer’s knowledge of the witnessed event (Milne & Bull, 1999). In addition some interviewees will edit their narrative based on elements they consider to be too trivial to mention (Memon, 2006). The *report everything* instruction encourages interviewees to report as much detail as possible, even if they only remember part of the information (Köhnken et al, 1999).

The third mnemonic is to ask the witness to recall the incident from *different perspectives*. This instruction arose from research by Anderson and Pichert (1978) who asked two groups of participants to remember a detailed story from different personal perspectives: house buyer and burglar. After a delay the participants were asked to write down all they could remember about the story. Once they had said they could not remember anything further, the participants were asked to change perspectives and attempt to recall the story from the altered perspective. It was found that the participants did recall further detail from the ‘new’ perspective. This instruction asks the witness to place themselves in the shoes of another person at the incident. The use of the *change perspective* instruction has given rise to several concerns, particularly that it could confuse a witness or lead to speculation by a witness (Fisher & Geiselman, 1992; Kebbell & Wagstaff, 1996). Witnesses must therefore be told not to guess when using this instruction and to report only what they have experienced.

The final mnemonic in the original cognitive interview, *change the temporal order of recall*, consists of an instruction to the witness to make numerous

retrieval attempts from different starting points in their account, e.g. *reverse order recall*. The rationale for this instruction is based on the constructive nature of memory (Milne & Bull, 1999). When asked to recall an event, most witnesses will be influenced by a number of factors including prior knowledge (e.g. of the physical location or the type of incident), plus scripts (i.e. what they may expect to happen in a particular situation). In addition, most witnesses when asked to give a free recall will do so chronologically (Memon, 2006). In doing this the witness will use scripts and report information consistent with the script. The *change order* instruction causes the interviewee to examine the memory in a different way and can result in additional information being reported. Geiselman and Callot (1990) found that this technique is more effective than numerous recall attempts from the beginning of an account. Also, the additional information gained in this way can distinguish the witnessed event from other, similar, events (Memon & Bull, 1999).

The cognitive interview has been examined in over 50 laboratory tests (Köhnken, Milne, Memon & Bull, 1999; Fisher et al, 2006). This includes research examining the effectiveness of the cognitive interview with vulnerable groups such as the elderly (Mello & Fisher, 1996), and adults with mild learning disability (Milne, Clare & Bull, 1999). Studies have also made comparisons between the cognitive interview and more simplistic techniques such as straightforward repeated recalls (Campos & Alonso-Quecuty, 1999). The extent of this research will not be covered in detail here (but see more detailed description of field studies below). Nevertheless, not one experiment has been reported where the cognitive interview produced less information than the control interview (Köhnken et al, 1999). Fisher (2006) reports that the increase in correct information produced ranges from 25-100%. However, it is important to note that these results arise from a restricted standard research paradigm. Usually the participants either see a staged event (e.g. puppet show) or watch a video (e.g. blood donor session) before being interviewed using the cognitive interview, as one of a number of conditions, following a short time delay. These situations cannot replicate real life factors associated with witnessing traumatic events, nor can they presume a compliant interviewee.

In contrast to the large number of published laboratory studies conducted into the effectiveness of the cognitive interview, only two field studies examining the effectiveness of the cognitive interview have been published (Clifford & Memon, 1999; Memon, 2006). The first of these (Fisher, Geiselman & Amador, 1989) evaluated interviews with witnesses conducted by American detectives. In the initial phase, tape recordings of real life interviews conducted by the officers using their usual techniques were collected and evaluated. Half of the officers then underwent four 60-minute training sessions in the cognitive interview. As part of the training programme, each officer conducted a further real life interview after the training sessions and received further feedback. All the officers then continued to interview real life witnesses using either the cognitive interview or their usual techniques. A two-tiered evaluation was then conducted; the number of facts elicited by detectives before training compared to after training and the number of facts elicited by trained detectives compared to untrained detectives (Clifford & Memon, 1999). The detectives who had been trained obtained 63% more information than the untrained detectives after training and 48% more information after training than before training (Fisher, Brennan & McCauley, 2006).

An early study of the effectiveness of the cognitive interview in England and Wales was conducted by George (1991) who evaluated real life witness interviews conducted by a sample of police officers (n=32) before and after training. The officers were randomly assigned to one of four groups. One group of officers received two days training in the cognitive interview; another received seven days training in conversation management, a third group received seven days training in the cognitive interview and conversation management. The fourth group acted as a no-training control group (Clifford & Memon, 1999). Before training all the officers demonstrated a common schema for interviewing witnesses. This consisted of using closed questions, frequently interrupting the witness and directing the witness. George (1991) described this approach as the standard police interview. After training, the group that had received cognitive interview training showed a large increase in their use of open questions, which led to a 55% increase in the amount of information provided by the interviewee (George, 1991). The positive training effect on the group that had received conversation management training was not significant

and the group that had received both conversation management and cognitive interview training actually showed no improvement at all (Clifford & Memon, 1999). Indeed, there seemed to be a negative interaction effect of training both models together (Clarke, 2005). Both field studies, however, suggested that cognitive interviewing would improve the interviewing of witnesses.

## The implementation of PEACE

In March 1992, following a period of research and consultation, the ACPO working group and the Home Office published the principles of investigative interviewing (ACPO, 1992), which were distributed to all police forces. The publication of the principles was a declaration of commitment by ACPO on behalf of the police service and drew a line in the sand between the past and the future. The principles were to be applied to the interviewing of all victims, witnesses and suspects and stated: (i) that the role of investigative interviewing is to obtain accurate and reliable information from suspects, witnesses and victims in order to discover the truth about matters under police investigation; (ii) that investigative interviewing should be approached with an open mind. Information obtained from the person being interviewed should always be tested against what the interviewing officer already knows or what can reasonably be established; (iii) that when questioning anyone a police officer must act fairly in the circumstances of each individual case; (iv) that the police officer is not bound to accept the first answer given. Questioning is not unfair merely because it is persistent; (v) that even when the right of silence is exercised by a suspect the police still have a right to put questions; (vi) that when conducting an interview, police officers are free to ask questions in order to establish the truth; except for interviews with child victims of sexual offences or violent abuse which are to be used in criminal proceedings, they are not constrained by the rules applied to lawyers in court and (vii) that vulnerable people, whether victims, witnesses or suspects, must be treated with particular consideration at all times (ACPO, 1992).

The publication of the principles represented a big risk for ACPO. The principles were a bold public statement and promised a cultural change within the police service in England and Wales. However, ACPO needed to translate the rhetoric into reality. If further miscarriages of justice were reported through the courts, and poor interviewing practice continued to be highlighted through recorded interviews with suspects it would only further tarnish the reputation of the police service. In effect ACPO had publicly acknowledged the serious failings reported in the various research studies but now needed to provide a swift and effective solution.

The solution that was offered by ACPO was the PEACE interview training programme. This was a one week training course designed to train every officer in England and Wales of Inspector rank and below to interview both suspects and witnesses according to the principles of investigative interviewing. According to the Police Staff College briefing document (Police Staff College, 1994) PEACE was to steer officers away from psychological techniques focused on trickery and concentrate instead on three areas based on empirical research. These were: solid interviewing skills (as recommended by Baldwin, 1993), communications skills (as promulgated by Shepherd and Kite, 1989) and the effect of human memory on recall (as described by Fisher and Geiselman, 1992).

#### *The PEACE model*

PEACE is a mnemonic for the phases of the interview process: Planning and Preparation, Engage and Explain, Account, Closure, and Evaluation. The PEACE model has remained the bedrock of the overall ACPO interview strategy from 1992 to the present day. It also underpins the advanced suspect training course, and a comparison of the content of the PEACE interview course and advanced interview course is undertaken in chapter 2 of this thesis. This current section will explain each element of the original PEACE model as published in 1992, examine its underlying theory and then highlight developments in the course to the present day.



The initial PEACE course was accompanied by two books that were distributed to every police officer; these were 'A Guide to Interviewing' (CPTU, 1992a), and 'The Interviewer's Rule Book' (CPTU, 1992b). As the PEACE training programme was developed these books were replaced by a single book 'The Practical Guide to Investigative Interviewing', which was periodically updated (NCF, 1996; 1998; 2000). The "Interviewer's Rule Book" (CPTU, 1992b) provided a guide to the stages of an investigation and located the interview of a suspect firmly within this process. The link between the interview process and relevant legislation within PACE (1984) was made explicit. The book contained references to relevant case law with regard to oppression and rules for the admissibility of eyewitness evidence in relation to identification. The content of the rulebook was concerned with the legalities of the interview process, which were relevant to the miscarriages of justice that had been a major motivation for the development of the PEACE programme in the first instance.

The second book "A Guide to Interviewing" (CPTU, 1992a) dealt with issues of the interview process, human memory, communication and questioning. It will be described in more detail as it links to the issues that are fundamental to improved interviewing as the subject of this thesis. The first chapter of the book described the PEACE model in detail, including both the conversation management and cognitive approach. The second chapter gave an overview of memory. The chapter outlined short term, long term and working memory before explaining encoding, storage, retrieval and recall. The cognitive interview section of the book used the original four mnemonics of the cognitive interview: (i) reinstating context, (ii) free recall, (iii) change order and, (iv) change perspective. The third chapter of the book examined communication skills under broad headings of verbal and non-verbal communication, information processing, and active listening. The final chapter of the book described how best to question interviewees and the effects of different types of questions on interviewees. This included the effect of complex questions such as echoing (repeating the last words of an interviewee's answer to prompt further recall) and encouragement cues (guggles or sounds that also encourage the interviewee to keep talking).

Figure 1.1 depicts the five phases of the PEACE interview model (NCF, 1996) which are then described. The PEACE model is depicted as a linear interview model that spans the process from before the interview (planning and preparation) until after the interview (evaluation). The three phases of the model which encompass the actual interview are also shown as connected by dotted lines which indicate that the interviewer should remain flexible and can move backwards and forwards between the phases as required. For example, if the interviewer gets to the closure part of an interview and the interviewee mentions some new information, then the interviewer can return to the account phase and question the interviewee about the information.

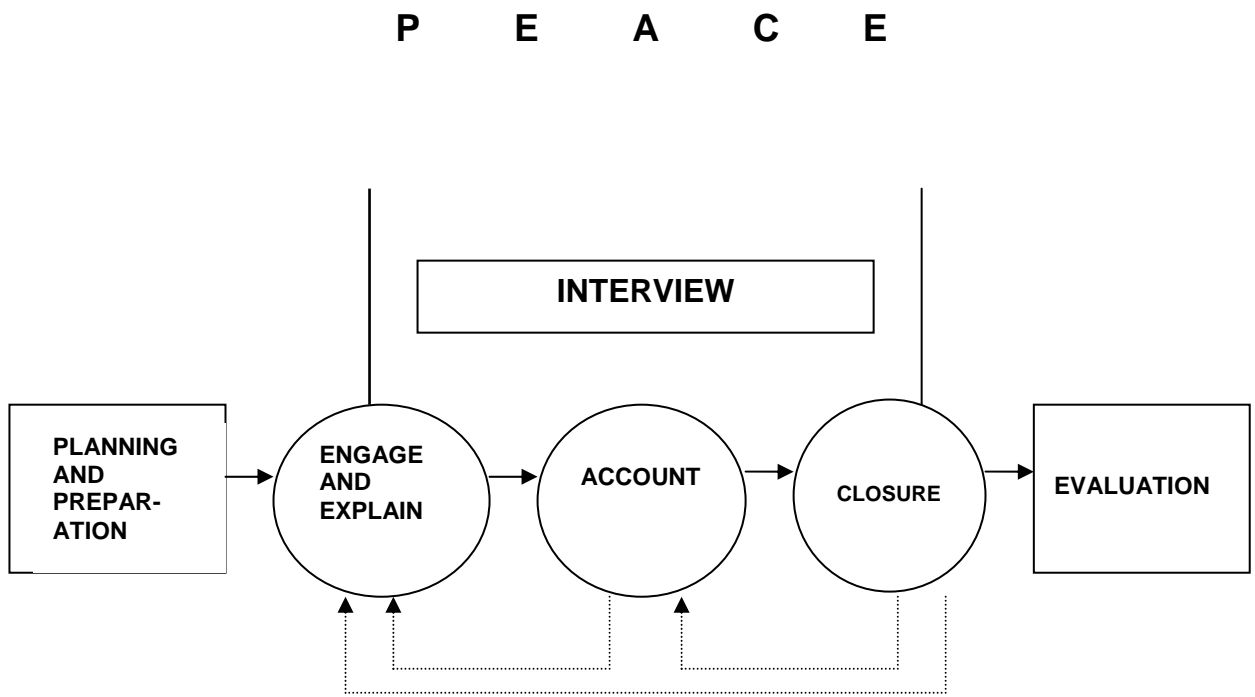


Figure 1.1 - The PEACE model (NCF, 1996, p.21)

Planning and Preparation (P) In this section planning was described as the mental process of getting ready to interview, while preparation was described as the administration of the interview such as the equipment and environment. In the mental process of planning officers were advised to think about the purpose of the interview, the objectives of the interview, the evidence to hand,

the points to prove and defences of the offence(s) under investigation, and consider a flexible approach. Officers were given tips such as visiting the scene of the crime, speaking to the arresting officer, examining exhibits and making use of intelligence. In the preparation section officers were advised to check the interview room prior to use, to clear away old paperwork which may have been left lying around and to ensure they had all the necessary forms for the opening and closure of the interview.

Engage and Explain (E) In the 'engage' sub-section officers were given advice about the importance of a good first impression and how the opening of the interview was crucial to its success. The officers were reminded to be courteous to all interviewees. The importance of establishing a name preference to personalise the process, particularly with victims and witnesses, was emphasised. Specific reference to appropriate language was covered in the guide and officers were warned to avoid police jargon. In the 'explain' sub-section officers were reminded to be flexible in their approach in order to avoid appearing wooden and impersonal. It was recommended that officers cover the reason for the interview, including the reason for arrest if the interviewee was a suspect, or the fact that the interviewee was understood to have witnessed an incident if a witness. The interviewer was also advised to explain the routines that would be followed in the interview including any notes that would be taken, the introduction of any exhibits and the writing of any statement required. The guide also suggested that the interviewer give a basic outline of the interview including its estimated duration.

Account (A) This section of the guide was divided into two and dealt with the conversation management and cognitive approaches, advising officers that they had the choice of using either approach as they saw fit. If officers used the cognitive approach they were to use one, two or even three free recall attempts, including a change perspective recall before questioning the interviewee on relevant subjects. If officers used the conversation management approach, they were to obtain an initial account and then sub-divide this account into a number of sections in order to probe for further detail. The guide contained detailed advice about the two different approaches including the previously mentioned guidance on question types, particularly leading and

negatively phrased questions. The officers were reminded to summarise the account of the interviewee and check their comprehension on what had been said through the use of such summaries. Specific guidance was given with regard to lies in the section concerned with suspects. This stated that where a suspect was believed to be telling lies, he or she should be allowed to continue and should not be challenged prematurely. When a challenge was made it should be made using evidence and in a positive and confident manner.

Closure (C) In the closure section the emphasis was on planning the closure of the interview so that both interviewer and interviewee had a clear understanding of what had taken place and what would happen after the interview. In particular, when dealing with witnesses and victims officers were advised to spend a considerable time closing the interview, reinforcing thanks for the effort made by the interviewee and the time spent being interviewed. Further advice was given in relation to victims, especially victims of sexual assault where it was advised to ensure the interviewee was supported at the end of the interview. The advice in terms of suspects was rather more circumspect and consisted of ensuring the legal rules for closing the interview were complied with and that the appropriate prompt card (which was included within the book) was used.

Evaluation (E) The evaluation phase was common to both suspect and witness interviews and consisted of three phases: firstly, evaluating the information obtained during the interview; secondly, re-evaluating the whole investigation in the light of the interview; and lastly, the interviewer evaluating their own performance across the interview process. Much of the evaluation was linked to the planning and preparation phase, where the interviewer was asked to consider whether they had achieved the objectives set prior to the interview and whether the information obtained during the interview altered the course of the overall investigation. In terms of self-evaluation, the guide asked the interviewer to be objective and to be analytical about their performance in all areas of the process, including asking a colleague or supervisor to be part of this process.

### *Experiential learning and skills transference*

The PEACE course was designed as *experiential* learning; it was intended that students would spend time practising interviews in order to improve their practical skills rather than be simply lectured on the theories of interviewing. In line with this aim the project team developed a complete set of training materials as part of the course documentation. This consisted of a trainer's manual, witness and suspect interview exercises, a planning and preparation exercise and student briefing notes (Clarke, 2005). The overall design of the course was that the students were generally given a block session of theory relevant to either a compliant or resistant interviewee and then participated in practicals related to the theory. In the practicals one student would play the part of the interviewee while two others would play lead and second interviewer. The aim was that by the end of the course every student would have played the part of lead interviewer, second interviewer and interviewee. Students also gave peer feedback when they were not involved in the interview practicals.

Experiential learning is based on the principles of andragogy, the theory of adult learning, defined by Mezirow (1981, p. 24) as "an organised and sustained effort to assist adults to learn in a way which enhances their capability to function as self-directed learner's. Knowles, Holton III, and Swanson (2005) stated that self directed adult learning is based on six principles, (i) *the need to know*, adults need to know why they need to learn something and spend time considering the benefits and disadvantages of learning something new, (ii) *the learners' self-concept*, adults have a concept of being responsible for their own decisions and resent situations where others impose their will on them, (iii) *the role of the learners' experiences*, adults come into educational activity with a library of experiences which influence their thinking, (iv) *readiness to learn*, adults are ready to learn the things they need to know in order to cope with real life situations, (v) *orientation to learning*, adults are problem focused and are motivated to learn to the extent that they feel the learning will help them deal with real life situations and, finally, (vi) *intrinsic motivation*, this is the main driver for adult learning but adults frequently feel blocked by barriers such as lack of opportunities or resources or courses which violate the principles of adult learning. Knowles et al (2005) also emphasised that adults' need to self-direct can clash with training that is

contextually identical to child like learning (pedagogy) and attempts to impose 'education' on them. This approach can cause adults to reject the training.

Kolb (1984) defines experiential learning as "the process whereby knowledge is created through transformation of experience" (p38) and suggested that there are four stages to the experiential learning cycle, as shown in Figure 1.2.

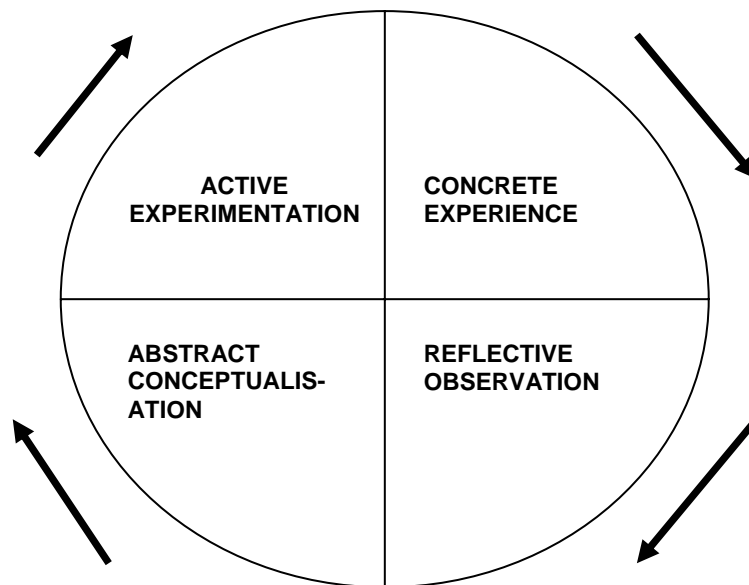


Figure 1.2 - Kolb's learning cycle (Kolb, 1984)

As can be seen in Figure 1.2, the first stage of the cycle is the *concrete experience*, which involves physical involvement in an experience. The second stage is *reflection*, specifically reflection on, and observation of, the learner's experience. The third phase is the *formation of abstract concepts and generalisation*, defined as the creation of concepts that integrate the learner's observations into sound logical theories. The final phase is *active experimentation* where the learner tests the implications of the new concepts in new situations *to see if they work in practice* (emphasis added) (Pont, 2003).

The design of the PEACE course is consistent with the first three phases of Kolb's learning theory (1984). The practical exercises within the course represented the concrete experiences where the officers tried the 'new' method of interviewing (PEACE). The post-practical feedback sessions allowed the officers to reflect upon the experience from the perspective of interviewee, lead

interviewer or second interviewer, and develop the concepts that would assist them to generalise what they had learned to the problems they faced in the workplace. The area where the experiential learning provided by the PEACE course fails to follow Kolb's theory (1984) is the final stage of active experimentation. Kolb's theory is circular and states that when one revolution is completed another begins. The implementation of PEACE training did not include any follow-up contact with the officers. In effect, the learning cycle (Kolb, 1984) was broken and the officers were offered no mechanism to assist them on a second revolution of the cycle, to re-evaluate the learning from the course after it had been exposed to real life. This situation is not unusual as shown by the literature on skills transference.

This literature suggests that only between 10% and 20% of training is successfully transferred to the workplace (Hoffman, 1983; Facticeau, Dobbins, Russell, Ladd, & Kudisch, 1996). Broad and Newstrom (1995) proposed a more sophisticated view of workplace transference: that initially 40% of a training course is transferred to the workplace, but that this drops to 25% six months after training and 15% after one year. The factors that affect training transference actually start with the design of the training course itself. Factors such as validity, context, training course characteristics, a balance of content between theory and practice and specific transference activities are all seen as relevant to successful skills transfer (King, 1996). Sufficient practice time within the training programme (Ottoson, 1995) and the creation of a safe learning environment (Broad & Newstrom, 1995) are also seen as important. Further, the practical elements of the training should be realistic and match those found in the workplace (Buckley & Cape, 2004; Garavaglia, 1993; Broad & Newstrom, 1995). Transfer can also be facilitated by pre-read material (Garavaglia, 1993) and individual feedback sessions within the course, where students are asked to commit to using the new skills (Broad & Newstrom, 1995).

Considering the design of the PEACE course in terms of the factors which positively affect skills transference (Buckley & Cape, 2004; Garavaglia, 1993; Broad & Newstrom, 1995; Ottoson, 1995; King, 1996) shows that the training design was appropriate in most respects. For example, the course design

recommended that before the course students received pre-read material in the form of 'A Guide to Interviewing' (CPTU, 1992a) and 'The Interviewer's Rule Book' (CPTU, 1992b) and also provided students on the course with several opportunities to practice the newly taught skills in realistic scenarios. However, the design of the course does appear to have been deficient in one key area. It did not include specific transference activities (King, 1996). This would include follow up training.

Despite this apparent flaw in the training design, an evaluation of a pilot of the new PEACE training course (McGurk, Carr & McGurk, 1993) found that the students displayed improved interview skills both immediately after the training and six months later when compared to a control group of untrained officers. However, there are certain logistical issues that need to be considered when comparing the effectiveness of the pilot PEACE training course with subsequent training courses nationwide. Firstly, the tutors on the pilot course were trained by the original PEACE project team and were therefore likely to be well trained. In contrast, Clarke (2005) showed that when the course was rolled out nationally the quality of the training staff was variable. Secondly, although Baldwin's study (1993) identified inept interviews with suspects in all types of crime, the most notorious cases in the history of police interviews relate to major crime interviews with suspects. The case files used in the pilot PEACE course, however, were basic volume crime files. Therefore, it is likely that these case files did not present the difficulties of more complicated real life cases.

Both of the above factors are relevant when considering the reliability of McGurk et al's (1993) evaluation. However, the most significant factor in determining the reliability of McGurk et al's (1993) study originates from Knowles et al's (2005) theory of andragogy. A key element of andragogy is the student's motivation to learn. The importance of the motivation to learn cannot be underestimated. Wlodowski (1985) stated that motivation to learn is the sum of four factors, (i) success, adults want to be successful learners; (ii) volition, adults want to feel a sense of choice in their learning; (iii) value, adults want to learn something they value; and (iv) enjoyment, adults want to experience the learning as pleasurable. The officers selected to attend the pilot course were volunteers and had fewer than six years service. Much of the previous research



had studied detectives with longer service (e.g. Moston et al, 1990; Baldwin, 1993; Moston & Engleberg, 1993; Stephenson & Moston, 1994). It is highly likely that the 'confession-oriented' attitudes of the younger officers on this course were nothing like as hardened as those of more experienced colleagues, and that they were motivated to learn by 'selection' for the new training course and the prospect of interest from researchers, which was to continue for 6 months. This aspect of Knowles et al's (2005) theory is particularly relevant when considering the varying results from the pilot of the initial PEACE course where attendance was voluntary (McGurk, Carr & McGurk, 1993) and subsequent evaluations of the basic PEACE training courses for police officers where attendance was mandatory (Clarke, 2005).

#### *The development of PEACE*

Eighteen months after the first PEACE courses were run an internal police service review was conducted to evaluate progress. As a result of the review both "A Guide to interviewing" (CPTU, 1992a) and the 'Interviewer's Rule Book' (CPTU, 1992b) were discontinued. Amended material was written by the National Crime Faculty and published under the title 'A Practical Guide to Investigative Interviewing' (National Crime Faculty, 1996). The 1996 guide did not contain any specific reference to conversation management or the cognitive interview but instead incorporated the skills into the PEACE model.

The 1996 guide was considerably more detailed than the first two books and was updated twice (NCF, 1998, 2000) before the decision to implement the five-tier strategy meant it was discontinued in favour of a different publication. Following the changes to the PEACE model made in the 1996 edition, subsequent editions did not alter the model but tended to add to the legislative or procedural information within the guide. The 1998 edition of the guide ran to 175 pages (including appendices) and had four main sections. These were (i) the Principles of Investigative Interviewing (six pages), which emphasised the ACPO approach to investigative interviewing as 'much broader than interrogation' (p.13); (ii) Interview Skills (10 pages), which introduced the PEACE model and described the importance of conversational skills such as

listening and questioning; (iii) The PEACE model (33 pages) with a chapter focusing on each section of the interview model under the appropriate part of the mnemonic; and (iv) Interviewing Law and Procedure (72 pages), which outlined legal issues and case law surrounding inferences from silence, confession, and pre-interview disclosure.

The guide is a comprehensive document covering all the important subjects in relation to investigative interviewing and there is a wealth of material within its pages. However, two significant issues spring to mind while reading the guide. Firstly, the law section is the largest section in the guide. This is due to the major change to the right to silence in England and Wales caused by the Criminal Justice and Public Order Act (1995). The guide covers the complex issues raised by the change to the right to silence and the information which is likely to be requested by a legal adviser when representing a suspect prior to interview as a result. These issues are likely to be daunting to an inexperienced officer and a source of anxiety during the training course. Secondly, the section on communication skills is considerably more detailed than the one in the original material given to officers. It contains high-flown, simplistic statements such as 'Listening is not a passive activity. You must actively process the information that is being provided by the interviewee' (NCF, 1998 p.30) However, the guide gives little practical advice about how to achieve this. Overall the guide is certainly no substitute for effective training on either of these issues. Yet, despite the growing literature accompanying the PEACE course, the length of the course did not alter from the original five days until the implementation of the five-tier strategy. At the time (2001-02) that data on the force studied was being collected for the research in this thesis, the PEACE interview course was still a five-day course that trained officers to interview both suspects and witnesses. This situation is consistent with other forces across England and Wales (Clarke, 2005). It stands to reason that if more complicated issues are introduced into the syllabus, increased teaching time will be needed unless something else within the course is compromised, e.g. practice.

Although the PEACE interview course was designed centrally it was delivered locally (i.e. in individual training units across individual police forces). This led to differences in the way the PEACE course was taught across forces (Clarke &

Milne, 2001). One consistent theme was that the five-day course emphasised suspect interviewing over witness interviewing with the majority of practice time spent on suspect interview role plays (Clarke & Milne, 2001). The historical context surrounding the implementation of PEACE, i.e. the miscarriages of justice associated to confession-driven interviews with suspects and the burgeoning legislation surrounding interviews with suspects, appears to be responsible for this. During a five-day PEACE course, usually two days were used to deliver the theory surrounding both the conversation management and cognitive interview models and three days were taken up with interview role plays of suspects (two days) and witnesses (one day). However, the general impact of the five-day course and the effect of changes in the law upon the students' performance are not easily quantified outside of the research studies that have been carried out, because the design of the five-day PEACE course did not contain any formal assessment process and no assessment was made of an officer's interviewing ability, either prior to or at the end of the course. This is a very important point, especially when one considers that George (1991) found that combined training did not produce positive results.

Clarke (2005) reviewed a number of unpublished studies that evaluated the effect of PEACE training. Clarke observed that, despite the fact that PEACE-trained officers to interview suspects and witnesses, the main focus of research studies had been on suspect interviews. In one force an evaluation found that "interviews lacked structure, contained poor questioning and rarely challenged the interviewee" (2005 p73). In another common faults noted in interviews were "failing to ask why a suspect did not want a solicitor, not summarising, and not placing the suspect's account into sections" (2005, p75).

The national evaluation of PEACE (Clarke & Milne, 2001) found that interviews with suspects had improved since the implementation PEACE but that further development was still necessary, whereas interviews with witnesses were still poor (Clarke & Milne, 2001). Clarke (2005) compared the findings from the suspect interviews in the national evaluation with Baldwin's main criticisms (1993) and reported that the interviews did not show the general ineptitude found by Baldwin but that the major improvements were in the legal compliance aspects of the interview. Improvements were required in officers'

communication skills. Of course, it is the skilled use of questions that will produce more reliable information from interviewees. Therefore, it appears that the real value of the original PEACE interview model has been as a safety net to prevent further miscarriages of justice in relation to interviews with suspects. It is highly significant that of the list of 22 landmark false confession cases listed by Gudjonsson (2003, p 439) not one has occurred since the implementation of PEACE in 1992. While it is true that the majority of these landmark cases also occurred before PACE (1984) there were still miscarriages of justice due to interviewing between 1986 and 1992 (e.g. R v Miller 1990).

The transparency of the modern suspect interview process has seen attention switch more recently to the evidence of key witnesses in major criminal trials, and how the police conduct these interviews and present the evidence from them in court (Shepherd & Milne, 2006; Savage & Milne, 2007 in press). Witness interviewing had not received this level of public scrutiny previously because it had not been seen to result in dramatic acquittals. However, the steady growth of research targeted at this area and certain key cases that have focused attention onto witness evidence, such as the murder of Damilola Taylor where the evidence of a key witness was discredited (Tendler, 2002; Laville, 2002), have raised the awareness of problems in this area in much the same way as the interviewing of suspects prior to 1992. There is a worrying sense of déjà vu in this situation and the police service in England and Wales must not repeat the mistakes that resulted in the need for the RCCP (1981) and PACE (1984). In order to do this the police themselves must continually scrutinise their own performance and implement improvements where necessary. This process has already started.

The main criticism of PEACE as an effective interview model is that it was devised as a 'one size fits all' training course for officers regardless of their skill or experience, or of the crime under investigation. Milne and Bull (1999) refer to the fact that the developments in interviewing made the assumption that all police officers performed at roughly the same level, i.e. not very well. Yet Baldwin (1993), Stephenson and Moston (1994) and Williamson (1993) identified different types of interviewer and different skill levels in the observed interviews of their studies. It is certainly true that some officers can conduct an

interview beyond the level of skill required to comply with the PEACE model. Cherryman (2000) conducted research to identify the elements of a skilled interview and found 11 distinguishing factors in skilled interviewers. These were: good communication skills, the use of empathy and compassion, flexibility, open mindedness, an ability to keep interviewees to relevant topics, the use of open questions, the appropriate use of closed questions, good interview structure, appropriate use of silence and pauses, the ethical use of tactics, and a willingness to respond to what interviewees said.

As a result, in the years after PEACE was implemented, some forces sought to offer a higher level of training and quickly developed advanced interview courses for detectives involved in major crime (Griffiths & Milne, 2005). In *Wise Guys Get Personal* (Gibbons, 1994), one police force described an advanced suspect interview course designed to add the interviewer's personality to the 'bland' PEACE package. During the same period, defence legal advisers improved their training and that in turn created the need for increased professionalism by interviewing officers. The development of specialist witness interviewing also took place in the period after PEACE as individual police forces designed and implemented enhanced cognitive interview (ECI) training for significant or key witnesses in major crime investigations. The reasons for the development of the ECI and a brief description of the differences between the ECI and original cognitive interview are given below.

## The Enhanced Cognitive Interview

Although the original cognitive interview improved the recall of witnesses in laboratory tests it did not wholly address the problems of poor police interview technique observed in the field research, which also highlighted the fact that officers often interviewed nervous witnesses who had experienced a real life incident. Therefore, the enhanced cognitive interview was developed from the original cognitive interview by adding a communication skills element to the pure cognitive mnemonic strategies (Köhnken et al, 1999; Davis, McMahon & Greenwood, 2005; Memon, 2006). The enhanced cognitive interview included

three new elements that were added using principles taken from the social psychology of communication (Köhnken et al, 1999).

The first new element was a *rapport-building phase*. This phase was included to put the witness at ease and included a specific *transfer of control* from the interviewer to interviewee allowing the latter to control the pace of the interview. In addition, the *rapport-building phase* required the interviewer to interact with the interviewee and not simply ask formulaic questions such as their name, address and occupation. It was advocated that the use of open-ended questions at this stage of the interview would condition the interviewee to give longer answers as the interview progressed (Milne & Bull, 1999).

The second additional element was a *focused retrieval instruction*. Memory recall beyond the general level requires focused attention and concentration. Interviewees may not do this unless specifically encouraged to do so (Fisher & Geiselman, 1992). This instruction was included to allow the interviewee to concentrate on mental images retrieved during the free recall prompted by the original context reinstatement instruction.

The third element included within the enhanced cognitive interview was *interviewee compatible questioning* which stipulated that the interviewer's questioning should be guided by the interviewee's pattern of recall (Memon, 2006). As the enhanced cognitive interview has achieved widespread exposure to real life interviews by police officers in England and Wales, further components have been added which tailor the enhanced cognitive interview to the modern investigative process (Milne, 2004). The enhanced cognitive interview model, as taught to police officers involved in the investigation of crime in the UK and in this thesis, is described in chapter 5.

The unilateral developments in interview training described above were incorporated into the five-tier interview strategy implemented by ACPO in 2002 as a result of the recommendations made by the National Investigative Interview Strategic Steering Group that followed the national evaluation of PEACE (Clarke & Milne, 2001). The new five-tier strategy was the next step in the evolution of police interviewing within the United Kingdom. This strategy

built upon the foundation laid down by the PEACE model. It developed the original single course into a more comprehensive approach designed to cater for officers at different stages of their careers and dealing with different types of crimes. Tier one is an introduction to interviewing for new police officers, probationers or police recruits and covers basic communication skills. Tier two is a development of this and is aimed at officers engaged in dealing with everyday crime such as theft and assault (similar to the original PEACE course). Tier three is designed to equip officers to deal with more complex and serious crime and encompasses a range of separate courses for interviewing (i) suspects (see methodology section for studies 1 and 2 for a full description), (ii) witnesses (the Enhanced Cognitive Interview: see study 3 for a full description), and (iii) witnesses who may be vulnerable or intimidated (as defined by the Youth Justice and Criminal Evidence Act, 1999). Tier four deals with the monitoring and supervision of the quality of interviews and tier five introduces the role of the interview co-ordinator for complex and serious crime (see Griffiths and Milne, 2006 for a fuller description).

As can be seen from this discussion, in the United Kingdom psychology has made a major contribution to the debate surrounding investigative interviewing in terms of identifying the problem, analysing the problem and then suggesting solutions. Psychology continues to influence the theory and practice of investigative interviewing and this explains the sustained research interest in the PEACE model, which has been the subject of numerous published and unpublished research studies since 1992. However, the more recent development of advanced interviewing has never been examined empirically. There is no prior research quantifying the effects of advanced interviewing. The question “Does advanced interviewing work?” has not been investigated until now. Therefore, through a series of studies this thesis presents the first empirical research on the efficacy of advanced interviewing. Chapter two describes the common methodology used for studies 1 and 2 and also reports how, prior to the main studies, this methodology was applied to a separate sample of real life interviews with suspects. These interviews were conducted by PEACE-trained officers, who were not advanced interviewers, in order to establish a baseline level of general interviewing skill within the same force as the advanced interviewers, who were the main focus of the research studies.

The main series of studies reported in this thesis commences in chapter three. Study 1 evaluated the training effect of an advanced interview course by comparing simulated interviews conducted by a group of advanced interviewers before and after training. The hypothesis for study 1 was that a three-week course would improve the interviewing skills of the officers who took and passed it. The rationale underlying this hypothesis was based on two factors. Firstly, the officers were volunteers for the training and were selected for the advanced interviewing course by a pass/fail assessment. This meant that they were highly motivated to learn, a critical factor in successful adult learning (Wlodowski, 1985). Secondly, the course was much longer than the one-week PEACE course and contained multiple opportunities for practice and feedback as recommended by the experiential learning cycle (Kolb, 1984). The extra length of the course and the pre-selection were thought to be significant factors in the development of this hypothesis.

Study 2 (Chapter 4) reports a comparison of two real life interviews with suspects conducted by the advanced interviewers after training. The first was conducted very soon after training and the second a considerable time later. The advanced interviewers had received no formal refresher training in the period between the first and second real life interviews. These interviews were compared with the advanced interviewers' post-training simulated interview to establish whether skills acquired on the course transferred into operational real world policing and how time affected these skills (i.e. longevity). The hypothesis for this study was that skills developed on the advanced interview course would transfer to real life due to the training design (Kolb, 1984; Knowles et al, 2005) but that time would erode some of these skills, as found in the skills transference literature (Broad & Newstrom, 1995), and previous research on interview training (e.g. McGurk et al, 1993, Lamb, Sternberg, Orbach, Hershkowitz, Horowitz & Esplin, 2000; Lamb, Sternberg, Orbach, Esplin & Mitchell, 2002). Study 2 aimed to identify which skills transferred to real life and which were affected by time.

Study 3 (Chapter 5) switched focus from the interviewing of suspects to the interviewing of witnesses and describes a two-stage analysis of the



performance of the advanced interviewers in a sample of real life interviews with key witnesses in serious crime cases. Having passed the three-week advanced suspect course, the advanced interviewers received supplementary training in the ECI. This element of the training programme was designed so that the core skills acquired in the three-week suspect course could be 'topped up' by teaching the advanced interviewers the nine phases of the ECI (Milne, 2004). At the conclusion of this training programme the advanced interviewers had received almost five weeks of interview training compared to one week for other officers; therefore the hypothesis for study 3 was that, having received such intensive training, the advanced interviewers would be omni-competent and equally at home interviewing a witness or a suspect by blending the skills acquired on the two training courses. To test this hypothesis, the first stage of the analysis evaluated the performance of the advanced interviewers in the real life witness interviews against a rating scale derived from behaviours within the ECI. The second part of the analysis compared the interview performance of the same advanced interviewers in suspect and witness interviews in 29 behaviours which were common to the suspect interview behaviours and the witness interview behaviours.

The ability to question suspects and witnesses effectively is at the heart of advanced interviewing and yet little research has been conducted into how skilled interviewers approach this task beyond scoring the type and frequency of different types of question within investigative interviews (e.g. George, 1991, Clarke & Milne, 2001). Studies 4 (Chapter 6) and 5 (Chapter 7) employed different qualitative approaches to examine this one particular skill involved in investigative interviewing. The variation of research methodology from the earlier quantitative approach in studies one to three was designed to gain a deeper understanding of this important skill.

Study 4 conducted an interpretive phenomenological analysis (Coolican, 2004) of the questioning strategies used by a sample of advanced interviewers. The participants in this study comprised two groups of interviewers, one group who had received advanced training to interview suspects and a second group who had received advanced training to interview witnesses. The procedure used was an in-depth 'think aloud' (Cacioppo & Petty, 1981) interview that

investigated the advanced interviewers' decisions regarding the selection and use of different questioning strategies in suspect and witness interviews conducted as part of a training course.

Study 5 developed the examination of questioning as a skill and conducted further research on the themes identified in study 4. The need to use appropriate questions in investigative interviews is widely acknowledged (e.g. Loftus, 1979) but previous literature has defined questions as individual forms of words with no regard to context (e.g. Loftus, 1979; Milne & Bull, 1999; Hargie & Dickson, 2004). However, study 4 had revealed that skilled interviewers made deliberate choices about the *combinations* of questions that they employed in different interview situations. Study 5, therefore, developed upon this and involved a thematic analysis of the patterns of questions identified within suspect and witness interviews conducted by a sample of interviewers with different levels of training. Although defined as a qualitative approach, thematic analysis has the ability to test hypotheses (Coolican, 2004) and the thematic analysis in study 5 was used to test the hypothesis that appropriate and inappropriate questioning patterns could be identified within investigative interviews. This was achieved through the use of a specially designed assessment tool.

The series of studies reported in the empirical section of the thesis sought to establish whether the creation of a specialised interview training programme for police officers that built upon the basic PEACE model improved the investigative interviews that these officers conducted.

Chapter eight presents an overview of the findings from the studies and a discussion of the main findings. This discussion assesses the impact of advanced interview training, including its transference to real life, and presents suggestions for further research plus recommendations for interviewing generally. Finally, the conclusion summarises the main findings from the first evaluation of advanced interviewing and its significance for both suspects and witnesses in major crime cases.

## **Chapter Two : The methodology; setting the scene**

### **SUMMARY OF CHAPTER**

The previous chapter reviewed the history of suspect interview techniques in England and Wales. One of the most significant developments in that history was the implementation and development of a national interview training programme which consisted of a five-day course for all police officers under the rank of Inspector, (NCF, 1996), which was then developed into advanced training for some officers in some forces. The next chapter introduces a series of studies that evaluated this advanced interview training. This chapter commences by describing the difference between the basic PEACE course and the advanced interview training course. Following this comparison the chapter describes the common methodology that was designed for use in the studies examining suspect interviews featured in chapter 3 and 4. This chapter concludes by applying this methodology to a sample of real life suspect interviews conducted by PEACE-trained officers in order to provide a context for the main suspect studies. The results of this assessment of PEACE interviews showed that 10% of the interviews assessed breached PACE (1984) and that the overall standard of interviewing was below the standard expected. In particular planning and preparation, rapport and summarising were poor, as found in previous studies (Baldwin, 1993, Clarke & Milne, 2005). Although very limited evidence of the guilt bias (e.g. Mortimer, 1994a) was detected in the interviews, overall the baseline interviews were formulaic and ineffective.

## Introduction

Development of advanced interviewing started in the years following the implementation of PEACE when certain police forces had recognised that this 'one size fits all' model was not sufficient to cater for all needs. PEACE was seen to focus on volume offences, and serious crime demanded a higher level of interview technique that was both ethical and effective if lawful convictions were to be obtained. This desire led to the development of an advanced interview training course for detectives investigating serious crime in certain forces within England and Wales. This training focused initially on the interviewing of suspects and consisted of a more intensive training course open only to selected detective officers.

Even the nature of what constitutes advanced interviewing is open to discussion. On the one hand it could refer to the PEACE model applied to more serious crime, or, on the other hand, it could be the technical application of more complex skills by individuals with heightened capability. One proposed definition came at the conclusion of Home Office research into 'specialised' interviewing as early as three years after the inception of PEACE.

Questioning or interviewing by an officer well trained and experienced in investigative interviewing, or with 'in-depth' knowledge of a specific area, in complex, severe or unusual circumstances, requiring additional skills, and in accordance with the principles of investigative interviewing. (Cherryman, 2000, p.108)

To be recognised as a separate entity, 'advanced interviewing' must not simply be judged by outcomes i.e. confessions from suspects or chronologically perfect accounts from witnesses. Neither should it only occur in individuals who possess an unusually high degree of natural ability. Rather, it should be recognisable, effective, and consistent and measured against a broad range of criteria that go beyond legal requirements and basic accounts. Advanced interviewers should demonstrate skilful communication, resulting in a reliable product that assists the investigation into a criminal offence. The series of

studies reported in this thesis concerns an evaluation of the effect of advanced interview training on selected police officers and their interviewing behaviour.

This section of the thesis opens by introducing a methodology, common to both studies 1 and 2, that focuses on interviews with suspects. This section also contains a comparison of the content and conduct of an advanced suspect interview course with a basic PEACE suspect interview training course. This is important in order to establish the exact nature and content of the advanced training. The comparison reveals that the two training courses share a common foundation in the PEACE model but have important differences in teaching style and assessment. The section then continues by giving some details regarding the police officers that are the focus of the research. The term 'advanced interviewer' is a police term that will mean little, if anything, to those outside the police service. Advanced interviewers for the purpose of this research are all detective officers who have received extra training following selection for the advanced interview programme. This chapter explains that selection procedure and what it entails. The selection procedure includes two different assessment processes that involve conducting simulated interviews with suspects. The methodology section also provides a detailed breakdown of the simulated interviews and the real life investigative interviews that make up the investigative interviews examined in studies 1 and 2. The use of real life and simulated interviews within the study design enhances the methodology as it allows examination of investigative interviews conducted by the advanced trained officers in two different environments, under different levels of control. The methodology section concludes by discussing the design of the rating scale used for studies one and two.

When commencing a series of studies of officers who have successfully completed advanced interview training it is already known that they are skilled interviewers at the outset, i.e. before embarking on their additional advanced training, as they have passed the selection test. This is what identifies them as having the *potential* to be advanced interviewers. However, the empirical studies investigating the skills and abilities of advanced-trained officers need to be set in a context which compares the officers' interviewing behaviour with those of the general population of police officers in the same force, i.e. a

baseline needs to be established. This need to establish a 'baseline' is reinforced by the national evaluation of PEACE (Clarke & Milne, 2001) that revealed a varying standard of investigative interviewing across England and Wales. The methodology section concludes, therefore, by reporting the results of a *PEACE comparison study* that analysed a sample of interviews with suspects conducted by 44 PEACE-trained interviewers who were not advanced interviewers. This sample of interviews conducted by PEACE-trained officers, comprising detective and patrol officers, is measured against the same rating scale designed for studies 1 and 2.

### Advanced Interviewing – what is the difference?

Police officers in the UK have been undertaking PEACE interview training since 1992. Courses were generally delivered to both patrol and detective officers by non-detective trainers who taught other subjects as well. Although originally developed as a five-day course for officers with five to 12 years' service, it was quickly expanded to include all officers below the rank of inspector. The PEACE course was designed with lesson plans and materials assembled by a national project team working under the supervision of ACPO. The unilateral nature of the early development of advanced interviewing meant that no centrally coordinated material was written for the advanced suspect interview courses. It was only after the implementation of the five-tier strategy that a syllabus document was compiled on behalf of the National Investigative Steering Group for each element of tier three training, including the advanced suspect interview course. The syllabus document for the advanced suspect course was based on a compilation of documents from forces that were known to run an advanced suspect interview course. This exercise showed that, even without national coordination, there was a considerable degree of similarity in the content of these courses. This is not as much of a surprise as it may at first seem. The forces that developed this type of training adopted a pragmatic approach and generally copied each other. The course described here is representative of the advanced interview courses run by the pioneers of this system.

Initial comparison of the available advanced course material and the 'Practical Guide to Investigative Interviewing' (1998) showed that the two shared common ground. The advanced course based itself on the structure of the PEACE model. It used the same phases of the interview model. Both sets of materials emphasised an open-minded approach to the interview with the goal of obtaining a reliable account from the interviewee. Both courses included sections on the danger of oppressive tactics and the negative effects of suggestibility. In general terms, the advanced course was not a 'new' model of interviewing but a development or progression of PEACE. However, important differences can be identified when examining the courses in detail.

The main differences between the PEACE course and the advanced course are the training delivery and the assessment regime. The advanced course was three weeks long (15 days) and dealt solely with suspect interviews. The trainers were detective officers who specialised in training interview skills (they were also qualified PEACE trainers) and did not teach other subjects. They combined their training role with an operational role, which meant they were training skills that they used regularly and they had current operational experience of serious crime interviews with suspects. This credibility appeared to be important to both trainers and students. The content of the advanced course focused on serious crime (e.g. rape and murder) whereas the PEACE course dealt with volume crime (e.g. theft, minor assault and burglary). Patrol officers were not eligible for the course, since officers had to successfully complete detective training and pass an assessment to gain a place. The assessment consisted of a simulated interview with a suspect, which evaluated the officer's interview skills. The officer was required to plan, prepare and conduct a PEACE interview with a suspect for an offence such as theft, assault or deception (see materials, later in this chapter). Assessors used a range of PEACE criteria from the individual elements of the PEACE model to mark an officer's performance, concentrating on structure and communication skills. The officer was required to reach a particular standard in order to gain a place on the advanced interview course. The detectives were motivated to apply for this process due to a policy change within the force, which was that only qualified advanced-trained officers would be permitted to interview suspects in cases of murder and rape. The development of the course and the policy change were

part of an overall strategy to improve the standard of investigative interviews within the force.

Prior to commencing the advanced course, officers received a significant amount of material to be read. Officers were aware that they would be tested later on the material, which focused on research into investigative interviewing prompted by miscarriages of justice. The material included academic articles on the subjects of communication skills, oppression and ethics e.g. 'Developing Professional Listening Skills' (Shepherd, 1997), 'High profile – but not that high profile' (Evans & Webb, 1993), and 'Police Interrogation' (Stephenson & Moston, 1994). It also included a summary of relevant criminal cases, e.g. the Heron case where the judge had condemned the interview techniques used by the officers, and extracts from the PACE Codes of Practice (1984) covering interviewing. On the first day of the course the officers sat a knowledge test based on the required pre-reading material. The results of the test, along with structured feedback from the assessment interview, were used to indicate areas of strength and weakness to individual officers in the first week of the course.

The advanced course divided the PEACE model into sections with individual lessons on each part. These sections are briefly summarised here.

Planning and preparation (P), which covered two distinct subjects: firstly the logistical preparation required, e.g. equipment, location of interview, and order of interview in cases with multiple suspects. It also taught a detailed method of interview planning based upon the type of information gathered during an investigation into a serious crime. This planning method was different to the PEACE model in that it went beyond the basic facts and points to prove and focused on the *detail* of the accounts provided by witnesses. The planning method encouraged the officers to spend time learning the detail from these accounts in order to be better placed to probe the details of any account offered by the suspect.

Engage and explain (E), including the legal elements of the introduction and rapport building. The officers were taught to cover the introductory elements of



the interview without the prompt cards used by PEACE-trained officers and were encouraged to fully explain the interview process as a way of building rapport and a working relationship with the suspect.

Account (A), covering the obtaining of a detailed account from the suspect. It emphasised the importance of the correct choice of relevant topics in order to probe any initial account given by the suspect. This session also covered the use of questions, summarising and preparation for the challenge phase.

Closure (C) and Evaluation (E) were combined into one session. This covered finishing the interview by valuing the participation of the suspect and explaining the investigative process after the interview as a way of maintaining rapport. The session also covered the two elements of evaluation: firstly, comparing the account obtained from the suspect with other information already known and formulating further enquiries based on this comparison if necessary; and secondly, evaluating the interviewer's own performance within the interview.

The teaching approach on the advanced interview course was in contrast with the basic PEACE course, which delivered the theory in one block, followed by role-play interviews where officers conducted one whole interview themselves and also watched several others. Arguably the advanced course design was more in keeping with the theory of experiential learning (Kolb, 1984) because it allowed the students to develop their skills using a building block approach which included multiple practice and feedback sessions. One theory session, for example the engage and explain elements involved in the introduction, preceded role-play practice for each officer in this one area. This pattern was repeated until officers built up their skill level for all elements. When the officers did conduct a complete interview they were tasked to use feedback they had received in earlier sessions to enhance their performance.

As mentioned earlier, the majority of the issues taught on the advanced course can be found within the 'Practical Guide to Investigative Interviewing' (NCF, 1998) but the length of the advanced course allowed sufficient time to address them in classroom sessions where officers' learning could be assessed in a formative manner by training staff. The general similarity between the subject

matter of the PEACE course and the advanced interview course, as can be seen in Table 2.1, does make a direct comparison of the skills of advanced-trained officers and PEACE-trained officers possible.

Table 2.1 - Comparison of PEACE and advanced interview course factors

	PEACE	Advanced interview
Duration	One week (five days)*	Three weeks (15 days)
Attendees	All officers	Detectives only
Subject	Suspect/witness	Suspect only
Crime type	All**	Serious crime only
Training staff	General police trainers	Dedicated trainers (detectives) and experts
Pass/fail	No entry/exit criteria	Entry and exit test
Role players	Other officers	Actors
Materials	Centrally provided	Locally written course

\* Average of three days spent covering suspect interviews

\*\*Although the PEACE model covered all crime types, the scenarios provided for mock interviews on the course all relate to volume crime

In addition to sessions focused directly on the constituent elements of the PEACE model, the timetable included lessons on questioning, suggestibility, resistance and miscarriages of justice. A session on objective self-assessment was also included in the timetable, and time was devoted to communication skills with listening tests linked to sessions on confirmation bias.

Over the duration of the course the officers conducted a minimum of five role-play interviews. Instead of solely using police trainers, the advanced course also involved outside experts, i.e. a psychologist and a lawyer. The former delivered a non-police perspective on psychological issues associated with interviewing and the latter offered a defence perspective on police tactics and their effectiveness. The last four days of the course saw each officer conduct a simulated interview with an actor playing the part of a suspect in a serious case (see the post-training interviews description later in this chapter). Officers who

passed the course were then effectively licensed to interview suspects for the most serious criminal cases.

In conclusion, advanced interviewing is not a new model of interviewing. It is a development of the PEACE model that uses a longer training course to teach the theory underpinning PEACE and to introduce new skills to enhance effective use of the model. It can be compared in much the same way as an advanced driving course can be compared to a basic driving course. The same elements are recognisable within advanced driving and basic driving, such as the co-ordination of accelerator and clutch to change gear but the advanced course develops the basic elements and adds new skills to take driving to a higher level, e.g. simultaneous braking and accelerating to generate maximum speed and stability through a bend. Advanced driving is also more applicable to certain situations – it may not be needed simply to drive to the shops! In a similar way, the advanced interviewing course tailors the PEACE structure towards the interviewing of suspects in serious crime cases. The selection process identifies those officers with the *potential* to be advanced interviewers. The advanced course then develops the officers' knowledge of the underpinning theory of each part of the model in order to improve their practical application of the skills required for the interview process. A system of multiple role-play practices linked to feedback is used to embed these skills, and a final pass/fail assessment at the end of the training course is used to test ability prior to real life deployment.

The first two studies in this series of studies set out to examine the benefits of the advanced suspect interview course.

## Common methodology for suspect interview studies

### Method

Studies 1 and 2 are linked by overall design. Both studies used a repeated measures design, evaluated investigative interviews with suspects and employed the same dependent variables, scored through a single rating scale. The dependent variables were 92 behaviours defined from the advanced PEACE interview model of interviewing and relevant literature. The behaviours included in the rating scale were either diametric (n=6), in that they were or were not present, or they could be rated against a five-point Likert scale (n=86). All 92 behaviours were marked independently during data collection, and clustered into different groups representing areas of the interview or specific communication skills for analysis and reporting. The areas of the interview clustered together were: (i) engage and explain – also broken down further into legal elements and rapport behaviours, (ii) the account phase – also broken down further into account, topics, summarising, challenge and (iii) closure. Clusters of behaviours that were separately examined were communication behaviours, comprising questioning, listening, and conversation management. The 86 rated behaviours were also allocated to either the categories 'simple' or 'complex' according to their perceived difficulty (see Appendix A for full breakdown of behaviour clusters). The results of the analysis were then used to test the hypothesis underlying the particular study, both for overall interview performance and in different phases and areas of the interview and clusters of behaviours.

The studies differed in that they employed different independent variables, focused on different environments and had different numbers of participants. Study 1 examined two sets of simulated investigative interviews, known as the *pre-training* interviews and the *post-training* interviews, to evaluate the training effect of an advanced interview training course. The independent variable for study 1 was 'level of training' with two conditions, before and after training. Study 2 examined investigative interviews across three time intervals; (i) a simulated investigative interview conducted at the end of the training course

(identified as the '*post-training*' interview) as a control or baseline, (ii) a real life investigative interview (identified as '*real life 1*') conducted no more than six months after advanced interview training (mean time delay after training 2.74 months, SD =1.91, range 1-6 months) to evaluate immediate skills transference from the training environment into real life; and (iii) a real life investigative interview (identified as '*real life 2*') conducted no less than ten months after the end of the advanced training course (mean time delay 19.88 months, SD = 7.52, range 11 – 37 months), to evaluate the longevity of the training. In addition the real life interviews examined were from the most serious of cases, namely murder, rape, serious assault or high value theft.

### *Participants*

A total of 49 police officers who were advanced interviewers participated in studies 1 and 2. These officers were also all fully-qualified detectives of constable or sergeant rank and were routinely involved in the interviewing of suspects for criminal offences. This advanced interviewer group (named the AI group) consisted of 41 male officers (84%) and eight female officers (16%). A number of the officers were promoted during the programme and for that reason rank or service lengths are not expressed. The original intention had been to involve all the officers who were performing the role and who had successfully completed an advanced interview course within the chosen force (n=57) to participate in the series of three studies. These studies involved assessment of tape-recorded interviews conducted by the AI group. These tapes were from their training course (study 1), from real life interviews with suspects (study 2).

All the officers agreed to take part and, following training, undertook to submit details of all real life investigative interviews they conducted onto a central database allowing random selection of interviews for study 2. However, a number of issues arose that reduced the number of eventual participants in the AI group for each study. Firstly, during data collection for study 1 the audiotapes from the final training interview for a small number of participants (n=2) were found to be defective. Secondly, six officers who had agreed to take

part did not submit any details of real life interviews they had conducted. During follow up contact the officers stated they had not conducted *any* real life interviews after completing their advanced interview course. This was due to a variety of reasons including illness, resignation, or transfer, either to different duties or a different force. As the study design was longitudinal and intended to evaluate interviews conducted by the AI group at different points (selection, training and real life) the absence of either the final training interview or both real life interviews was critical and so these individuals (n=8) were excluded, leaving the final total of 49 officers in the AI group. Similar problems were then encountered during data collection for study 2. The original aim of this study was to analyse two real life interviews by the advanced interviewers at specified time intervals following their training course, to examine the longevity of the training. However, during the data collection phase for study 2 it was discovered that a number of advanced interviewers within the remaining group had not conducted two real life interviews during the specified time period. This meant that the AI group was reduced to 27 participants.

The number of interviewers who did not remain active following the training is a concern. A similar problem was encountered during data collection for study 3 where certain officers did not utilise the extra witness interview training they received and did not conduct any real life witness interviews after enhanced cognitive interview training. Both the advanced suspect course and enhanced cognitive interview course represent a major investment of time and money and if officers trained do not use the skills taught this represents a waste of that investment. Also, as the PEACE comparison interviews show (see p.72), the general standard of interviewing outside of the advanced group was poor and therefore the fact that a number of competent advanced interviewers were not interviewing suspects for serious crimes would undoubtedly affect the performance of the force adversely. Although as stated above certain officers left the force making this loss unavoidable, at least two others were deployed to duties (e.g. custody officer) where they had little or no opportunity to interview.

## Materials

### *The Interviews*

There was a dilemma to be faced in selecting the types of interviews which could accurately answer the research question – does advanced interviewing work?

From the outset the analysis of real life interviews was seen as vital to the ecological validity of this series of studies. However; the evaluation of real life interviews presented methodological problems. The variables within a real life situation cannot be controlled as they can in an experimental research study (Wells, 1978; Memon et al, 2003). Indeed, some of the variables will not be known at all. For example, suspects cannot be controlled to react in a certain way. The interaction between a suspect and interviewer can be influenced by human factors such as the presence of a legal adviser or second interviewer. Other situational factors such as the case characteristics or personal circumstances of the suspect can also have a major influence. All of these issues can confound an accurate assessment of the skills displayed by the interviewer. Methodology is more straightforward with simulated interviews that can be controlled; actors can be briefed as to what to say, and information given to the interviewer can be adjusted in different conditions to test how it is used in the interview. However, none of these manipulations can replicate a real interview and therefore simulated interviews lack ecological validity.

In the related area of eye witness research (Wells, 1978) contended that there were two types of eyewitness research: system variable research, which investigated variables that could be manipulated in criminal cases (e.g. the structure of an identity parade); and estimator variable research, which investigated variables that could not be controlled (e.g. the characteristics of a witness). Wells concluded that system variable research was of more use in eyewitness identification research because the effect of the manipulation could be measured and reported. The need for ecological validity in analysing interviewer behaviour suggests that the opposite is true in terms of investigative interview research. Estimator variable research is more important because real

life suspects cannot be controlled (except in corrupt interviews!) and investigative interviews must be tested in this environment. However, system variable research cannot be ignored and it is also important because it provides a comparison to the estimator variable research and can assist in determining the transfer of skills between training and real life, particularly where the same participants are used. Therefore, in order to gain the benefits offered by the examination of simulated and real life interviews, and to minimise the disadvantages, both types of interview were examined in the suspect studies.

Study 1 utilised a simulated role-play interview conducted before training, designated the '*Pre-training*' condition, and a simulated role play interview conducted after the training course, designated the '*Post-training*' condition. Both sets of interviews were conducted as part of the training programme and were not randomly selected. However, because they were conducted under training conditions the interviews offered a pre and post-training comparison where other variables were controlled, e.g. case type and length. Audio tapes of these interviews were used.

Study 2 then examined two real life suspect interviews conducted by a sub-set of the original AI group after training and compared the results with matched participants from the post-training condition of study 1. The real life interviews used in study 2 were selected from records of crime interviews conducted in the force concerned using details kept on a central database as part of general administrative procedures. The real life interviews were identified and collected at varying stages in the investigation but analysed when the cases had been closed either through conviction for detected cases or filing for undetected cases. The samples contain a high number of very serious cases including 30 murder cases (n=30, 55%) and 14 sexual assault cases (n=14, 26%).

The selection of the real life interviews for analysis became problematic, as noted in *Participants* above. The original study design asked the participants to nominate details of all real life interviews conducted after training, and it was intended that the first real life interview would be the first interview that they conducted after training. However, it became apparent that some officers did not lead an interview for a considerable time after their training course, or were



not involved in cases of appropriate seriousness. Furthermore some officers did not conduct sufficient interviews within the desired time frame. All of these factors required some alteration to the original research design in order that some form of random selection could still be applied to interviews examined. Having considered the problems articulated above it was decided that the first of the real life interviews (*Real life 1*) to be examined must have been conducted no later than six months after the training course and the second real life interview (*Real life 2*) must have been conducted no earlier than ten months after training. All cases must also satisfy the criteria of the most serious crimes. None of the interviews examined were self selected by the participants. Table 2.2 shows the breakdown of all interviews with suspects used in studies 1 and 2.

To an extent the final choice of the time intervals since training was compromised by the availability of data to examine and the difficulty encountered in constructing the sample for study 2 illustrates the difficulty of research in the real world. However, the originality and high level of ecological validity of this first empirical examination of advanced interviewing outweighs these difficulties.

Table 2.2 - *Breakdown of case types examined in interviews with suspects across all studies*

Case type	Pre-training		Post-training		Real life 1		Real life 2	
	Number	%	Number	%	Number	%	Number	%
Murder	0	0	1	2%	16	58%	14	52%
Sexual Assault	1	2%	19	38%	4	15%	10	36%
GBH	4	8%	29	58%	5	19%	2	8%
ABH	16	34%	0	n/a	0	n/a	1	4%
Theft	28	56%	0	n/a	1	4%	0	n/a
Other	0	n/a	0	n/a	1	4%	0	n/a
Total	49	100	49	100	27	100%	27	100%

### *The pre-training interviews*

As can be seen from Table 2.2, pre-training interview comprised a sample of mock suspect interviews (n=49). These interviews concerned cases that were all based on real crimes and included one case of serious sexual assault (n=1, 2%), four serious physical assaults (n=4, 8%), 16 minor physical assaults (n=16, 33%), and 28 theft offences (n=28, 57%). These cases all came from a finite number of cases selected and prepared by training staff for the assessment process. As such they were not a random sample of crime cases. They were specifically chosen for the assessment process. The majority of the cases concern volume or everyday crimes but in the early part of the assessment process offences of rape and GBH were included. However, training staff soon removed them after an initial review of the assessment process as it was realised they were too complex for the assessment process. This explains the presence of the rape and serious assault cases within the sample. In order to make the assessment process fair within each case file the papers comprised approximately the same amount of material. Typically this would be a crime report, victim statement, either two or three other witness statement(s), a diagram of the crime scene and photographs.

Each officer was allowed 30 minutes to read the file and prepare for his/her interview. Although it was acknowledged that 30 minutes might be a shorter period than some officers would use for normal interview preparation, the officers were pre-warned that this was the amount of time available within the selection process. The officers were supplied with working materials that were collected as part of the assessment process. After their preparation time the officer then conducted an interview with the actor who was playing the individual suspected of the offence. This lasted a maximum of 45 minutes and was tape-recorded. The tapes were retained. Each interview was assessed independently by two trainers using the rating scale referred to in the previous section. These assessors collaborated to agree a final mark for each officer. The mean interview length of these interviews was 36.2 minutes (SD= 4.641; range 27-45 minutes).

### *The post-training interviews*

The post-training interviews also consisted of 49 simulated interviews with suspects based on real crimes. These cases were all serious crimes as required by the design of the final course interview. These comprised one murder case (n=1, 2%), 19 serious sexual assaults (n=19, 39%), and 29 serious physical assaults (n=29, 59%). Due to the seriousness of the cases the files contained more material than the files for the pre-training interviews. Although the crime report giving the details of the victim, name of the suspect, and location of the crime would be of a similar length to the pre-training interviews the other documentation comprising statements, forensic reports and officer updates were longer and more detailed. In total there were ten crime files, which were rotated for assessment of candidates. The officers were given more preparation time than for the pre-training interviews as this would replicate the reality of being asked to interview on such a case in the real world. The officers were given the file the day before their interview, which allowed one whole evening to prepare. For practical reasons, the interview they conducted was limited to approximately 90 minutes, although one interview ran to 120 minutes, and was marked in the same fashion as the pre-training interviews. The mean interview length of this sample was 86.24 minutes (SD= 10.21; range 65 – 120 minutes).

Interviews in the pre- and post-training conditions shared some common factors. All simulated interviews took place in a training centre assembled to replicate a real life interview room. All interviews were taped using the same equipment as real life interview rooms. The officers had no contact with the 'suspect' prior to interview, again to keep things as realistic as possible and were introduced by a trainer playing the part of a custody officer. At the end of the interview, the suspect was taken away by the same trainer.

Each of the files used for the pre- and post-training interviews had a corresponding 'scenario' that was given to the role player who played the part of the suspect. The role players were all adult professional male or female actors (the pre-training interview groups comprised 37 men, 12 women; the post-training interviews 43 men and six women) as appropriate to the case. Significant efforts were made to make the situation realistic and yet consistent

so that the officers were tested fairly. The actors were not scripted with responses but rather supplied with a particular stance to adopt when questioned in the interview. In every case the actor was informed that they had been involved in the incident for which they were going to be interviewed. The actor was then told what his/her approach to the interview should be in an attempt to adopt a similar approach, in that a suspect would decide what explanation to give based upon their knowledge of what had happened. Typically the actor was asked to initially provide an account with limited detail and then to deal with the officer's subsequent questions. For example, one of the case files in the post-training interviews concerned a serious assault in the toilet of a pub where the victim had been assaulted with a beer glass (glassed). The victim had received a severe cut to the face. The actor was briefed with the details of the injury, the fact that he and the victim had been involved in an argument earlier in the evening and that there were no witnesses to the actual assault (all of which the real offender would know). The actor was not told that there were witnesses who saw the suspect (him) follow the victim into the toilet carrying a beer glass and that these same witnesses had seen the earlier argument. The actor was then briefed to adopt 'self-defence' as the basis of his account. This situation provided the officer with an opportunity to obtain the actor's initial account and probe the detail behind it. In a skilled interview the officer would use the medical evidence in the file and the witness information to test the self-defence account. The only stance the actors were not briefed to use was that of 'no comment'. For assessment purposes, a 'no comment' response by the actor severely limited the officers' ability to demonstrate their knowledge of the interview model (although this did not always prevent the actors becoming immersed in their role and resorting to this stance). Indeed, as seen in the real life interviews conducted by the PEACE group (see p.71), the approach of denying the offence but giving an explanation was followed by 80% of the suspects interviewed even when a legal adviser was present. The test conditions did mean that none of the interviews proceeded to conclusion. All the interviews were terminated by the assessors due to time constraints placed on the process. This was generally 45 minutes for the pre-training interviews and 90 minutes for the post-training interviews. Due to this the element of 'closure' is not observed in any of these interviews and does not form part of the comparative analysis for study 1.

### *Real life 1*

As discussed above in this study design problems were experienced in the data collection phase of the research, which reduced the number of real life interviews evaluated in study 2. The real life 1 sample used in study 2 comprised 16 murder cases (n=16, 59%), four serious sexual assaults (n= 4, 15%), five serious physical assaults (n= 5, 19%), one theft case (n=1, 4%), and one case of death by dangerous driving (n=1, 4%). The amount of time that had elapsed between training and the first real life interview for the advanced group varied between interviewers. The mean time lapse between the end of training and real life interview 1 for the whole group was 2.74 months (SD = 1.91, range 1-6 months). Some of the advanced interviewers were deployed to interview a suspect on a serious case within days of finishing the training course whereas others were not deployed for some months. It also transpired that some of the advanced interviewers failed to record accurate details of the interviews they conducted. This meant that copies of certain interviews could not be obtained and other (later) interviews had to be used.

The first real life interviews were considerably longer than either of the simulated interviews with a mean of 171.34 minutes (SD = 74.27, range 49-278 minutes). This is a reflection of the serious nature of the cases and the time controlled nature of the simulated interviews. The suspects interviewed comprised 22 males (n=22, 81%) and five females (n=5, 19%). All the suspects were adults but appropriate adults were present in seven interviews (n=7, 25%). None of the appropriate adults explained their role on tape. Legal advisers were present in 26 (n=26, 96%) of the interviews – but explained their role on tape in only nine interviews (n=3, 12%). One interview from this sample was judged to have breached PACE. This interview will be discussed further in study 2.

### *Real life 2*

Twenty-seven interviews were examined for the second real life interview. These interviews used matched participants from the first real life interview.

The specification for these interviews was that they were conducted no less than ten months after the completion of the training course. The advanced interviewers had not received any formal refresher training in that period. The mean time lapse between training and the second real life interview was 19.88 months (SD = 7.52, range 11-37 months). The breakdown of cases for the second real life interview was 14 murder cases (n=14, 52%), ten serious sexual assaults (n=10, 37%), two serious physical assaults (n=2, 8%), and one case of minor physical assault (n=1, 2 %). Twenty-four of the suspects in these cases were male (89%) and three were female (11%). Of these 26 were adults (96%) and one was a juvenile (4%). Legal advisers were present in all (100%) of the interviews and explained their role on tape in seven interviews (26%). Appropriate adults were present in six interviews (24%), but none of them explained their role on tape. None of the second real life interviews were judged to have breached PACE. The mean length of these interviews was 143.41 minutes (SD = 75.01, range 41- 285 minutes).

Overall, a total of 152 interviews with suspects conducted by the AI group were collected for study 1 and study 2. (98 simulated and 54 real life interviews). This amounts to more than 200 hours of investigative interviews.

### *Rating scale*

The design of the rating scale used for examining the interviews was influenced by a number of sources. The recent national evaluation of PEACE used a rating scale based on the PEACE components and a scoping exercise of all previously published and unpublished research rating materials (Clarke & Milne, 2001). The Clarke and Milne rating scale divided the interview into seven areas that broadly reflected the PEACE model. These were; (i) background information, (ii) planning and preparation, (iii) engage and explain, (iv) account, (v) interviewer characteristics, (vi) questioning skills, and (vii) closure. Each area contained a number of criteria. These were either diametric behaviours scored by a yes/no rating, such as 'gave time, day and date'; or skill-based criteria rated on a five-point Likert scale, such as 'used open questions' where '1' equated to very poor on the scale and '5' equated to very skilled on the

scale. The design process of the Clarke and Milne rating scale (2001) included consultation with experienced practitioners regarding the skills and behaviours included within the scale before the final version was decided. The national evaluation used a number of different people to rate the interviews. A list of definitions was developed to aid consistent rating and an acceptable level of inter-rater reliability was achieved using this method. The similarity between the advanced course and the PEACE model, as discussed in the section comparing the two training courses, made the format of this rating scale a sound basis for the design of the rating scale for the current research.

Another influence on the rating scale designed for this research was one developed for the advanced course final assessed interview (see Appendix B). This subdivided the interview into 13 different areas. These were: (i) planning and preparation, (ii) engage, (iii) legal requirements, (iv) reasons and routines, (v) route map, expectations, (vi) first account, (vii) topic selection and probing, (viii) summarising and linking, (ix) conversation management, (x) closure, (xi) flexibility and effectiveness, (xii) evaluation, and (xiii) challenging. Each area contained several statements that corresponded to appropriate behaviours relevant to that section. For example, under 'first account' these were listed as; (i) obtained first account to relevant detail, (ii) established relevant time line, (iii) appropriate first question, (iv) appropriate questioning throughout first account, and (v) covered objectives set. The assessment sheet contained a total of 69 statements within the 13 areas.

There were, however, shortcomings in the advanced interview course rating scale. The grouped criteria under each heading were awarded one score for the complete area. For example, in the 'legal requirements' phase, one rating between 1 'very poor' and 5 'very good' was given based upon the statements; (i) explained tape procedure and notice, (ii) fully explained rights to legal advice, (iii) sought reasons for declining legal advice, (iv) fully explained caution, and (v) appropriate introduction of significant statements. Effectively, this required the assessor to mentally score each element and then weight those scores to arrive at one average score for the whole area. In addition, not all the elements were required in each interview. For example (iii) was not required if a legal adviser was present. Under this method it was entirely

possible to have weak performance in an important skill masked by better performance in other less important skills within the same area of the interview. In contrast, the Clarke and Milne rating scale (2001) attributed an individual mark to each of the behaviours assessed. This appeared superior as a type of assessment as it allowed closer scrutiny and comparison of each component. To add a further dimension it was not just the technical application of all the necessary legal elements that needed to be assessed but also the account that was obtained. The advanced course lesson plans and documentation emphasised that advanced interviewers should be able to obtain relevant accounts from suspects and then probe the key topics in order to test the account given against known information. In practice it is very difficult to assess the account obtained in an interview because of the 'unknown unknowns' (Ezard, 2007), i.e. the information that the interviewee knew but did not disclose within the interview, that was also unknown to the observer. However, an assessment can be made of how the topics selected for further examination compared to the initial account obtained from the interviewee.

The final version of the rating scale for this study was specifically constructed to answer the question "*Does advanced interviewing work?*" It had 17 separate areas (see Appendix C) and was influenced mainly by the rating scale used for the national PEACE evaluation (Clarke & Milne, 2001) and by the police advanced interview course final assessment score sheet. The opening section specified those present in the interview (e.g. legal adviser) and asked for basic descriptive details of the interviewee (i.e. gender and age group) and the length of the interview. It also allowed the rater to record the initial and final stances of the interviewee. The methodology used for this task was a development of the case typology employed by Moston et al (1990). In their study Moston et al (1990) utilised nine case typologies that were all possible combinations of three responses by the suspect at the start of an interview and at the end of the interview. The stances were admit, deny, and neither admit or deny. In the current studies the stance of the interviewee at either point was categorised in one of five ways; (i) no comment - a refusal to answer any questions, (ii) denied offence/ comprehensive account – spoke freely but denied culpability, (iii) denied offence/ minimal account – denied culpability with brief answers and/or a mixture of brief answers plus refusal to answer some questions, (iv) partial



admission – admitted to certain elements of the offence only, or (v) confession – full admission of liability and intent. The rationale behind the inclusion of this information within the rating scale was to establish how the percentage of confessions found within the research studies compared to previous published data. The confession rate in previous studies has varied from 62% (Irving, 1980) before PACE (1984) to 42% (Moston et al, 1992) after PACE.

Subsequent sections of the rating scale were titled (1) engage, (2) legal requirements, (3) reasons and routines, (4) route map and expectations, (5) first account, (6) topic selection, (7) topic probing, (8) questioning, (9) summarising and linking, (10) listening, (11) conversation and language, (12) flexibility, (13) clarification/challenge, (14) resistance, (15) closure and (16) effectiveness. The 16 sections that covered the main part of the interview contained 92 separately rated behaviours. Six of these behaviours were diametric, assessed by a yes/no entry. These were: (i) provides date, time location, (ii) asked if committed offence, (iii) invites suspect to clarify/add, (iv) records date and time, (v) issues notice and (vi) breach of S76/78 PACE. The remaining behaviours were marked against a five-point Likert scale. A guide to the rating scale was also developed, which defined the rated criteria and matched the definition to the possible marks. In all cases, the Likert scale had the same valuation: 0 = element not observed or not relevant to interview; 1 = very poor, essential element not displayed or very poorly displayed, training required; 2 = poor, element included but below PEACE standard; 3 = PEACE standard, element displayed; 4 = skilled; 5 = very skilled, high degree of proficiency. Within the marking system a category of '0' not observed' was essential. As the study concerned both mock and real life investigative interviews the conditions could not be manipulated to include every variable within every interview. Certain criteria e.g. the use of special warnings (s34/35 CJPOA 1995) would only be relevant where a suspect failed or refused to explain a key issue with regard to the case. Therefore it would not be used in every interview. In fact, in this study the use of special warnings was not observed in 99.25% of the interviews (n =137). There was one interview where it was used inappropriately and therefore could be classified. The resulting scale was given to the authors of the national PEACE evaluation, the advanced

course and PEACE course training staff for their views. It was found to be satisfactory and used throughout studies 1 and 2.

## Procedure

The interviews in studies 1 and 2 were evaluated by analysing data obtained from scoring all the interviews conducted against a rating scale that measured the interviewers' performance in a set of relevant skills and behaviours. In deciding how to obtain the data, listening to audiotapes of the interviews, watching videotapes of the interviews, or observing the interviews as they occurred in real time in order to rate them were all considered. Although the simulated interviews could have been observed by video as the training centre has the facilities, this method of observation was impractical for the real life interviews as not all custody centre interview rooms are fitted with video recording facilities. More importantly, in live cases the suspect and any legal adviser would have to have been informed about any live monitoring and this could have presented delays or difficulties in interviews with suspects in serious or complex cases. It would not have been acceptable to cause difficulties like this in a real case simply to aid research. Live observation was impractical because the large number of participants and longitudinal nature of the research made it physically impossible to be present at all the interviews. The AI group knew that the simulated interviews were being assessed as they conducted them in study 1 but study 2 wanted to establish the *true* standard of real life interviews conducted by the AI group interviews, and the presence of an observer at the real life interviews may have skewed the results. The AI group could have been overly nervous and underperformed or portrayed a false impression of those parts of the training they employed in real life. Live observation also would make it impossible for the rater to rate the interview in the detail required from one exposure i.e. as the interview occurred. The rater would need to check scores given for accuracy and this would entail using some form of hard recording of the interview, either audio or video, but as explained, not all interviews are video recorded and therefore in practice this would mean checking the scores from audio tapes. Hard recordings were also

needed in order to assess inter-rater reliability. Therefore, live scoring was not truly live but a combination of live observation and the use of audio recordings.

These issues resulted in the interviews being assessed from audiotapes as this presented the best compromise between practicality and accuracy. All interviews with suspects in England and Wales are recorded on audiotape and a standard is set for all the equipment. Two copies are made of every tape during the interview, which made the creation of further copies and storage of the copies easy to achieve. The tapes are durable and the availability of playback equipment made listening to the tapes straightforward for all raters.

Studies 1 and 2 differed in the analytical processes followed in each study as required by the specific research question central to the different studies. The specific analysis applied to the data collected in each study will be explained at the beginning of the relevant study.

### *Raters*

The selection of raters for the studies was an important decision in order to provide reliable results. Baldwin (1993) stated that he felt police officers were unable to accurately assess their own interviewing ability. This comment was made before the implementation of PEACE but even after PEACE had been implemented Cherryman (2000) highlighted the fact that police officers still rated interviews that contained a confession more highly than those without it, confession bias. Research published later (Cherryman & Bull, 2001) demonstrated the difficulty in achieving consistency of ratings for interviews among police officers. Therefore asking the AI group to evaluate their own interviews would not provide the desired consistency across the series of studies. The research concerned a wide range of investigative interviews, concerning crimes from theft to murder, conducted by both patrol officers and detectives. This restricted raters to those with knowledge of the PEACE interview model and its practical application. In addition the main objective of the research required knowledge of advanced interviewing, which further restricted the number of people who could adequately assess the interviews.

The rater(s) needed knowledge of advanced interviewing and an understanding of the psychological concepts underlying the advanced interview course. The real life interviews also included gruesome detail of real crimes that could not be widely circulated from an ethical point of view. These factors limited the number of credible raters available.

In the final design one main rater assessed the interviews. This individual was an experienced advanced interviewer, a trained cognitive interviewer and an advanced interview trainer. A percentage of the interviews were also blind rated by a second individual with the same qualifications. The third rater was an academic who was conversant with advanced interviewing, who had advised police officers on real life serious crime interviews and who had trained numerous police officers in the use of the enhanced cognitive interview.

In each of the suspect studies, a deliberate decision was made not to judge these interviews by way of outcome (i.e. confession). Using a confession rate as a measure of interviewer skill is flawed unless there is incontrovertible proof of the suspect's innocence or guilt. It also fails to cater for the interview that produces an account that exonerates a suspect, which deserves equal recognition. Previous research has fallen into the trap of linking confession rates to interviewer skill (e.g. Baldwin, 1993). Any interview that probes a suspect's account, and explores possible motives and defences should be viewed as being just as effective as one that gains a confession. Both contribute to the information available about an event in attempting to reach a solution to the case. The danger of an unreliable account, whether confession or not, is well documented in the false confession literature the world over (Gudjonsson, 1992; 2003; Kassin & Kiechel, 1996; Kassin & Gudjonsson, 2004; St. Yves, 2006; Williamson, 2006). Despite the variations in situation, length, crime types and officer training, the interview process in each case should be similar if the PEACE model is followed. The introduction to an interview, and the obtaining and subsequent-testing of a suspect's account should be a consistent process that seeks to produce reliable information. Therefore, investigative interviews can be evaluated in this manner if assessed across a broad range of criteria, using a reliable rating scale and consistent raters. Comparisons across officers with different levels of training (advanced versus

PEACE) and among different types of crime should still produce valid results that evaluate the quality of these investigative interviews. The subsequent studies, commencing with the PEACE comparison assessment follow that ethos.

## PEACE comparison assessment

An important acknowledgement with regard to this programme of research was that the advanced interviewers were not representative of the general standard of interviewer within the force studied because they had qualified for further specialist training by passing an interview assessment. At the commencement of the research it was known that only 52% of detectives who applied for the advanced course passed this assessment. Furthermore, not all officers who passed the test then successfully completed the advanced course (90% pass rate). Therefore, the fact that the AI group had passed both entry and exit-tests indicates that their interview skills were above average, even prior to training. Consequently, it was necessary to establish the general standard of interview skills in the studied police force in order to put any findings from the main studies into some sort of perspective.

This objective was achieved by applying the research methodology designed for studies 1 and 2, in terms of procedure, rating scale and raters, to a sample of interviews conducted by PEACE trained interviewers who were not advanced interviewers. A description of the participants, interviews and specific analysis used for this assessment is given below.

### *Participants*

44 PEACE-trained officers from within the same force as the AI group participated in this assessment. The actual breakdown of officers in this group (called the PEACE comparison group) was 34 detective officers (77%, 25 male and nine female) and 10 patrol officers (23%, eight male and two female). In

establishing the interview standard of the PEACE-trained officers, interviews conducted by both patrol officers and detective officers were examined but with a distinction being drawn between the two types of officer when presenting the findings. This was done for two reasons: (i) although both patrol and detective officers undergo the same basic PEACE interview course they have other differing training and experience. The patrol officers receive no further crime investigation training, carry out varied policing tasks and usually interview suspects about less serious crimes (e.g. theft, and minor assault). The detective officers receive six weeks training in the investigation of crime, specialise in the investigation of more serious crimes and usually interview suspects for those offences (e.g. house burglary, serious assault and sex offences); and (ii) as the subsequent studies were focused on detective officers it was important to establish a comparative level of interviewing ability of other detective officers. However, by the same token examining interviews conducted by just detective officers in the PEACE comparison assessment would present an incomplete picture of the overall general interviewing ability of officers in the force that participated in the research. Therefore including both types of officer was deemed the appropriate decision.

#### *The PEACE group comparison interviews*

The PEACE comparison interviews were real life interviews conducted with suspects for a variety of crimes. There were a total of 44 cases (n=44) comprising one murder (n=1, 2% of total), 15 serious sexual assault cases (n=15, 34%), six serious assaults (n=6, 15%), nine minor assault cases (n=9, 20%), 11 theft cases (n=11, 25%), one arson (n=1, 2%), and one offence of conspiracy to supply drugs (n=1, 2%). The interviews that were examined were randomly selected by a criminal justice unit manager based on simple criteria. The interviews were requested to be no shorter than thirty minutes and for criminal cases with a victim.

The interviewees in these interviews were 36 males and eight females comprising 36 adults and eight juveniles (although, not all the males were adults or all the females, juveniles). Legal advisers were present in 32 (73%) of

these interviews. The mean interview length of these interviews was 64.20 minutes (SD = 24.00, range 30 -165 minutes). However, one interview exceeded 97 minutes and was an outlier. Calculating the mean without this case reduced the mean to 61.62 minutes (SD. = 17.70, range 30-97 minutes). All interviews must comply with the codes of practice on investigative interviewing (Code C) and must not breach section 76/78 PACE otherwise they risk being excluded from court. Four of the interviews (n=4, 9%) conducted by the PEACE group were judged to have breached PACE. These were examined further in the PEACE comparison (see below).

The stance of interviewees was examined for the PEACE interviews, just as for the real life interviews conducted by the advanced interviewers, using the typology described above. None of the suspects used in the studies refused to answer questions at the start of these interviews. Thirty-five denied the offence but gave an account (n=35, 79%), three denied the offence with a minimal account (n=3, 7%), three made partial admissions (n=3, 7%), and three confessed (n=3, 7%). These figures were identical for the stances of the interviewees at the end of the interviews. None of the suspects that confessed did so in the four interviews that were judged to have breached PACE (see below). Examination of the scoring sheets for the PEACE interviews showed that two suspects did change stance during the interview but actually swapped stances meaning the total figures were unaltered. Legal advisers were present in 32 of the PEACE interviews (73%), a lower proportion of interviews than interviews conducted by the advanced interviewers. The confession rate in the PEACE interviews was 7%.

In common with the main studies the PEACE comparison assessment examined the performance of the PEACE-trained interviewers across the whole interview, in selected areas of the interview that corresponded with areas of the PEACE model, and in groups of behaviours associated with effective interviewing. Also, in common with the main studies the raw data collected from the 86 behaviours rated on the Likert scales (see Appendix C) was clustered into 13 new variables each representing an area of the PEACE model or an interview skill. Appendix A shows the full breakdown of behaviour clusters.

Statistical analysis was used to obtain the mean scores of the overall PEACE group and both sub groups in the different areas of the PEACE model and clusters of interview skills. Following this a variety of inferential analyses were then conducted to identify any significant differences between the two sub groups. Firstly, an independent *t* test was carried out on the overall means of the two sub groups and then a series of ANOVAs were conducted across the interview areas and communications behaviour clusters as defined in the common methodology for studies 1 and 2 (see below). Finally, effect sizes were calculated for all comparisons as the sole reporting of statistical significance to indicate difference between groups has been criticised where the sample size is relatively small (Clark-Carter, 2003).

The interview areas analysed were: (i) Engage and explain, defined as the 23 behaviours involved in the introduction phase of the interview, (ii) Account, which covered 27 behaviours involved in the information gathering phase and (iii) Closure, where six behaviours were included in the termination of an interview. In each case the variables were combined and three new variables were computed called '*Engage and explain*', '*Account*' and '*Closure*'. Further examination was then conducted of two groups of behaviours within the '*Engage and Explain*' phase. These were '*legal behaviours*' and '*rapport*', followed by three groups of interview behaviours within the account phase. These were '*topic structure*', '*summarising*', and '*challenge*'.

The communication behaviours '*questioning*' and '*listening*' were also separately analysed. The variable '*questioning*' was established by combining the ratings for the 14 individual questioning behaviours which had been included within the rating scale. These behaviours occurred within both the first account and topic probing sections of the interview. They related to the use of appropriate or inappropriate question types, the sequencing of questions and the type of questions used to obtain information or detail. The variable '*listening*' was comprised of the six behaviours within the rating scale relevant to listening. The results are reported below and displayed in Table 2.3.



*Overall interview performance*

The PEACE standard was defined within the Likert scale of the rating scale as 3.00 and the overall score for the interviews conducted by the whole PEACE group was below this standard ( $M=2.43$ ). Examination of both sub groups showed that both were below the PEACE standard but the detectives displayed a higher overall skill level ( $M=2.50$ ) than the patrol officers (Mean = 2.21). An independent  $t$ -test indicated that there was a trend towards a significant difference between the between the overall skill level of the sub groups  $t(42) = 1.97, p = .056, \eta_p^2 = .28$ .

Table 2.3 - Means and standard deviations for PEACE interview behaviours as a function of officer type across the PEACE comparison assessment

Area of interview	Detective officers		Patrol officers		$F$	$\eta_p^2$	Overall	
	$M(n=33)$	SD	$M(n=11)$	SD			$M(n=44)$	SD
Overall mean	2.50	0.43	2.21	0.40	3.87 <sup>t</sup>	0.28	2.43	0.44
Engage and Explain	2.25	0.37	2.04	0.43	2.48	0.23	2.20	0.39
Legal behaviours	3.56	0.54	3.22	0.52	3.30	0.27	3.48	0.55
Rapport behaviours	1.51	0.44	1.31	0.25	1.87	0.20	1.46	0.41
Account	2.13	0.57	1.73	0.52	4.37*	0.26	2.03	0.58
Topic structure	2.27	0.70	1.72	0.86	4.59*	0.31	2.13	0.76
Summarising	1.58	0.65	1.31	0.32	1.85	0.20	1.51	0.59
Challenge	1.57	0.60	1.69	0.78	0.21	0.26	1.61	0.65
Questioning	2.93	0.68	2.53	0.54	2.94	0.26	2.83	0.67
Listening	3.28	0.76	3.09	0.68	0.59	0.11	3.24	0.73
Closure	1.95	0.70	1.62	0.49	2.12	0.22	1.87	0.67

\* =  $p < .05$ ,  $t$  = trend

Distribution of competence levels among the PEACE group, represented in Table 2.4 below showed that among the detectives 22 of the interviews were poor ( $n=22, 66\%$ ) and 11 interviews were of a PEACE standard ( $n=11, 33\%$ ). For the patrol officers, nine interviews were poor ( $n= 9, 82\%$ ) and two were

PEACE standard (n=2, 18%). No interviews from either group were rated as skilled or very skilled.

Although the rating scale was primarily designed to assess advanced interviews, the similarity between the behaviours contained within the syllabus for the PEACE course and the advanced course (as described above) meant that a competent PEACE-trained interviewer should score an overall rating of three across the rating scale.

Table 2.4 – *Interviewer competence levels as a function of officer type across PEACE comparison assessment*

Competence level	Detective officers		Patrol officers		Overall	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Very skilled	0		0		0	
Skilled	0		0		0	
Satisfactory	11	33%	2	18%	13	30%
Poor	22	66%	9	82%	31	70%
Very poor	0	0	0		0	

Therefore, the overall results showed that 70% of the interviews assessed in this random sample were below the PEACE standard. The results for specific areas of the interviews are given below.

The following results are based on a one-way ANOVA with detectives versus uniformed officers as the independent variable and all the behaviours as dependent variables.

### *Engage and Explain, Account and Closure*

Looking at Table 2.3 it can be seen that the PEACE-trained interviewers performed below the PEACE standard in all three main interview areas. In the account phase of the interview there was a significant difference between the groups  $F(1, 42) = 4.37, p < .05, \eta_p^2 = .26$ , where the detectives scored higher ( $M=2.13$ ) compared to the patrol officers ( $M=1.73$ ). The detectives' highest rating for an area of the interviews was in the engage and explain phase ( $M=2.25$ ), and their lowest rating was in closure ( $M=1.95$ ). The patrol officers also scored highest in the engage and explain phase ( $M= 2.04$ ) and lowest in closure ( $M=1.62$ ). However, there were no significant differences between the sub groups in these areas of the interview.

The overall PEACE group scored above the PEACE standard for legal behaviours ( $M=3.48$ ) with no significant difference in the standard between the two sub-groups. Scanning the data reveals that of the ten legal behaviours within the engage and explain phase, the highest mean score for both groups was 'delivery of the caution'. Both detectives ( $M= 4.42$ ) and patrol officers ( $M= 4.36$ ) scored in the skilled range for this behaviour with little difference between the groups. In contrast to the legal elements of this phase, the PEACE group rated very poorly on the 13 rapport behaviours ( $M=1.46$ ). The detectives scored better ( $M=1.51$ ) than the patrol officers ( $M=1.31$ ) but this difference was not significant. Not one patrol officer explained that the interview was a search for the truth or explained the areas that the interview would cover.

The PEACE-trained interviewers were also rated as poor for topic structure ( $M= 2.13$ ). However, in this area there was a significant difference between the sub groups  $F(1, 42) = 4.59, p < .05, \eta_p^2 = .31$ , with the detectives scoring better ( $M= 2.27$ ) than the patrol officers ( $M=1.72$ ). It was rare when listening to these interviews to hear officers using a logical, transparent structure to revisit the most relevant parts of the initial account. In some cases there was no structure at all.

One such example was seen in case No.72, which concerned an allegation of theft of a bed and wardrobe by a tenant. The landlady had alleged that the suspect had stolen these at the end of his tenancy. The interviewer appeared

completely unprepared and unable to deal with the account offered by the suspect. The suspect stated in general terms that he had considerably improved the property during his tenancy but that the landlady had accused him of damaging the property and had refused to return his deposit. He had removed the bed and the wardrobe in lieu of his deposit. The account put forward by the suspect was a possible defence to theft in court but only if the court formed the view that the suspect had an honestly-held belief that he was entitled to the goods he took. The case revolved around the credibility of the suspect's account, his belief that he was entitled to remove the goods that he took and what he had done with them (if he had sold the goods he would have no defence to theft). All of these issues should have been part of an interview plan; however none of these issues were explored by the interviewer. The interview lasted 44 minutes and quickly became a pantomime where the interviewer read the suspect a passage from the complainant's statement and asked him if it was correct. The listener is left with a very strong impression that the interviewer had not prepared for the interview at all.

There were examples of better topic structure and one was seen in case No. 90. This was a sexual assault case where the suspect was alleged to have forced his girlfriend to have sexual intercourse during a party. The suspect gave a first account explaining that he, a friend and their two girlfriends had agreed to stay at the friend's house while the friend's parents were away. The suspect stated that all four had gone together to purchase alcohol prior to the party and once at the house this was consumed leaving all four drunk. The two girls had stripped off to use the swimming pool following which the suspect and the complainant engaged in consensual sexual intercourse in the hot tub. The interviewer questioned further on three well structured topics, (i) picking the girls up and buying the alcohol, (ii) getting changed to use the pool, and (iii) what happened around the pool and hot tub. These topics showed that the interviewer had made positive choices about the significance of the alcohol in the incident and the fact that there were two possible witnesses to the sexual intercourse. However, although the interviewer selected three relevant topics he only spent three minutes probing the first topic and there was much more detail that could have been obtained. The interviewer showed good knowledge

of which parts of the account were significant but apparently less knowledge of how much more information could be obtained.

Summarising was the second poorest skill area for both detectives ( $M=1.58$ ) and patrol officers ( $M=1.31$ ). There was no significant difference between the sub groups in this skill area.

The standard of challenges observed for the whole PEACE group was in the very poor range ( $M=1.61$ ). This was the only area where the rating for the patrol officers was higher ( $M=1.69$ ) than for the detectives ( $M=1.57$ ), but the difference between the sub-groups was not significant. No challenges were observed in 15 of the interviews ( $n=15$ , 34%). Where challenges were observed the standard of challenges seen was very poor in 17 interviews ( $n=17$ , 39%) and poor in 11 interviews ( $n=11$ , 25%). Only one challenge was deemed to be of PEACE standard (2%). No skilled or very skilled challenges were observed.

#### *Communication behaviours*

The scores for the questioning behaviours for the PEACE-trained interviewers overall were close to the PEACE standard ( $M=2.83$ ). As in the majority of previous areas, the detectives scored higher ( $M=2.93$ ) than the patrol officers ( $M=2.53$ ) but with no significant differences between the groups. These scores were above the mean for the overall interview ratings and higher than the scores for criteria relating to interview structure. There was some variation in performance across the 14 behaviours that comprised the new '*questioning*' behaviour. The detectives and patrol officers scored highest on the same three variables. These were: '*avoids multiple questions*' (detectives  $M=3.91$  and patrol officers  $M=3.09$ ), '*avoids comments and statements*' (detectives  $M=3.61$  and patrol officers  $M=3.36$ ), and '*questions appropriately paced*' (detectives  $M=3.64$  and patrol officers  $M=3.64$ ). The detectives performed worst on using '*closed questions where appropriate*' ( $M=2.18$ ). The patrol officers performed worst on '*probing relevant areas to fine grain detail*' ( $M = 1.73$ ).

Listening appeared to be the strongest skill area for the PEACE-trained officers ( $M=3.24$ ). This was a rating consistent with the expected PEACE standard. Within the group, the effect size between the detectives' score ( $M=3.28$ ) and that of the patrol officers ( $M=3.09$ ) was the smallest of any area assessed ( $\eta_p^2 = .11$ ). Across the whole group, occasions where interviewers interrupted the interviewee were rare and most interviewers appeared to conduct their interviews with an open mind except for those interviews where breaches of PACE were detected.

### *Breach of PACE*

One of the dichotomous criteria related to whether the interview was considered to breach PACE (1984). Coding of the PEACE group interviews showed that four interviews, which accounted for 10% of the total sample, were judged to have breached PACE. The implication of this is that had the suspects interviewed in these cases been charged, this evidence could have been excluded at court. This would probably have led to the whole case failing at court. Details of the four cases that breached PACE were:

Case No. 72 - This interview was conducted by a patrol constable who used a S.35 special warning (PACE, 1984), despite the fact that the suspect was giving an account. Special warnings are only allowed to be given to a suspect in an interview where a suspect refuses or fails to provide an account for strongly incriminating evidence e.g. blood on clothing in an assault case. In this case the interviewer was conducting an interview for theft where the evidence was not strong (see topics below). The suspect denied the offence at the start of the interview and maintained denials throughout despite the illegal use of the special warning.

Case No. 76 - This was a case of minor assault where the patrol officer entered the interview apparently with a mindset that the suspect was guilty. The interviewer resorted to reading the complainant's statement to the suspect and tried to persuade the suspect to confess. The suspect maintained his denials throughout the interview.

Case No. 88 - This interview related to three offences of burglary and was carried out by a detective. There did appear to be some evidence against the

suspect on the first case but this was never developed into a challenge. The officer tried to persuade the suspect to admit to the second and third offences as they were similar to the first. The suspect maintained his denials throughout the interview despite the use of a large number of leading questions by the lead interviewer.

Case No. 63 - This is undoubtedly the worst breach of PACE observed. This interview was conducted by a child protection detective in relation to an allegation of sexual assault made by a nine-year-old girl against the suspect, who was the father of her best friend. The allegation was that the suspect had entered a room where the child was sleeping and touched her vagina. There was no medical evidence. The suspect denied the allegation and said he had been using a computer in a nearby room at the material time. This account offered the officer an opportunity to obtain further detail. A structured topic exploring the detail of what the suspect did on the computer would have allowed technical examination of the computer which may well have confirmed or negated this explanation. Instead of this, the officer prematurely accused the suspect of committing the offence based on his own judgement of the credibility of the complainant. This approach produced vehement denials from the suspect. This case was charged but when the case was heard the interview was excluded by the trial judge leading to discontinuance of the whole case.

Although the sample of PEACE interviews examined here is relatively small (n=44) the figure of 10% being in breach of the law is significant if representative of all interviews. This finding matches the percentage of interviews which breached section 76/78 of PACE reported in the national evaluation of PEACE, which examined 177 interviews (Clarke, 2005). A variety of factors were reported as contributing to the breaches of PACE in those interviews. A consistent feature of the illegal interviews in this sample was the apparent desire of the interviewing officer to hear a confession, no doubt influenced by the interviewers' perception of the suspects' guilt. It is worrying that this feature of interviewing is still evident today, and it emphasises the need for further training. The fact that the interviews breached PACE did not exclude them from the remainder of the analysis as the 'skills' displayed by these interviewers contribute to the overall picture of the standard of this random sample of investigative interviews.

## Discussion

The literature review (Chapter 1) reported the varied results from the numerous evaluations of PEACE that have been conducted since 1992 (e.g. McGurk et al, 1993; Clarke & Milne, 2001). Due to these varied results, the PEACE comparison assessment reported here was conducted to establish the general level of interviewing ability in the same police force as the advanced interviewers who participated in the subsequent studies.

The PEACE comparison assessment showed that the standard of interviews conducted by the PEACE-trained interviewers in that force was disappointing. Overall, the interviews conducted by the detective officers appeared to be better than the interviews conducted by the patrol officers but were still below an acceptable standard overall. However, as indicated by the effect sizes and the fact that significant differences were seen in only two out of eleven comparisons the difference in interview ability between the -detectives and patrol officers in this study was marginal. Furthermore, the interviewees in these interviews were not, on the whole, difficult characters. The majority answered questions and the finding that none of the interviewers were rated as skilled or very skilled in dealing with the interviewees is an indication of the low level of interviewing ability shown by the officers in this PEACE comparison assessment.

This overall finding is reinforced by the fact that similar findings appeared across each area analysed. The literature on interview skills is extensive but texts are consistent in specifying planning and preparation, appropriate interview structure, good communication skills, and questioning and listening as vital to a skilful interview (e.g. Shepherd & Kite, 1989; Stockdale, 1993; McGurk et al, 1993; Baldwin, 1993; Cherryman & Bull, 2001; Soukara, Bull & Vrij, 2002).

The single area where both detectives and patrol officers did score higher than the PEACE standard was in the legal behaviours element of the engage and explain phase. However, there is a significant issue that compromises this rating. Every interview room in a police station is equipped with a prompt card



that lists the introductions to an interview. The prompt card is designed specifically to prevent an officer breaching the laws and procedures governing the commencement of an interview. A number of the behaviours making up the engage and explain criteria were those listed on the prompt card (e.g. the caution). Therefore an element of the engage and explain rating can be attributed to reading ability!

The poor performance of the PEACE group in rapport, particularly in failing to explain that the interview was a search for the truth and failing to explain what subjects the interview would cover, was telling. Both these elements are covered in the 'Practical Guide to Investigative Interviewing' (NCF, 1998, p48). The poor performance of the whole sample indicates that this subject of rapport was probably not covered in the PEACE course they took or that every officer ignored it. The contrast between the satisfactory coverage of the legal elements (prompt card notwithstanding) and rapport building is symbolic. The apparent adherence to enforceable legal rules at the same time as ignoring an important social rule demonstrates that investigative interviewing is still seen as a rule-driven process by some officers and not as an important mutual interaction designed to obtain reliable information.

In the account phase topic structure can be seen as a barometer of the whole interview. The selection and structure of appropriate topics to examine, following an initial account from a suspect, is an important skill at either a basic or advanced level. It is linked to planning and preparation, listening and knowledge of the key elements of an offence, points to prove and defences.

Overall the skills demonstrated in the area of topics structure were poor and suggest inadequate interview planning. In the examples of poor topic structure given above it was apparent that the interviewers did not know the detail of the case and appeared surprised by answers given by the suspect, though, as the interview proceeded, it became obvious the answers were within their papers, e.g. the colour of underwear worn by the complainant in the swimming pool incident.

The poor performance of the PEACE-trained officers in respect of planning contrasts with self report survey findings where officers have emphasised the

importance of planning and preparation. For example, Soukara (2002) surveyed 40 detectives in one police force and found that they rated preparation and planning as the most important part of an interview. The performance of the officers in this sample suggests that even if officers consider planning to be important the reality of how much planning occurs before some investigative interviews is very different. More research is needed on planning and preparation, a view supported by Clarke (2005).

Summarising is an essential part of the interview because it shows that the interviewer is listening to the interviewee, it allows information to be stored in the interviewer's memory and checks whether the interviewer understands the interviewee's account (Shepherd & Kite, 1988). As specified in the PEACE model, interviewers are required to summarise the first account of a suspect and, also, each topic area subsequently revisited. This gives the interviewer numerous opportunities throughout the interview to demonstrate this skill and the variable for summarising in the rating scale included both first account summaries and topic summaries. The performance of the whole group in this area was the second poorest of any skill area assessed.

The performance of the interviewers in the topic structure variable may be linked to their performance in summarising. Interviewers did not perform well in selecting and structuring topics in these investigative interviews. This obviously has an impact on the area of summaries. If there are no discernible topic areas within an interview, it is impossible to summarise effectively. Therefore it appears that the overall rating for this area was affected by the poor performance in topic structure. Closer examination of the summarising behaviours showed that the ratings for the summary of the first account were higher than the ratings for the summaries of the topics, for both detectives and patrol officers. This supports the view that poor topic structure has a large effect on the whole interview because it affects the interviewer's ability to summarise the suspect's account, which is acknowledged as important (Shepherd & Kite, 1988). In turn, the absence of summaries will inevitably affect the interviewer's ability to challenge the suspect's account, as the suspect will not have been committed to their account through the confirmation obtained by way of accurate summaries.

Clarifying or challenging discrepancies or omissions within the account given by a suspect are an integral part of the PEACE model. However, for a variety of reasons a challenge may not arise in every interview. For example, the information gained may not provide the opportunity to challenge or the officer may decide to seek further, stronger evidence before challenging the suspect's account. The challenge should put a piece of evidence to the suspect that contradicts their account and seeks an explanation for this discrepancy. The behaviour of challenge was not judged on the outcome of the challenge (e.g. a confession) but on whether the challenge was 'well paced and impactful'. Both the frequency and standard of challenges observed in this sample was below the standard required.

The findings in the areas of topic structure, summarising and challenge appear linked and form a thread running through the interview. It is arguable that topic structure is the key to the whole interview structure as without well organised topics subsequent parts of the interview will be ineffective.

The findings in relation to the closure of an interview echo those from the national PEACE evaluation, where closure was poorly conducted in the sample of interviews analysed (Clarke, 2005, p123).

The communication ability of the group was of a higher standard than their ability to structure their interviews. The impression from these findings is that officers performed satisfactorily in terms of choosing appropriate questions during interviews and avoiding inappropriate question types. However, they performed poorly when applying these choices to the overall interview situation (e.g. probing a suspect's account for necessary detail). Again this finding is linked to interview structure, reinforcing the importance of topic structure to the overall efficiency of the interview. This facet of interviewing is the focus of study 5 where a tool was developed that tracked the chronology of question usage across the phases of an interview (for examples see also Griffiths & Milne, 2006). Listening was the strongest skill area for the PEACE group and this finding concurs with a survey by Cherryman and Bull (2001) where it was acknowledged by police interviewers as the most important element of an

investigative interview (Cherryman & Bull, 2001). Listening is also a skill that is described as important in the Practical Guide to Investigative Interviewing (NCF, 1998).

## **Conclusion**

In this study core elements associated with the competent application of the PEACE model, such as rapport building, summarising and closure were conducted particularly poorly. When assessed independently, communication skills such as questioning and listening appeared satisfactory but when the application of these skills was assessed in the context of obtaining and testing a suspect's account, e.g. probing for detail, they were as poor as the skills displayed within topic structure and summarising. The ability to obtain and probe an account is crucial when it is seen that 86% of the suspects interviewed denied the offence but gave some form of account. This finding equates with the most significant finding of Baldwin's research (1993) where 50% of interviewers displayed general ineptitude defined as a 'lack of planning with no real structure'.

The poor standard of the challenges observed corroborates the view that the majority of interviewers in this sample did not plan, prepare or conduct their interviews to the PEACE standard. Although the guilt or innocence of particular suspects was not known to the raters, it was obvious from listening to the interviews that some of the accounts given by suspects were inconsistent and should have been challenged. The lack of challenges in these circumstances meant that the interview was conducted perfunctorily and was not an important part of the investigation. Poor interviewing officers could blame the 'rules' or the 'brief' for the fact that their interviewee did not make any admissions when in fact their own lack of planning did not allow them to make the most of the opportunity presented by the interview to challenge the flimsy excuse put forward by the suspect.

Even the results from the strongest area associated with interview structure, that of legal behaviours, are compromised by the fact that the participants were able to read from a prompt card and that failure to give a suspect their the legal rights prior to interview is unlawful, thereby producing a strong extrinsic motivation to comply. If one accepts that legal compliance is a minimum requirement of an interview with a suspect then some of these interviews barely offered anything above that. Baldwin (1993) used one particular word to describe many of the interviews he evaluated. The same word springs to mind when trying to describe the standard of interviewing in the PEACE comparison assessment: feeble, with the detectives being slightly less feeble than the patrol officers.

This examination of interviews with suspects conducted by PEACE-trained interviewers from the same force as the advanced interviewers was important. It established a baseline to add context to the main suspect studies that follow (Studies 1 & 2). The following chapter (3) provides an evaluation of the training effect of the advanced suspect interview course. The findings from the PEACE-trained detectives who participated in the PEACE comparison assessment were also used in the next study and were compared to the pre-training performance of the advanced interviewers. This procedure provided a further comparison between the advanced interviewers and the general standard of interviewing.

## **Chapter Three: Does advanced interviewing work – do officers improve after training? (Study 1)**

### **SUMMARY OF CHAPTER**

This chapter presents the results of an evaluation of the three-week advanced suspect interview course. There is no direct precedent for this study, but previous research into the training effect of other interview courses has shown that interview training courses for different types of interviewer in various countries have failed to improve the questioning ability of investigators. In England and Wales evaluations of the one-week PEACE interview training course have produced inconsistent findings. The evaluation of the initial pilot course was encouraging (McGurk et al, 1993) whereas subsequent evaluations have not been as positive (Clarke & Milne, 2001). The literature review (chapter 1) suggested that the design of a training course and the motivation of the students are both critical factors in successful training. In order to assess the training effect of the three-week advanced interview course, the present study examined pre- and post-training simulated interviews conducted by a group of advanced interviewers. In a short footnote to the main results the study also compared the pre-training interviews with real life interviews conducted by a sample of basic PEACE-trained interviewers. The hypothesis for this study was that the course would demonstrate an overall positive training effect due to its duration, design characteristics and the fact that the advanced interviewers were selected volunteers. No specific predictions were made about which interviewer behaviours would improve the most. The results of the study showed that the advanced interviewers improved their interviewing ability in every area of the interview model and clusters of behaviours that were assessed post-training. These results indicated a strongly positive training effect for the advanced course. The results also showed that the advanced interviewers were markedly better pre-training than the PEACE-trained interviewers across all areas of the interview but particularly in the way they structured their interviews and questioned suspects.

## Introduction

The general training literature agrees that the design of a training course is important in determining its success (Buckley & Caple, 2004). The literature on evaluations of interview training programmes does not, however, subscribe to a common view concerning the ideal design of an interview training course. Fisher and Geiselman (1987) identified that the lack of interview training for police officers was a missed opportunity and suggested that short, intensive workshops could improve the interview training ability of American detectives. However, Aldridge and Cameron (1999) evaluated a short-term training programme for child abuse investigators and found that the training did not increase the interviewers' use of open questions. Conversely, Myklebust and Bjorklund (2005, 2006) found no beneficial results when evaluating a long-term training programme for Norwegian child abuse investigators. The study followed 100 interviewers with two different levels of interview (moderate & advanced) training through a training programme and evaluated the relative questioning skills of the two groups at the end of the programme. Myklebust and Bjorklund (2005, 2006) found no significant difference in the questioning abilities of the two groups after training and suggested that the quality of the training needed to be improved.

Warren et al (1999) evaluated a ten-day interview training course designed to improve the knowledge and skills of child abuse investigators. Their participants (n=27) completed pre- and post-training questionnaires that assessed their knowledge of the scientific evidence regarding memory, suggestibility and other key elements that affect recall. The participants also conducted pre-and post-training interviews with pre-school children about two experienced events. Warren et al (1999) found that the participants' knowledge of the scientific basis of the various interview protocols improved post-training but that the training did not have a significant effect on the participants' questioning ability nor on the amount of information obtained from the child interviewees.

Lamb et al's (2002) evaluation of a training programme for American child abuse investigators also showed no improvement in the interviewing ability of the participants after training without further post-training development

workshops, suggesting no training effect from an initial training course would endure without further reinforcement.

George (1991), after evaluating the pre-training witness interviewing abilities of a group of police officers, randomly allocated the officers to one of four groups. One group received two days' training in the cognitive interview, a second group received seven days' training in conversation management, a third group received seven days' training in a combination of conversation management and cognitive interview, while the fourth group, the control, received no training. George (1991) found that the group that received cognitive interview training was the only group to improve significantly after training. The group that received the combination of both conversation management and cognitive interview training actually worsened after training.

Therefore, it can be seen that interview training courses of different designs aimed at different aspects of interviewing have produced varying results. Different evaluations of the same design of basic one-week PEACE training courses have also produced varying results. The initial pilot course evaluation (McGurk et al, 1993) suggested a positive training effect for the course, both immediately after training and up to six months later across a range of interviewer behaviours. However, other evaluations of the PEACE interview course have seen less encouraging results, with officers failing to use the structure of the model after training or being too rigid in its application (Clarke, 2005). There is, however, one key difference between the initial PEACE course and subsequent courses run after national implementation of the programme. The initial course was attended by well-motivated and capable volunteers with 'above average communication skills' (McGurk et al, 1993, p23) whereas when PEACE was implemented nationally attendance was mandatory for all officers below the rank of Inspector. This may well have adversely affected the results of the studies as interviewers were not similarly motivated, a factor deemed essential in adult learning theory (Wlodowski, 1985; Knowles et al, 2005).

The advanced interview course was designed to equip detective officers with the necessary skills to interview suspects in major crime cases. It was longer than any of the individual courses evaluated above and its design was



consistent with experiential learning theory (Knowles et al, 2005). The objective of this study therefore, was to evaluate the training effect of the advanced interview course. This was achieved by comparing simulated investigative interviews conducted by a group of advanced interviewers prior to undertaking an advanced interview course with ones they conducted at the conclusion of the course. It was predicted that there would be a positive training effect for the advanced interview course. This hypothesis was based on two main considerations. Firstly, that the participants were well motivated because they were volunteers (Wlodowski, 1985), having been specially selected for the training based on interviewing skill (the pre-training interview). Secondly, the design of the course favoured success due to its length and content.

The complete methodology surrounding both studies 1 and 2 was outlined fully in chapter 2 but important aspects of that methodology are reiterated below.

The hypothesis for study 1 was that the advanced interviewers would improve after training. The rationale for this hypothesis was that the study used officers who passed the training course and therefore an improvement in their overall interview skill was to be expected. Further, the specific design of the training course, with its emphasis on role play practice, was expected to produce improvements in the crucial account phase of the interview and not just in the formulaic opening and closure phases.

The design of study 1 also had an extra dimension that increased the validity of the evaluation of the advanced suspect course training effect. At the end of the main results section a comparison is made between the data obtained from the pre-training interviews conducted by the advanced interviewers and the interviews conducted by the detectives included in the PEACE comparison assessment (see chapter 2). Although not part of the study design this comparison was made possible by the use of the common rating scale and enables greater understanding about how the advanced interviewers' interviewing skills compared to other police officers who were not advanced interviewers.

## Method

### *Design*

This study had a repeated measures, within subjects, design. Two sets of simulated investigative interviews conducted by the AI group, one before and one at the conclusion of an advanced interview course were compared. The independent variable was 'level of training' with two conditions, before and after training. The dependent variables were 92 behaviours defined from the advanced PEACE interview model of interviewing and relevant literature. All 92 behaviours were scored independently during data collection but clustered into different groups for analysis and reporting in order to ascertain the training effect of the advanced interview course in areas of the PEACE model and particular behaviours (see chapter 2 & Appendix A).

In order to answer the research question and evaluate the training effect of the advanced interview course a series of repeated measures ANOVAs were conducted to determine whether there was a significant difference in the performance of the group after training. In addition, effect sizes were also calculated for each pre and post training comparison, because, as explained in chapter 2, the sole use of statistical significance to test a research hypothesis has been criticised where the sample size is relatively small (Clark-Carter, 2003).

### *Participants*

The participants were 49 fully trained detectives who had also qualified as advanced interviewers through assessment. The officers' detective training consisted of five weeks of law, procedure and investigative training, plus a one-week PEACE interview training course. The participants were routinely involved in the investigation of serious crime and were regularly interviewing suspects and witnesses for criminal offences. The participants had volunteered for the advanced interview course, which was restricted to fully-trained detective

officers. Advanced interviewing is seen as a specialist role and not all detectives apply to undertake the training. The current population of qualified advanced interviewers within the force studied is 77 and so the final sample represents two-thirds or 66% of the total number of advanced interviewers. Participation in the study was also voluntary. The participants were identified as the *AI group (Advanced Interviewers)* and consisted of 41 male officers (84%) and eight female officers (16%). The group consisted of both detective constables and detective sergeants but the majority of the officers were of constable rank. A number of the officers were promoted during the programme and therefore rank or service lengths are not expressed.

## Materials

A full description of the interviews used for this study, identified as the *pre-training* and *post-training* interviews was given in Chapter 2. The main features of the interviews used in this study that distinguish them from other interviews used across the series of studies are that the pre- and post-training interviews were simulated interviews where professional actors played the parts of suspects in a number of role-play scenarios concerning a variety of crimes. The interviews in the pre-training condition mainly concerned volume crimes such as theft or assault. The interviews for the post-training condition all concerned crimes such as serious physical or sexual assault. The actors playing the part of the suspect in each case were instructed to give an account which denied the offence for which they were in custody. None of the interviews used in this study (n=98) proceeded to a conclusion as time constraints were placed on the assessment process by design. This limited the pre-training interviews to a maximum of 45 minutes and the post-training interviews to a maximum of 90 minutes, although one interview in the post-training condition lasted 117minutes (see Chapter 2 for full details). The interviews were rated using the specially designed and piloted rating scale also described in Chapter 2.

## Procedure

The pre- and post-training interviews conducted by the advanced interviewers as part of their training were both audio and video recorded. The audio tapes of the interviews were used to score the interviews against the rating scale.

### *Coding and Inter-rater reliability*

The interviews were scored using a rating scale described in detail in Chapter 2 (also see Appendix C). The rating scale consisted of 92 behaviours. Eighty-six of the behaviours were assessed on a five-point Likert scale while the six other behaviours were diametric. The 86 different behaviours measured a wide range of interview 'ingredients'. These were classified in 16 different categories in the rating scale (see Appendix C). A number of the categories related to the different areas of the PEACE model e.g. engage and explain or challenge, while others were based on communication behaviours that spanned the interview e.g. questioning or listening. The interviews were rated by one main rater and a sample of the interviews (10%) was also blind scored by a second rater. Both raters were experienced police officers who were advanced interviewer trainers. The overall level of agreement between the raters was 80%.

The fact that the pre- and post-training interviews from the advanced interview training programme were time-constrained affected the coding and scoring procedure in this study. Although the rating scale contained four behaviours relevant to the closure of an interview, this element of the PEACE model could not be scored in the pre- and post-training interviews as candidates rarely reached this point of the interview. The decision to place a maximum time limit on the interviews also resulted in very few challenges being observed in these simulated interviews. Again, very few interviewers reached this point in the interview by the time the assessors halted the process. Only six of the pre-training interviews included challenge behaviours which could be assessed (n=6, 12%). In the post-training condition only two interviews included

observable challenge behaviours (n=2, 4%). Discussions with training staff suggest that the officers believed that probing for detail was an important element of the assessments and so tended to concentrate on this in the final interview. These factors will be discussed later as limitations to the study.

## Results

The results section for this study will initially report findings from the diametric variables observed. These findings will be followed by the reporting of the main results from the performance of the advanced interviewers across the whole interview, different areas of the interview and clusters of behaviours. Finally, the section will report results from the simple and complex categories to which all rated behaviours were assigned. A footnote to the results section will then report a comparison between the advanced interviewers' pre-training interview and the performance of the PEACE-trained detectives across the major areas of the PEACE interview model.

### *PACE variables*

Two of the diametric variables within the rating scale concerned issues required by PACE (Code C, 1984). The first of these was whether the interviewer provided the date, time and location at the start of the interview. In both pre- and post-training interviews one interviewer (not the same officer on both occasions) failed to give these details. This was a surprising omission to find in these interviews. The second of the PACE (1984) variables asked whether the rater considered that anything in the interview breached section 76/78 of PACE (1984), thereby making the interview potentially inadmissible in a trial. Neither rater assessed that any of the interviews, in either condition, breached PACE (1984). The fact that none of the interviews was rated as potentially breaching PACE would appear to be at odds with the fact that two officers failed properly to give the date, time and location of the interview because this is a technical breach of PACE and could rule the interviews inadmissible. However, this

anomaly may be explained by the fact that there are no stated cases where this has occurred. It would be unusual for a judge to exclude an interview on this basis alone as the time and date of an interview are printed on the sealed tape produced after the interview and all parties present sign it. None of the interviews included any of the flagrant breaches of PACE (1984) recorded in the four interviews that breached PACE (1984) in the PEACE comparison assessment.

### *Overall Assessment*

As can be seen in Table 3.1 there was a significant training effect for the overall interview ability of the AI group between the pre and post-training conditions  $F(1, 48) = 267.56, p < .005, \eta_p^2 = .66$ . This initial result provides support for the main hypothesis underlying the study and indicates a positive overall training effect from the advanced suspect interview course. In order to investigate where these improvements occurred (e.g. across all rated criteria or distributed across different areas) more detailed examination of the data was then undertaken.

### *Areas of the PEACE interview model*

As can also be seen in Table 3.1 a significant training effect was seen in the engage and explain phase between the pre and post-training conditions  $F(1, 48) = 264.70, p < .005, \eta_p^2 = .85$ . A similar result was also observed in the account phase between the two conditions  $F(1, 48) = 174.59, p < .005, \eta_p^2 = .78$ . The variable covering the account phase comprised 27 behaviours. These were the behaviours associated with gathering a complete account from the suspect by obtaining a first account, summarising this, selecting and structuring topics to expand that account, summarising those topics and challenging the suspect's account where appropriate (see Appendix A). The improvements in this area demonstrate substantial improvements in the interview ability of the AI group post-training.

Table 3.1 - *Advanced interviewers' pre- and post-training means, standard deviations, significant differences and effect sizes for overall, engage and explain and account interview behaviours*

Area of interview	Pre-training		Post-training		F	$\eta_p^2$
	M	SD	M	SD		
Overall mean	3.18	0.31	4.19	0.35	267.56*	0.85
Engage and Explain	2.68	0.53	4.15	0.35	264.70*	0.85
Legal Behaviours	3.95	0.46	4.54	0.30	54.84*	0.53
Rapport behaviours	1.96	0.75	3.96	0.42	273.76*	0.85
Account	2.83	0.50	4.08	0.48	174.59*	0.78
Topic structure	2.96	0.54	4.02	0.61	85.42*	0.64
Summarising	2.33	0.77	3.90	0.78	105.48*	0.69

\* =  $p < .005$

Furthermore, every component element within the two main areas also showed significant improvements after training. In the engage and explain the biggest improvement  $F(1, 48) = 273.76$ ,  $p < .005$ ,  $\eta_p^2 = .85$  was seen in the rapport behaviours. However, the smaller effect size noted for the improvement in legal behaviours  $F(1, 48) = 54.85$ ,  $p < .005$ ,  $\eta_p^2 = .53$  can be attributed to the higher pre-training ability of the AI group ( $M=3.95$ ) for this behaviour compared to rapport ( $M=1.96$ ). The component elements of the account phase, topic structure  $F(1, 48) = 85.42$ ,  $p < .005$ ,  $\eta_p^2 = .64$ , and summarising  $F(1, 48) = 105.48$ ,  $p < .005$ ,  $\eta_p^2 = .69$  showed similar improvements having had similar pre-training scores.

Twenty-seven of the 49 advanced interviewers (55%) scored '4' or above for topic structure. This performance is more impressive, as the post-training interviews were conducted on more serious crimes than the pre-training interviews, which had more information to digest, both in the materials given to the advanced interviewers prior to the interview and in terms of the suspect's account. The fact that the advanced interviewers' topic structure was of a

higher standard in these more complex interviews appeared to indicate a significant improvement after training.

The vast majority of the interviews in the study did not reach the challenge phase. Where challenges were observed as part of an interview, the standard was variable. In the pre-training condition, of the six challenges seen four were judged to be of a satisfactory standard (n=4, 66%) and the other two were rated as very skilled (n=2, 33%). In the post-training condition one of the challenges observed was rated as skilled and the other as very skilled. Figure 3.1 displays the performance of the AI group in the areas of the PEACE model examined.

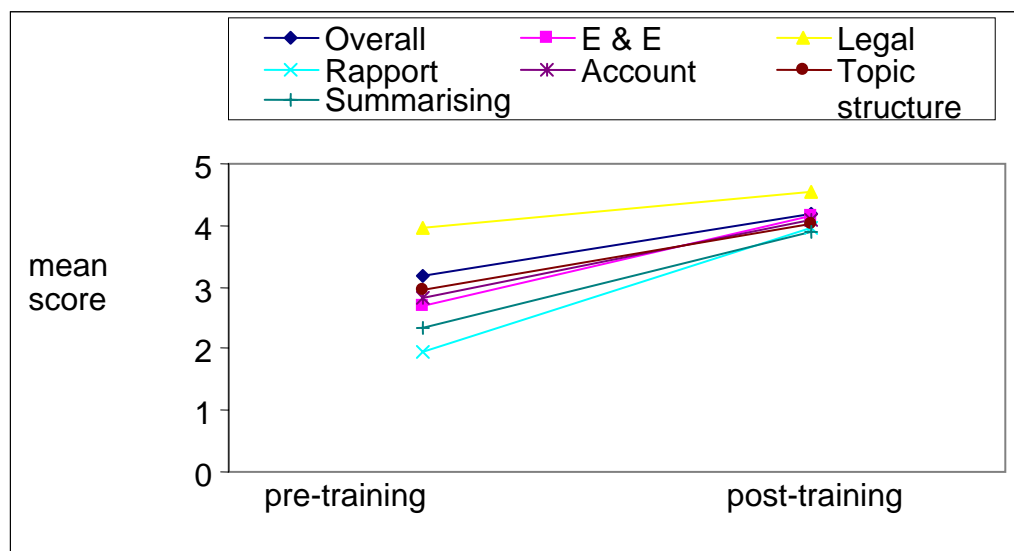


Figure 3.1 - Comparison of advanced interviewers' pre- and post-training means for overall, engage and explain and account interview behaviours

#### Communication behaviours

The results presented so far relate to areas and behaviours identifiable within the PEACE model of interviewing. The following results, seen in Table 3.2, relate to more general communication behaviours. The overall communication skills of the AI group showed a significant improvement after training  $F(1, 48) = 163.80, p < .005, \eta_p^2 = .77$ .



Table 3.2 - *Advanced interviewers' pre- and post-training means, standard deviations, significant differences and effect sizes for communication behaviours*

Interview Behaviour	Pre-training		Post-training		F	$\eta_p^2$
	M	SD	M	SD		
Overall communication	3.38 <sup>a</sup>	0.368	4.25 <sup>b</sup>	0.31	163.80*	0.77
Questioning	3.73 <sup>a</sup>	0.52	4.42 <sup>b</sup>	0.362	69.63*	0.59
Listening	3.92 <sup>a</sup>	0.51	4.52 <sup>b</sup>	0.406	48.28*	0.50
C'sation management	2.97 <sup>a</sup>	0.616	4.24 <sup>b</sup>	0.315	172.16*	0.78

\* =  $p < .005$

Within the overall communication variable there were three component variables. The variable '*questioning*' was comprised of 14 separate behaviours within the rating scale specific to questioning (see Appendix A). These related to different question types: using appropriate question types, avoiding the use of inappropriate questions, and using questions to probe for detail. The post training performance of the AI group for this variable showed a significant training effect  $F(1, 48) = 69.63, p < .005, \eta_p^2 = .59$ . The variable '*listening*' was made up of six different behaviours (see Appendix A). The rating scale included: (i) recognising the interviewee's agenda; (ii) encouraging the interviewee; (iii) understanding the interview content; (iv) recognising inconsistency; (v) formulating questions from answers; and (vi) keeping an open mind. This area also showed a post-training improvement with a similar effect size to that of the questioning variable  $F(1, 48) = 48.28, p < .005, \eta_p^2 = .50$ . The scores for questioning and listening were the highest pre- and post-training of any area examined with the exception of the legal behaviours. The formulaic nature of the legal procedures to be included in the introduction to an investigative interview makes this an easier task than the more complex cognitive tasks of questioning and listening. For this reason, the post-training

improvements of the advanced interviewers in *questioning* and *listening* are evidence of real ability in this area.

As well as the questioning and listening behaviours, the communications behaviour category also included 21 other behaviours classified as conversation management, e.g. remaining calm if faced with hostility, blocks or aggression during the interview, or using silences, pauses or prompts to maintain the conversational flow during the interview. Conversation management had been another key element of the advanced interview course and it teaches officers the importance of maintaining a working relationship with a suspect. Conversation management emphasised issues such as respecting the account of the suspect, not interrupting, and explaining the reason for requesting detail. This area showed a larger post-training improvement than the skills of questioning and listening  $F(1, 48) = 172.16, p < .005, \eta_p^2 = .78$ . Figure 3.2 demonstrates the changes in all communication behaviour scores pre- and post-training.

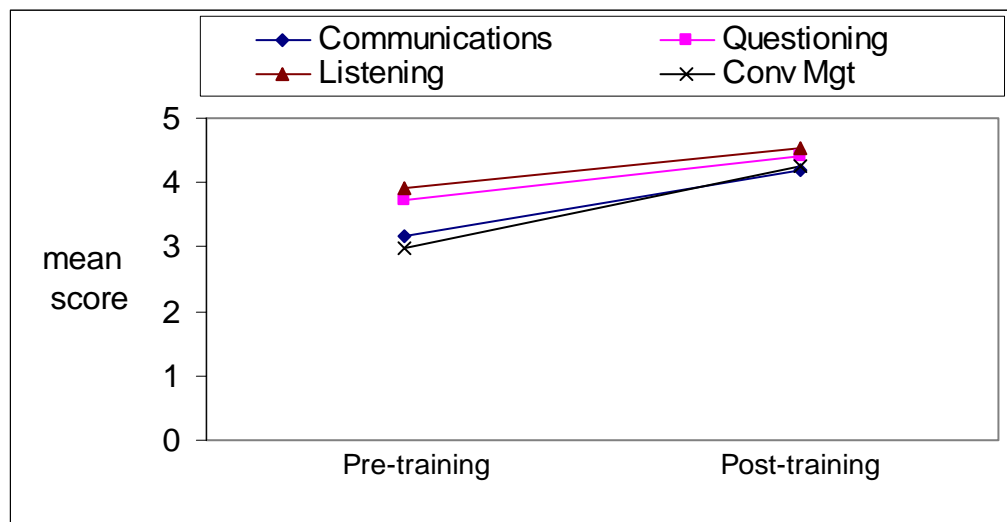


Figure 3.2 - Comparison of advanced interviewers' pre- and post-training means for communication behaviours

### *Simple and Complex behaviours*

So far the results have shown positive training effects on the overall interview ability of the AI group and on their ability within the structured areas of the interview and vital communication behaviours. The final results in this section of the study relate to analysis conducted when all 86 rated variables were assigned to one of two categories, either simple or complex, according to their perceived difficulty. The results of this analysis are shown in table 3.3 accompanied by the overall interview results for comparative purposes.

Table 3.3 - *Comparison of advanced interviewers' pre- and post-training means, standard deviations, significant differences and effect sizes for simple and complex interview behaviours*

Interview behaviour	Pre-training		Post-training		F	$N_p^2$
	M(n=49)	SD	M(=49)	SD		
Overall mean	3.18	0.31	4.19	0.35	267.56*	0.85
Simple behaviours	3.58	0.34	4.43	0.29	204.36*	0.81
Complex behaviours	2.81	0.33	3.99	0.36	278.72*	0.85

\* =  $p < .005$

Both *simple*  $F(1, 48) = 204.36$ ,  $p < .005$ ,  $\eta_p^2 = .81$  and *complex* behaviours  $F(1, 48) = 278.72$ ,  $p < .005$ ,  $\eta_p^2 = .85$  showed significant post-training improvements. This examination of simple and complex criteria does show that the advanced interviewers improved across all areas of the interview and across all types of behaviour after training. Figure 3.3 below shows the results from the comparisons of simple and complex behaviours in pre- and post-training conditions.

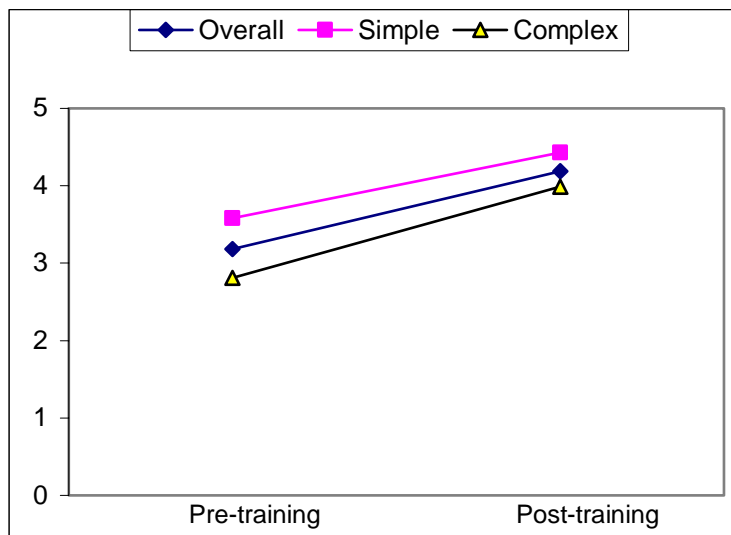


Figure 3.3 – Comparison of *advanced interviewers' pre- and post-training means for simple and complex interview behaviours*

#### *Hierarchy of Skill*

Within all of the groups of variables analysed, a hierarchy of skill was apparent. This indicated that there was a range of abilities within the advanced interviewers – some were more advanced than others! In order to examine this further, the mean scores for 'overall' were recoded into categories that allocated each of the advanced interviewers to one of three skill levels. Participants with overall mean scores under 2.99 were categorised as poor. Those with mean scores 3.00 to 3.99 were categorised as competent and the highest scoring participants with mean scores above 4.00 were categorised as skilled. Applying these categories to the post-training condition showed that 19 (n=19) of the advanced interviewers were classified as competent and 30 (n=30) skilled. None were classified as 'poor'.

These skill levels were used to split the data and investigate the importance of the simple and complex variables on overall performance according to skill level. Further analysis was conducted on the data to determine whether the overall ability of the interviewers was accurately predicted by their performance in either the simple or complex variables. A series of stepwise multiple regressions were conducted using 'overall score' as a criterion variable, and

simple criteria and complex criteria as predictor variables. Significant models emerged for both pre- and post-training interviews.

Taken together, the simple and complex variables account for very high percentages of variance (99%) in both models. This is because the criteria simple and complex are constructs of the 86 rated behaviours. However different models emerged for the different interviews. For the pre-training interview, a significant model appeared where the *t* scores suggested that simple criteria accounted for 66% of the variance within the model (Adj  $R^2 = .66$ ); however the situation is reversed for the post-training interviews where the complex criteria accounted for 70% of the variance (Adj  $R^2 = .69$ ). These results suggest that the complex criteria are a useful indication of overall interviewing ability post-training and can help to distinguish between competent and skilled interviewers. These results also confirm that the enhanced overall performance post-training is not due to highly-skilled delivery of the basic interview elements.

*Advanced interviewers versus PEACE interviewers: What is the difference?*

The current study has reported a comparison of pre- and post-training interviews conducted by a group of advanced interviewers, and indicated that significant improvements occurred in key interview behaviours across all areas of the interviews after training. However, the standard of the advanced interviewers prior to training compared to other PEACE-trained interviewers has not been quantified. Such a comparison would provide a useful reference point for judging the overall skill level of the advanced group and the training effect of the advanced course. Table 3.4 therefore, displays the results of a comparison between the advanced interviewers pre-training and the detectives who participated assessed in the PEACE comparison assessment. This comparison shows that even before training the advanced interviewers performed significantly better than the PEACE-trained detectives in every area examined.

Table 3.4 – Comparison between advanced interviewers' (pre-training) and PEACE officers for PEACE interview behaviours showing means, standard deviations, significant differences and effect sizes.

Area of interview	AI pre-training		PEACE detectives		F	$N_p^2$
	M	SD	M	SD		
Overall mean	3.18	0.31	2.50	0.44	61.26*	0.66
Engage and Explain	2.68	0.53	2.25	0.37	14.04*	0.39
Legal behaviours	3.95	0.46	3.56	0.54	9.82*	0.33
Rapport behaviours	1.96	0.75	1.51	0.44	12.54*	0.37
Account	2.83	0.50	2.13	0.57	30.06*	0.52
Topic structure	2.96	0.54	2.27	0.70	20.68*	0.45
Summarising	2.33	0.77	1.58	0.65	18.16*	0.43
Challenge	3.13	1.05	1.57	0.60	35.49*	0.55
Questioning	3.73	0.52	2.93	0.68	31.90*	0.53
Listening	3.92	0.51	3.28	0.77	16.54*	0.42
Closure	n/a	n/a	1.95	0.70	n/a	n/a

\* =  $p < .005$

The overall interview rating showed a significant difference between the groups  $F(1, 48) = 61.26$ ,  $p < .005$ ,  $\eta_p^2 = .66$ . The greatest difference between the advanced interviewers pre-training and the PEACE-trained detectives was in the account phase,  $F(1, 48) = 30.06$ ,  $p < .005$ ,  $\eta_p^2 = .52$  where the effect size was greater than in the engage and explain phase  $F(1, 48) = 14.04$ ,  $p < .005$ ,  $\eta_p^2 = .39$ . There were significant differences between the groups in every area of the account with effect sizes ranging between .45 (topic structure) and .55 (challenge). Smaller differences were seen in the component elements of the engage and explain phase, legal behaviours  $F(1, 48) = 9.82$ ,  $p < .005$ ,  $\eta_p^2 = .33$  and rapport  $F(1, 48) = 12.54$ ,  $p < .005$ ,  $\eta_p^2 = .37$ . The smaller differences noted in the engage and explain phase can be explained the relatively strong performance of the PEACE trained detectives in the legal behaviours and the poor performance of both groups in the rapport behaviours.

Comparison for the area of closure was not possible due to the low number of pre-training interviews conducted by the advanced interviewers that reached closure.

## **Discussion**

The results of the pre and post training comparisons for the advanced interviewers from all phases of the interview, clusters of behaviours, and simple and complex behaviours show strong support for the hypothesis of this study. The advanced interviewers did display improved interviewing skills after undergoing the advanced interview course. Furthermore, the improvement was evident in all parts of the interviews and not confined to the formulaic opening and closure phases. The footnote comparison between the advanced interviewers pre-training and the detectives from the PEACE comparison assessment also indicates that the advanced interviewers did possess a higher degree of interviewing ability than other detectives even before specialised advanced interview training. The level of interviewing ability displayed by the advanced interviewers after training, therefore, was considerably above the general level of interviewing ability in the force concerned. These findings are a positive endorsement, both of the selection procedure for the course and of the course itself.

It is clear from the results of the PEACE comparison assessment in the previous chapter that the PEACE-trained detectives were not skilled interviewers. The officers' grasp of the PEACE model structure was poor and even though they displayed satisfactory questioning and listening skills their overall inability to use these skills within a structured framework resulted in vague, wandering dialogues which achieved little, similar to that found 14 years ago (Baldwin, 1993). In contrast, the advanced interviewers' performance in the pre-training interviews overall was of a satisfactory PEACE standard. While they were more skilled than the PEACE-trained detectives in every area assessed there were some similarities between the groups. Rapport and summarising were poorly performed by both groups while legal behaviours,

questioning and listening were the strongest skills for both groups, albeit at different skill levels. These results bore some similarity with the national PEACE evaluation (Clarke & Milne, 2001). The differences between the two groups, where full comparisons could be made, i.e. not challenge and closure, varied in size. The difference in the standards of topic structure, questioning, summarising and listening between the groups was much larger than the difference in legal behaviours and rapport between the groups. These results indicate the biggest difference between the advanced interviewers and the PEACE-trained detectives was in the account phase of the interview.

Overall the results indicate that it is the structure of the PEACE model that interviewers struggle to apply after the basic one week course. This finding is at odds with the national PEACE evaluation where a 'reasonable level of interview structure' was found (Clarke, 2005). However, the difference in finding between the two studies may be explained by the use of different raters. The raters in the current study were advanced interviewers themselves. Therefore, they may have had higher expectations in terms of interview structure than the raters in the PEACE evaluation who were only trained to PEACE standard themselves. Of greater importance is the fact that both the current study and the PEACE evaluation indicate a general weakness among all interviewers in the skills of rapport building and summarising. Clarke and Milne (2001) reported that no attempt was made to build rapport in 40% of the interviews examined. The skills of rapport building and summarising are generic communication skills and not interview model specific. Together with the results of the current study and the PEACE comparison assessment these results provide strong evidence that training programmes need to improve in this area.

The relative levels of the scores for questioning and listening indicate two things. Firstly, that even the PEACE-trained detectives demonstrated a much better level of questioning than indicated in previous research (e.g. George, 1991; McLean 1992) where high proportions of leading questions were observed. Secondly, the scores for questioning and listening showed that the advanced interviewers possessed a high degree of skill in this area even before training. Given that the advanced interviewers' pre-training interview was conducted after the same amount of training as the PEACE-trained detectives,



the strong performance in questioning and listening must be seen as powerful indicator of future potential that appears to be reflected in the post-training interviews. The fact that this potential can be measured as shown by the current study is important because it provides an objective basis to select the most suitable officers for advanced training.

Post-training, the performance of the advanced trained officers was rated as skilled overall. Every combination of behaviours examined demonstrated improvement from the pre-training interviews, and these improvements were distributed throughout the areas and skills examined. Micro-analysis of six groups of behaviours, namely legal behaviours, topic structure behaviours, summarising, questioning, listening and communication skills, identified a range of performance within the advanced interviewers' post-training interviews but the strongest behaviours, again, were questioning and listening. Within the structure of the interview, legal elements and topic structure were stronger than summarising. The improvements in the post-training condition indicate that the overall improvement in the performance of the group was not accounted for by one area of the interview model, but was distributed across all areas of the interview measured in this study. This effect was borne out by the final analysis of simple and complex behaviours, which provided the conclusive evidence of the positive training effect of the advanced interview course. It is the ability to perform the complex behaviours to a high level that provides the best indication of an improvement in the advanced interviewers' skills. For example, every interview requires the interviewer to introduce themselves and explain the purpose of the interview (although this is still poorly performed by many interviewers as observed by the national PEACE evaluation; Clarke & Milne, 2001). These introductory elements can be rehearsed and are effectively practiced in every interview regardless of length or outcome. The advanced interviewers performed this skill adequately before training and made significant improvements in this area after training. However, this improvement cannot be claimed as 'advanced interviewing'. By way of contrast, summarising is a complex skill which cannot be rehearsed as the information within each interview is different. This requires the interviewer to listen and comprehend the content of the interviewee's account before composing a verbal précis. The post-training mean score of the advanced interviewers for summarising

represented the biggest improvement of any area against the pre-training condition. In fact, the advanced interviewers improved significantly across all complex behaviours, demonstrating that the improvements seen did occur within the most difficult interview behaviours assessed.

Although a footnote to the current study, the final comparison between the advanced interviewers in the current study and the PEACE trained detectives from the PEACE comparison assessment allowed a direct comparison to be made between the PEACE interview training course and a three-week alternative. This raises the question of whether the one-week PEACE course is fit for purpose at all in the modern age. The first piece of evidence is the practical guide that accompanies the PEACE course. The literature review described the distribution of contents and the amount of legal material included in the book. This material cannot be distance learnt and transferred into practical use in the interview room. This means that a proportion of the supposedly skills-based PEACE interview course must be given up to cover this subject. The second piece of evidence is the performance of the police officers' interviews assessed in the PEACE comparison assessment. The detectives performed better than the patrol officers but both groups were rated as poor. However, communication skills that were examined, such as questioning and listening, rated higher than behaviours associated with the structure of the PEACE model. This suggests that the officers were not devoid of the ability to communicate but were not sufficiently skilled in the application of the interview model. The officers selected for advanced training showed similar traits in that their questioning and listening skills were good. These officers, however, did display better structure in their pre-training interviews. The three-week interview course improved their abilities in all areas of the interview. This begs the question of how much a three-week course would improve the other officers' ability. Based on this study it is reasonable to assume that the overall standard of the PEACE-trained detectives could be raised to PEACE standard with a longer training course. The last point is based on the evidence from the advanced interviewers themselves: even after three weeks' training a natural hierarchy of ability existed within the group.

It is acknowledged that this study had certain limitations, particularly in relation to the final comparison between the advanced interviewers pre-training and other PEACE trained detectives. This comparison used two different types of interview, simulated and real life. The PEACE-trained detectives were assessed using real life interviews where not only suspects but also solicitors, appropriate adults and colleagues all presented possible difficulties. The interviews were for a wide range of offences where the suspect could adopt any stance they wished. The interviews took place at all times of day and it is unknown how much time the interviewers had to prepare. In contrast, the advanced trained officers were assessed using simulated interviews. The advanced interviewers knew that the interview they conducted was being assessed, had prior notice to prepare for the assessment and a set amount of time to plan the interview they were going to conduct on the day. Balanced against this is the fact that the advanced interviewers were under test conditions and knew they were being assessed. Also, the time-constrained nature of the simulated interviews meant that challenge and closure were not observed in a sufficient number of interviews for an effective evaluation of these areas to be made. The interviews within the study also encompassed a wide range of offences, from simple theft to rape. In particular, the post-training interviews concerned more serious crimes. Despite this, the interviews do allow valid comparisons to be made between all three samples because the dependent variables within the rating scale focused solely on interview behaviours. The outcome of the interviews was not used as a factor within the study design and no comparisons have been made on this basis. This has been a flaw in previous research using real life interviews (Moston et al, 1990; Baldwin, 1993) as, unless the cases are followed to court, the validity of the interview outcome cannot be verified. The analysis concentrated on evaluating the performance of interviewers on behaviours associated with the PEACE model, the basic training course that every officer had undergone. These behaviours could be demonstrated in any of the interviews included within the study. In fact the suspects interviewed by the PEACE-trained detectives in the real life interviews were not difficult, as shown by the fact that the majority gave an account. The solicitors were not hostile either. The actors who played the role of suspects in the pre- and post-training interviews for the advanced interviewers all gave an account. Therefore, although there were differences

between the types of interview used both advanced interviewers and PEACE-trained detectives had the opportunity to demonstrate their use of the interview model and communication behaviours.

## **Conclusion**

In conclusion study 1 has demonstrated a positive training effect for the advanced interview course. This improvement occurred across all areas of the interview and included both simple and complex interview behaviours. It appears that the advanced interviewers showed potential in the areas of questioning, listening and topic structure even before training, and these areas may provide potential for an enhanced selection procedure in future by weighting these areas in any assessment process. However, conclusive evidence of an improvement in the advanced interviewers' interviewing ability can only be judged on its transference back to real life interviews with suspects and its longevity. Study 2 examined whether the skills acquired by the AI group on the advanced interview course did transfer to real life and how those skills were affected by time.

## **Chapter Four: Does advanced interviewing work in real life? (Study 2)**

### **SUMMARY OF CHAPTER**

The previous study showed that, supporting the hypothesis, the advanced interview course produced a positive training effect. Given that the advanced interviewers who undertook the training had been pre-selected to receive the training on the basis of ability, this result was not surprising. However, the real value of interview training can only be judged in real life interviews. Study 2 therefore examined the extent to which the skills of the advanced interviewers transferred from training into real life. Skills transference from training courses to the workplace is by no means assured. In fact, the literature suggests that only a small percentage of skills learned on a training course are used one year after training. The present study evaluated real life interviews with suspects conducted by the advanced interviewers immediately after training and again nineteen months later, with no refresher training in between. The results of the study showed that initially there was a high level of skill transference, across most behaviours, with the exception of rapport building and conversation management. Over time, selected behaviours then suffered significant skill erosion while other behaviours showed none. The complex skills which were a reliable indicator of the difference between a competent and skilled advanced interviewer at the end of study 1 were less reliable an indicator 19 months after training.

## Introduction

Transfer of training is an issue, sometimes a problem, closely associated with forgetting and skill loss. It occurs whenever the existence of a previously established habit or skill has an influence on the acquisition, performance or re-learning of another habit or skill

(Buckley & Caple, 2004, p163)

Training can be considered to have been successfully transferred from a learning environment if the skills, knowledge and behaviours taught on the training course become evident in the performance of the individual in the workplace. Training transference actually commences within the training course and there is much advice within the literature as to how this is accomplished. King (1996) suggested that training transference is promoted if the training programme is meaningful and closely related to the actual task required to be completed in the workplace. It is thought (Ottoson, 1995) that the training course should also provide repeated opportunities to practice the newly acquired skills in a safe environment (Broad & Newstrom, 1995). It is also recommended that the training course itself should have face validity and tasks within the course should closely resemble reality (Brinkerhoff & Montesino, 1995; Garavaglia, 1993).

In addition to the design of the training course, there are two sets of theories that are put forward to explain positive skills transfer (Buckley & Caple, 2004). These are the *identical elements theory* and the *transfer through principles theory* (Buckley & Caple, 2004). The identical elements theory claims that if the training conditions and workplace conditions are very similar then a high positive transfer of skills will take place. The transfer through principles theory emphasises the importance of the trainee learning behavioural principles during the training course, which can be generalised to a set of varied circumstances. This latter approach recommends that, rather than learning and replicating a narrow series of set behaviours, the trainee should develop a deeper understanding of the newly-acquired skills in order to apply them flexibly. These theories are not mutually exclusive. Investigative interviewing is a complex task

where no two interviews are the same due to the dynamics of the interviewer and interviewee, even where the same two individuals encounter each other on more than one occasion. In addition, no two crimes are the same and so even where an interviewer has interviewed numerous suspects for the offence of burglary, none of these interviews will be identical to each other. Therefore, it would appear that successful interview training design, although displaying similarities with both transfer theories should be mainly based upon the transfer through principles theory.

Some research studies examining the effectiveness of PEACE have identified poor skills transference at the end of the course, but could not establish if this was due to the training design or the motivation of the officers to employ the model (Clarke, 2005). The design of the advanced interview course does appear to include many of the elements within the transfer through principles theory mentioned. The role play interviews during the course were all based on real crimes. The final role play interview at the end of the course involved a serious crime, with not only a professional actor playing the part of the suspect but also a real life solicitor present. The course was built around a safe learning environment. In addition to the course design, the results of study 1 showed a high level of positive training effect from the training course itself when tested in the post-training simulated interviews.

The current study, therefore, had two clear and distinct objectives. The first of these was to ascertain whether the positive training effect of the advanced interview course successfully transferred into real life interviews with suspects conducted by the same officers after training. The second aim was to establish whether time had a positive or negative effect on any skills transference that did occur. This study is of importance because the purpose of the advanced interview training course was to improve the officers' real life ability to interview suspects of serious crime and although the training course improved this ability in a simulated environment (see study 1) the training could not be considered a success unless these post-training improvements were successfully transferred into an operational setting and maintained over time. The study had two hypotheses. Firstly, it was hypothesised that the skills acquired on the course would successfully transfer to real life. The rationale for this belief was the

apparent face validity of the training course design supported by the positive training effect reported in study 1. Secondly, it was also hypothesised that the lack of formal training and reassessment would result in gradual erosion of the more complex interviewing skills acquired on the course (Broad & Newstrom, 1995). The rationale for the second hypothesis was based on the fact that the advanced training programme did not include any refresher training,

## Method

### *Design*

The complete study design for study 2 was described in chapter 2. The main points will be reiterated here. Study 2 utilised a repeated measures design where investigative interviews conducted by the same advanced interviewers were examined across three time intervals and in two different environments. These interviews were: (i) the simulated investigative interview conducted at the end of the training course (identified as the '*post-training interview*') as a control or baseline; (ii) a real life investigative interview (identified as '*real life 1*') conducted no more than six months after advanced interview training (mean time delay after training 2.74 months, SD = 1.91, range 1-6 months) to evaluate immediate skills transference from the training environment into real life; and (iii) a real life investigative interview (identified as '*real life 2*') conducted no less than ten months after the end of the advanced training course (mean time delay 19.88 months, SD = 7.52, range 11 – 37 months).

The same 92 interview behaviours as examined in study 1, defined from the advanced PEACE interview model of interviewing and literature on investigative interviewing (see chapter 2 and Appendix A), were examined across all three time intervals. Six of the behaviours were diametric and 86 were rated against a five point Likert scale.



### *Participants*

The participants in this study were drawn from the advanced interviewers examined in study 1. All 49 advanced interviewers who took part in study 1 were invited to participate in this study. However, the data collection phase revealed that not all 49 interviewers produced interviews within the specified time scales. A variety of reasons were put forward for this attrition rate as noted in chapter 2, including promotion, transfer to other duties, and one transfer to another force. Of the original 49 officers who took part in study 1, four officers did not conduct any operational interviews after the course and, of those that did conduct real life interviews, 13 did not conduct a real life interview for at least six months after passing the course. Furthermore, of the advanced interviewers who did conduct an interview within six months of their course (n=35), eight (n=8) were unable to provide details of any real life interviews that they conducted more than nine months after the training course. As a result, 27 advanced interviewers were included in study 2. These officers were all detectives and comprised 23 men (n=23, 85%) and four women (n=4, 15%).

The issue of the operational 'life' of an advanced interviewer is of no direct consequence to the validity of this study, but does represent an issue for the police service. The advanced training was created to address a problem: that the standard PEACE course was not sufficiently rigorous to develop interviewers capable of interviewing suspects to a high standard for the most serious of crimes. If some advanced trained officers are not conducting many real life interviews after training, then either too many officers are being trained or trained officers are not being used properly.

### *Materials*

A full description of both the simulated and real life interviews used in this study was given previously under the headings *post-training interview*, *real life 1* and, *real life 2* in chapter 2. This section will summarise the main features of the three interviews used for this study and highlight the main differences among them.

The interviews used in the post-training condition were simulated and used an actor to play the part of a suspect. The interviews were based on a variety of serious crimes used as case files for the interviews. These offences were a murder (n=1, 4%), five rapes (n=5, 18%), 17 serious physical assaults (n=17, 64%), and four indecent assaults (n=4, 14%). These interviews were artificially controlled by duration and interviewee stance. This meant that the mean length of the post-training interviews was 86.24 minutes (SD=10.21; range 65-120 minutes) and that all the suspects gave an account to the interviewer that consisted of an explanation that fell short of admitting the offence. All of the advanced interviewers conducting the interviews knew the maximum time allowed and none of the interviews were concluded within that time frame. Typically, this meant that the elements of challenge and interview closure were not observed.

The real life interviews all proceeded to a natural conclusion. The mean length of the interviews used in real life 1 was 171.34 minutes (SD = 74.27 minutes) and the mean length of those used in real life 2 was 143.41 minutes (SD =75.01 minutes). Both sets of real life interviews contained a high percentage of serious crimes where the suspect was in real jeopardy of a significant prison term if convicted of the offence for which they were being interviewed. The 27 interviews in real life 1 contained 16 murder cases (n=16, 59%), four sexual assaults (n=4, 15%) five serious physical assaults (n=5, 19%), one death by dangerous driving (n=1, 4%), and one theft case (n=1, 4%). The 27 interviews in real life 2 consisted of 14 murder cases (n=14, 52%), ten serious sexual assaults (n=10, 37%), two serious physical assaults (n=2, 8%), and one less serious assault (n=1, 4%).

The suspects in the real life interviews were not coached to give a particular response and reacted to the interviewer as they chose to or as they were advised to by their legal adviser. The fact that only two interviewees (n=2, 7%) commenced the first real life interview and three interviewees (n=3, 11%) commenced the second real life interview by making 'no comment' to questions indicates that the vast majority of interviewees answered questions at the start of these interviews. This fact contrasts with the police urban myth that

'everyone says no comment', which some interviewers use as an excuse for failing to prepare for their interviews.

## Procedure

The procedure for the collection and coding of the data for the current study was identical to study 1. However, a different analytical procedure was followed in the current study as the data was collected on three levels with the exception of the challenge and closure behaviours where data was collected on two levels.

Where the data had three levels the use of *t* tests (as in study 1) would have been inappropriate due to the number of tests that would have been conducted across all conditions. Repeated *t* tests on the same experimental data increases the risk of a familywise error (Field, 2005) that may result in a Type 1 error. Therefore, the analysis utilised for the current study was a series of repeated measures analysis of variance (ANOVA) where the independent variable was *time (at three different intervals)*. The first ANOVA used *interview performance* as the sole dependent variable. Subsequently, the eighty six rated interview behaviours were grouped into ten clusters which became the dependent variables. These clusters represented separate areas of the PEACE interview model (e.g. the account phase), or types of interview skill (e.g. questioning). In addition to the clusters the 86 rated behaviours were also allocated to one of two categories, either 'simple' or 'complex', according to their perceived difficulty

Therefore, the results section initially reports the results of a main comparison for interview performance across all three time conditions including the calculation of effect sizes. As significant effects were found in this main comparison further analysis is then reported for comparisons between the different interview behaviour clusters across the different time levels where there were significant effects. The results section goes on to report the result of a further one way repeated measures ANOVA for the *simple* and *complex*

categories Finally, the results section reports a stepwise regression analysis conducted to establish whether either the complex or simple behaviours were reliable predictors for the variance in any condition.

The reason that data was only collected on two levels for the *challenge* and *closure* variables was the design of the advanced training course. The time constrained nature of the *post-training interviews* meant that only four (10%) reached the challenge phase. This was an insufficient number to compare to the real life interviews where, although not all the real life interviews included a challenge phase, a majority in each condition did, therefore allowing a valid comparison between the two real life conditions to be made using a *t* test.

For the same reason no post-training interviews reached closure. However, all the real life interviews included in this study did reach a natural closure, whether this was a closure of the current interview or the termination of all interviews between the officer and the suspect. The closure of an interview presented an opportunity to inform the suspect of what might happen after the interview, so preserving rapport. There are also certain legal requirements surrounding the end of the interview. The legal requirements were covered by the diametric variables and do not form part of these results except to report that they were covered satisfactorily. The results from the remaining closure behaviours are reported and compared using a *t* test.

#### *Coding and Inter-rater reliability*

As in study 1, the audio recordings of the interviews in all three time intervals were scored against the rating scale described in chapter 2. The interviews were examined by one rater who was an experienced advanced interviewer, as well as an interview co-ordinator and trainer. A sample (10%) was separately rated by a second individual who was also an advanced interviewer, interview co-ordinator and trainer. The second rater was unaware of the scores given by the first rater. The overall level of agreement between the raters was 79%.

## Results

Brief results will be given from the diametric variables before detailed results are reported from the one way repeated measures ANOVAs.

### *PACE variables*

The PACE-related variables, i.e. giving the time and date and issuing the required notice at the end of the interview, were dealt with satisfactorily in both interviews. Every officer correctly stated the time and date at the start of the interview and issued the notice at the conclusion of the interview. This was expected. One unexpected result, however, was that one of the interviews in the *real life 1* condition was rated as breaching PACE (n=1, 4%). This interview related to a murder investigation and the interviewer failed to close the interview properly. The suspect was not asked if he wished to clarify or to add anything to the account that he had given. This omission could rule the interview as inadmissible at trial (S76/78 PACE, 1984). In reality, an application to strike this interview from the trial would probably be unsuccessful as the suspect was properly cautioned at the start of the interview and a legal adviser was present throughout. However, in practice, the failure to ask the suspect this question would mean that, if charged and cross examined at trial, the suspect could explain any inconsistencies in his account by saying that if he had been asked to clarify this point during interview he would have done so. In other words, the failure to ask this question could ruin the practical effect of the interview and jeopardise the case. None of the real life interviews at time interval 2 were rated as breaching PACE.

### *Interview outcomes*

The outcomes of the post-training simulated interviews were contrived in that each actor was requested to answer questions but deny their involvement in the offence for which they were being questioned. The outcomes of the real life interviews were recorded in line with the methodology explained in chapter 2.

At the start of the questioning for the first real life interview, two suspects made no comment (n=2, 8%), 19 denied the offence but spoke freely (n=19, 70%), four made partial admissions (n=4, 16%), and two confessed to the crime immediately (n=2, 8%). By the end of the interview, four suspects were making no comment (n= 4, 16%), 17 were denying the offence but speaking freely (n=17, 68%), five had made partial admissions (n=5, 20%), and one had confessed (n=1, 4%). There were no appreciable changes in the stance of suspects from beginning to end of these interviews. The largest changes were between 'no comment' with an increase of two suspects making no comment at the end of the interview compared to the start, and two fewer suspects denying the offence but speaking freely. It would appear that two suspects who spoke at the start of the interview had decided to stop answering questions by the end of the interview. There is no change in the rate of confessions during the interviews if partial admissions are included. (These findings show that although three interviewees changed stance during these interviews (n=3, 12%) there were no more confessions, either partial or full, at the end of the interviews. The guilt or innocence of the suspects interviewed in these interviews is not known. However, the results indicate that the interviewing officers did not pursue confessions but focused on obtaining an account according to the principles of investigative interviewing. The fact that two suspects initially answered questions and then appeared to stop may indicate a well-conducted interview in that their explanation could not be sustained or, equally, could indicate a loss of rapport by the interviewer.

The stances of suspects at the beginning and end of the second real life interviews were noted in the same way as were the first real life interviews. Using the same categories, the initial stance of three suspects was no comment (n=3, 12%), 20 denied the offence but gave a detailed account (n=20, 74%), three made partial admissions (n=3, 12%) and one made a confession (n=1, 4%). By the end of the interview, one suspect was making no comment (n=1, 4%), 23 were denying the offence but giving a detailed account (n=23, 85%), two were making partial admissions (n=2, 8%) and one had confessed (n=1, 4%). The findings from this data and the limitations on them are very similar to the first real life interviews. There was a marginal decline in confessions across the whole sample between beginning and end of the

interviews, but the vast majority of suspects maintained their original stance. As in the first real life interviews, this sample of interviews contained a very high number of offences with life imprisonment as a maximum sentence (n=26, 96%) and the suspects were accompanied by legal advisers in all the interviews (n=27, 100%).

The confession rate in the first real life interviews (22%) and in the second real life interviews (12%), was very low compared to other post-PACE studies, where a confession rate of 60% is typical (e.g. an examination of 161 interviews in south London where 58% of suspects confessed; Pearse & Gudjonsson, 1996). The majority of suspects in the real life interviews answered questions from the start of the interview but denied the offence for which they were questioned. In *real life 1* 19 suspects adopted this approach (n=19, 70%) and in *real life 2* 20 suspects also denied the allegations put to them (n=20, 74%). By the end of the interviews, 17 interviewees in the *real life 1* condition were approaching the interview in this way (n=17, 63%), as were 23 interviewees in the *real life 2* interview (n=23, 85%).

### *Overall results*

A series of repeated measures ANOVAs were conducted on the data with time (*post-training, real life 1 and real life 2*) as the within-subjects factor. Prior to this an initial ANOVA was conducted with an overall measure of interview performance as the sole dependent variable. There was a significant main effect of time for overall interview performance ( $F(2,50) = 5.306, p < .005, \eta_p^2 = .18$ ), Mauchly's test indicated that the assumption of sphericity had not been violated for this comparison ( $\chi^2(2) = 1.02, p = .601$ ). Applying a Bonferroni post-hoc test a significant difference at the .05 level was found between the *post-training interview* ( $M = 4.11$ ) and *real life 2* ( $M = 3.81, p < 0.05$ ) but no significant difference between either, the *post-training interview and real life 1* ( $M = 3.98, p = .58$ ), or *real life 1 and real life 2* ( $p = .22$ ).

### Areas of the PEACE interview model

Subsequently, further repeated measures ANOVAs were carried out (with time as the repeated measures factor) breaking the overall interview performance of interviewers down dependent on the main areas of the PEACE interview model. Table 4.1 shows the means, standard deviations, significant differences and effect sizes for this analysis.

Table 4.1 - *Advanced interviewers' post-training and real life interview means standard deviations, significant differences and effect sizes for areas of interview*

Area of the interview	Post-training		Real Life 1		Real life 2		F	$\eta_p^2$
	M	SD	M	SD	M	SD		
Engage and Explain	4.12	0.34	4.08	0.35	3.81	0.52	5.14*	0.17
Legal Behaviours	4.54	0.31	4.58	0.25	4.50	0.29	0.65	0.02
Rapport behaviours	3.91	0.41	3.73	0.51	3.45	0.80	4.47*	0.15
Account	3.94	0.76	3.81	0.76	3.55	0.80	2.66*	0.09
Topic structure	3.91	0.72	3.88	0.93	3.74	0.84	0.52	0.02
Summarising	3.68	0.66	3.40	0.98	2.89	1.23	4.51*	0.15

\* =  $p < .05$

The first area examined was the engage and explain phase. The engage and explain phase covered the beginning of the interview from the time the tape machine was switched on until the first question was asked and included 23 behaviours. There was a significant difference for the engage and explain phase across all time intervals ( $F(1.48, 38.44) = 5.14, p < .05; \eta_p^2 = .17$ ) Mauchly's test indicated that the assumption of sphericity had been violated for this ANOVA ( $\chi^2(2) = 10.88, p < .005$ ), therefore degrees of freedom were corrected using Greenhouse-Geisser estimates of sphericity ( $\epsilon = .74$ ). Applying the Bonferroni post-hoc test a significant difference was found between the *post-training interview* ( $M = 4.12$ ) and *real life 2* ( $M = 3.81, p = .05$ ) with significantly lower scores for engage and explain at real life 2 compared with directly after training. There were no significant differences between *real life*



1( $M= 4.08$ ) and real life 2 ( $p = .081$ ), nor between the *post training interview* and real life 1 ( $p = 1$ ).

The engage and explain variable showed a significant deterioration in the performance of the advanced interviewers after 19 months. This result provides further evidence that the advanced officers were able to transfer their acquired skills from simulated interview to real life but that these skills deteriorated with time. The results from the engage and explain phase indicate this may be as early as six months after training but definitely by 19 months.

The engage and explain phase comprised two different types of behaviour. One category comprised the 11 *legal behaviours* required for the lawful introduction of an interview with a suspect. As shown in table 4.1 no significant differences were found between any of the interviews for this variable

The second cluster of behaviours in the engage and explain phase comprised 13 behaviours termed *rapport behaviours*. The rapport behaviours were a weak area for the advanced interviewers prior to training, a characteristic they shared with interviewers in general, but showed improvement in the simulated post-training interview. There was a significant main effect for time for the *rapport behaviours* ( $F(1.40, 36.30) = 4.47, p < .05; \eta_p^2 = .15$ ) Mauchly's test indicated that the assumption of sphericity had been violated for this ANOVA ( $\chi^2(2) = 14.17, p < .001$ ), therefore degrees of freedom were corrected using Greenhouse-Geisser estimates of sphericity ( $\epsilon = .70$ ). Applying the Bonferroni post-hoc test a significant difference was found between the *post-training interview* ( $M= 3.91$ ) and *real life 2* ( $M= 3.45, p < .05$ ) with rapport behaviours being rated significantly lower at real life 2 than directly after training. There were no significant differences between *real life 1* ( $M= 3.73$ ) and *real life 2* ( $p = .173$ ), and the *post training interview* and *real life 1* ( $p = .092$ ). Figure 4.1 illustrates the change in performance for all the *engage and explain* behaviours over time.

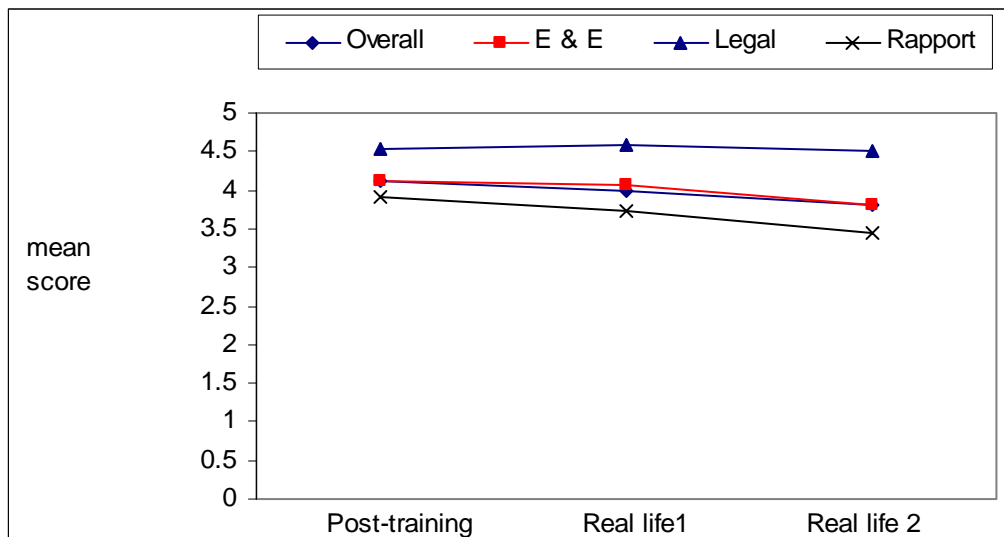


Figure 4.1- Comparison of advanced interviewers' post-training and real life interview means for engage and explain

The next phase of the interview to be broken down and examined was the account phase. The results of this analysis can also be seen in table 4.1. The account phase covered the period of the interview from the first question in relation to the offence under investigation, through the first account, to revisiting relevant subjects for further examination after the first account up to and including the challenge phase, if one was included in the interview (see above for frequency of challenge within the interviews). A repeated measures ANOVA conducted on the overall *account* variable, Mauchly's test for sphericity not violated ( $\chi^2(2) = 3, p = .224$ ), found no significant difference between any of the three conditions ( $F(2, 52) = 2.66, p = .081$ ).

The account variable comprised the areas of *summarising*, *topic structure*, and *challenge*, all of which are critical to obtaining and checking any account offered by a suspect. Topic structure comprised nine behaviours (n=9) that focused on the selection of relevant subject matter from the first account and transparent and logical structuring of these subjects into topic areas (NCF, 1998). The level of performance for *topic structure* was high across the study and non-significant differences were found between all conditions.

Summarising had featured in both the PEACE comparison assessment and study 1 as an area that all non-advanced trained police interviewers failed to perform well. The group variable *summarising* comprised seven behaviours (n=7) that spanned the summarising and linking skills required within the PEACE model structure for the first account and topics.

There was a significant main effect of time for the summarising behaviours ( $F_{(2,52)} = 4.51, p < .05; \eta_p^2 = .15$ ). Mauchly's test indicated that the assumption of sphericity had been violated for this ANOVA ( $\chi^2(2) = 9.07, p < .05$ ), therefore degrees of freedom were corrected using Greenhouse-Geisser estimates of sphericity ( $\epsilon = .77$ ). Applying the Bonferroni post-hoc test a significant difference was found between the *post-training interview* ( $M= 3.68$ ) and *real life 2* ( $M= 2.89, p < .05$ ) but non-significant differences between *real life 1* ( $M= 3.40$ ) and *real life 2* ( $p = .383$ ), and the *post training interview* and *real life 1* ( $p = .47$ ). This result indicated a significant erosion of summarising skill over the 19 months from the post-training interview to the second real life interview but no significant deterioration between simulated interviews and real life.

For the areas *challenge* and *closure* data could only be collected on two levels as an insufficient number of the post training interviews reached this stage of the interview.

*Challenge* was the final area of the account that was examined and comprised six individual behaviours relating to the timing, subject matter and order of the challenges within an interview (see Appendix A, and Appendix C). In the first real life interviews 20 interviews (74%) included a challenge phase ( $M= 4.16$ ). In the second real life interviews 14 interviews included a challenge phase (52%,  $M= 4.61$ ). This was the only area evaluated where there was a rise in the score between the real life interviews. However a paired sample  $t$  test was only possible for seven participants and the result was not significant ( $t(7) = .160, p = .876$ ). Figure 4.2 below illustrates the change in performance for the account behaviours over the three conditions.

The six rated *closure* behaviours also included the tape change procedure where more than one tape was used in an interview (see Appendix A). The

advanced interviewers scored higher for closure behaviours in real life 1 ( $M=2.94$ ) than in *real life 2* ( $M=2.56$ ). A paired sample  $t$  test showed that there was a trend towards a significant difference between these scores, suggesting deterioration in the performance of the closure behaviours over time ( $t(26) = 2.008, p = .055$ ). The scores for closure in both real life interviews were the lowest of any area assessed in these interviews.

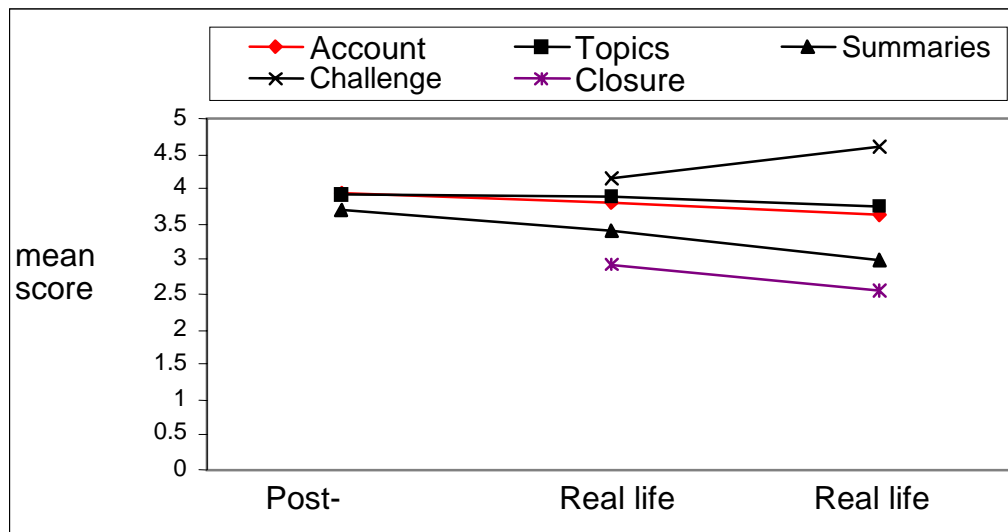


Figure 4.2 - Comparison of advanced interviewers' post-training and real life interview means for account and closure behaviours

#### Communication behaviours

As in the previous study, the methodology for study 2 drew a distinction between behaviours determined by phases or areas of the PEACE interview model and communication behaviours that were threaded throughout the interview. The 41 behaviours within the rating scale that were defined as *communication behaviours* were clustered into a group. This group included all the specific *questioning* and *listening* behaviours plus other *conversation management* behaviours that occurred throughout the interview. For example, explained the offence (reasons) and used clear speech and grammar (conversation) also featured in the rating scale. Table 4.2 displays the results from analysis of these behaviours.

Table 4.2 - *Advanced interviewers' post-training and real life interview means, standard deviations, significant effects and effect sizes for communication behaviours*

Interview Behaviour	Post-training		Real life 1		Real life 2		F	$\eta_p^2$
	M	SD	M	SD	M	SD		
Communication	4.17 <sup>a</sup>	0.31	3.98 <sup>b</sup>	0.40	3.89 <sup>b</sup>	0.41	5.40*	0.17
Questioning	4.32	0.40	4.23	0.43	4.16	0.42	1.16	0.04
Listening	4.48	0.38	4.42	0.50	4.40	0.52	0.27	0.01
Conversation man.	3.97 <sup>a</sup>	0.33	3.72 <sup>b</sup>	0.46	3.58 <sup>b</sup>	0.51	7.61*	0.23

\* =  $p < .05$

There was a significant difference across all three conditions for the overall *communication behaviours* variable ( $F(2,52) = 5.40$ ,  $p < .05$ ;  $\eta_p^2 = .017$ ). Mauchly's test indicated that the assumption of sphericity had not been violated for this ANOVA ( $\chi^2(2) = .045$ ,  $p = .978$ ). Applying the Bonferroni post-hoc test a significant difference was found between the *post-training interview* ( $M = 4.17$ ) and *real life 2* ( $M = 3.89$ ,  $p < .05$ ) but no significant difference between either, the *post-training interview and real life 1* ( $M = 3.98$ ,  $p = .15$ ), or *real life 1 and real life 2* ( $p = .886$ ).

The *questioning* behaviours contributed 14 behaviours to the communication behaviours skills cluster ( $n = 14$ , 34%). Table 4.2 shows that the advanced interviewers' results for the questioning behaviours were consistently strong (*post-training*  $M = 4.32$ , *real life 1*  $M = 4.23$ , *real life 2*  $M = 4.16$ ). There was no significant difference between any of the conditions for the questioning behaviours cluster.

There were six listening behaviours within the communication behaviours cluster. Table 4.2 shows that the advanced interviewers performed strongly in the listening behaviours across all three conditions (*post-training*  $M = 4.48$ , *real life 1*  $M = 4.42$ , *real life 2*  $M = 4.40$ ). No significant differences were found between any of the three conditions

The remaining variables within the communication behaviours variable were the 21 *conversation management* behaviours. These 21 behaviours matched eight of the 13 *rapport* behaviours and four of the six *closure* behaviours (see Appendix A). There was a significant main effect of time for the conversation management behaviours ( $F(2,52) = 7.608, p < .05; \eta_p^2 = .23$ ). Mauchly's test indicated that the assumption of sphericity had not been violated for this ANOVA ( $\chi^2(2) = 1.649, p = .446$ ). Applying the Bonferroni post-hoc test significant differences were found between the *post-training interview* ( $M = 3.97$ ) and *real life 1* ( $M = 3.72, p < .05$ ) and between the *post-training interview* and *real life 2* ( $M = 3.58, p < .005$ ), but a non-significant difference between *real life 1* and *real life 2* ( $p = .677$ ). Figure 4.3 illustrates the change in performance for the communication behaviours across all three conditions. The deterioration in the overall communication behaviours is, therefore, accounted for by one element of the communication behaviours variable, that of conversation management.

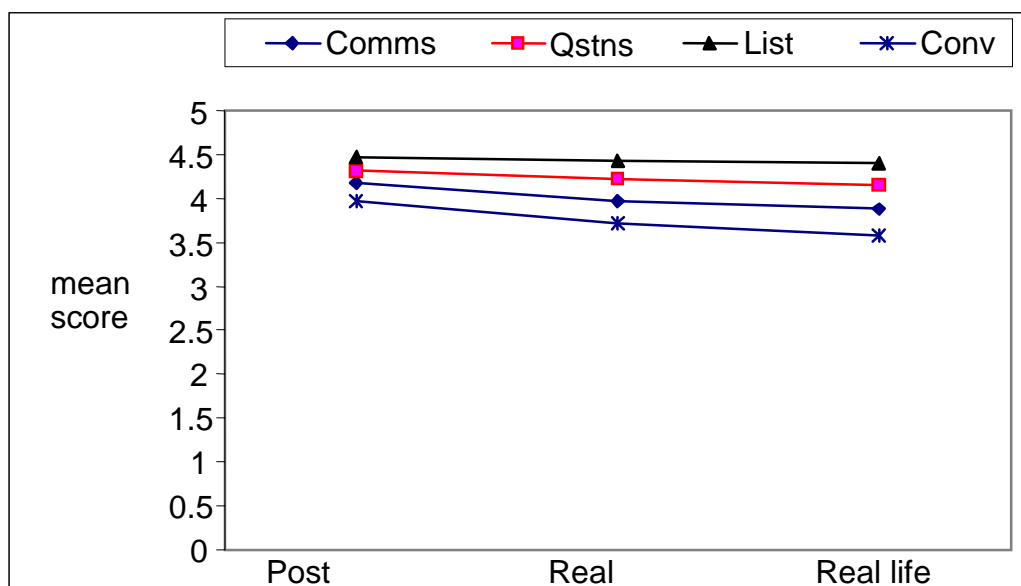


Figure 4.3 – Comparison of advanced interviewers' post-training and real life interview means for communication behaviours

#### Simple versus complex behaviours

In study 1 it was argued that the advanced training could not be considered as a success if the improvements that were found after training were due to

improvements only in the simple behaviours within each area of the interview or clusters of behaviours that had been rated. The fact that the complex behaviours were shown to be the major contributor to overall ability in the post-training interviews did provide evidence that the training was a success in terms of the course. The rationale for the examination of the simple and complex variables in study 2 was to establish whether the deterioration in interview skills that had been identified in areas and clusters of behaviour was more predominant in either category. Table 4.3 shows the results from the analysis of the simple and complex behaviours.

Table 4.3 - *Advanced interviewers' post-training and real life interview means, standard deviations, significant effects and effect sizes for simple and complex behaviours*

Interview behaviours	Post-training		Real life 1		Real life 2		F	$\eta_p^2$
	M	SD	M	SD	M	SD		
Simple behaviours	4.36	0.30	4.25	0.37	4.12	0.39	3.98*	0.13
Complex behaviours	3.87	0.33	3.72	0.46	3.55	0.52	4.95*	0.16

\* =  $p < .05$

There was a significant main effect of time for the simple behaviours across all three conditions ( $F(2, 52) = 3.973, p = .05; \eta_p^2 = .13$ ). Mauchly's test indicated that the assumption of sphericity had not been violated for this ANOVA ( $\chi^2(2) = 1.14, p = .565$ ). Applying the Bonferroni post-hoc test a significant difference was found between the *post-training interview* ( $M = 4.36$ ) and *real life 2* ( $M = 4.12, p < .05$ ) but no significant differences between the *post-training interview and real life 1* ( $M = 4.25, p = .52$ ), and *real life 1 and real life 2* ( $p = .40$ ). This suggests that time has affected the performance of the advanced interviewers in the simple criteria distributed throughout the interview, but that the level of performance was still skilled, where the mean time delay between training and assessment was 19 months.

The complex variable followed the same pattern as the simple variable. There was a significant effect of time for the complex behaviours across all three conditions ( $F(2,52) = 4.95, p < .05; \eta_p^2 = .16$ ). Mauchly's test indicated that the assumption of sphericity had not been violated for this ANOVA ( $\chi^2(2) = .155, p = .459$ ). Applying the Bonferroni post-hoc test a significant difference was found between the *post-training interview* ( $M= 3.87$ ) and *real life 2* ( $M= 3.55, p < .05$ ) but no significant differences between the *post-training interview and real life 1* ( $M= 3.72, p = .365$ ), and *real life 1 and real life 2* ( $p = .434$ ). Figure 4.4 displays a comparison of the overall, simple and complex variables across all conditions.

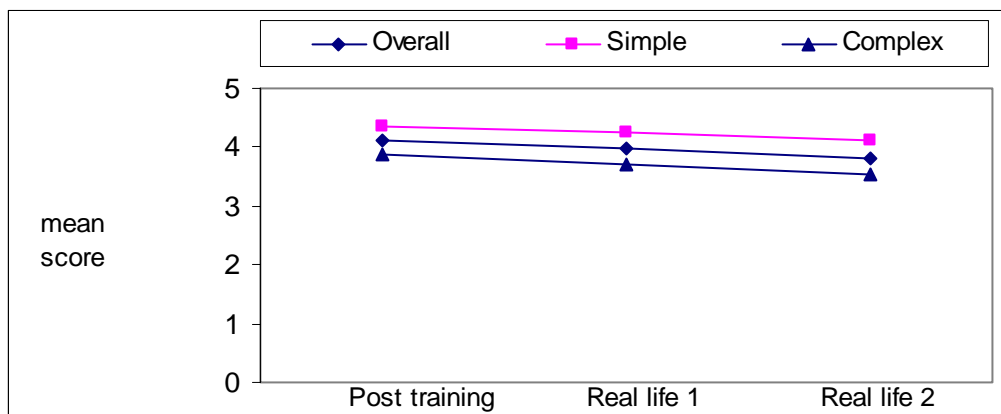


Figure 4.4 - Comparison of advanced interviewers' post-training and real life interview means for simple and complex behaviours

Taken together these results suggest that the deterioration of skills in the advanced interviewers occurred across both simple and complex skills but that the simple skills were still performed to a skilled standard 19 months after training.

Based on these results further analysis of the simple and complex variables as predictors of overall ability was undertaken. The methodology used in study 1 to establish that there was a hierarchy of skill within the advanced interviewers' was applied to the real life interviews in this study. In each condition advanced interviewers who had a mean score less than 2.99 were allocated to the category 'poor', those in the range 3.00 – 3.99 were 'competent' and the top



performers above 4.00 were called 'skilled'. Skill ratings for each advanced interviewer in each of the real life interviews were calculated based on their overall interview rating (i.e. the mean of all rated behaviours).

Figure 4.5 shows the changing distribution of skills hierarchy across the post-training, real life 1 and real life 2 interviews. In the post-training simulated interview nine interviewers were rated as competent (n=9, 33%) and 18 interviewers were rated as skilled (n=18, 67%). In the first real life interview 13 advanced interviewers were ranked as competent (n=13, 48%) and 14 were ranked as skilled (n= 14, 52%). By the second real life interview 15 were rated as competent (n=15, 56%) and only 12 were ranked as skilled (n=12, 44%). Therefore, it can be seen that whereas the majority of interviewers were skilled interviewers according to their performance across all behaviours in the first real life interview this proportion had declined to a minority by the second real life interview. Figure 4.5 illustrates the skills erosion that took place in the 19 months after training.

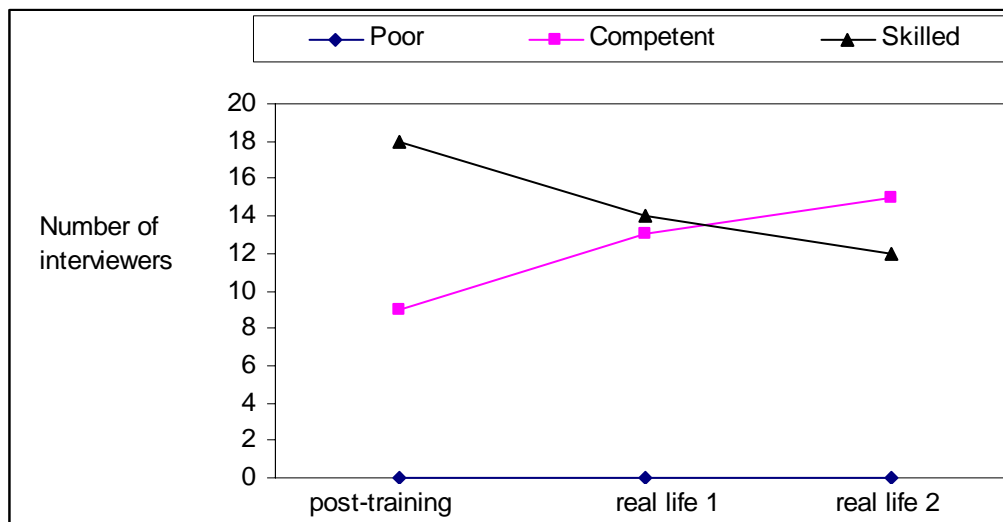


Figure 4.5 – Comparison of advanced interviewers' post-training and real life interview competence levels

In study 1 prediction models for overall skill constructed from the simple and complex variables had shown that the complex variables accounted for 70% of

the variance in the post-training interview, suggesting that complex behaviours were more significant in the skills hierarchy after training. The simple and complex variables were used to construct prediction models for each of the conditions in study 2. The results were identical for each of the real life interviews. For the first real life interview complex variables predicted 60% of variance (Adj.  $R^2 = .604$ ,  $p < .005$  Beta = .787). For the second real life interview complex variables also predicted 60% of the variance in the scores (Adj.  $R^2 = .602$ ,  $p < .005$ , Beta = .785).

These results indicate that even though the advanced interviewers' performance of the complex variables had deteriorated in both the transfer from simulation to real life and over time, complex variables still remained the major determinant of overall advanced interviewing ability.

## Discussion

Study 2 had dual objectives. Firstly, to establish whether the interviewing skills acquired on the advanced training course transferred to real life interviews and, secondly, to investigate the effect of time on those skills. It was hypothesised that the skills would be transferred successfully because the officers were motivated volunteers but that the skills would erode with time.

There is no doubt that the advanced interviewers were involved in interviews for the most serious of crimes after their training, and this factor must be taken into account when assessing skills transference to real life. Sixty-four percent of the interviews (n=35) in this study were investigative interviews with persons suspected of murder or very serious physical assault. A further 24 percent (n=13) were with individuals suspected of rape. The real life interviews were also much longer than the simulated, time controlled interviews used for the post-training interview and required the interviewing officers to concentrate for an extended period. These interviews would have been the most testing for the advanced interviewers because of the scrutiny involved. The product of the interviews would have been scrutinised by not only the senior officer in the case

but also by the prosecuting lawyer, and would possibly also have been tested under cross examination in crown court. Thus, the real life interviews used in this study were as serious as it was possible for them to be.

*Did skills transfer from training to real life?*

The overall results of this study demonstrate positive transfer of the skills learned on the advanced course into the real life interviews conducted by the advanced interviewers. These results show support for the hypothesis that the interview skills of the AI group would be transferred from the training environment to real life interviews. The importance of this finding is emphasised by the fact that 59% of the interviews in the *real life 1* sample were real life murder interviews. Overall, their performance in real life interviews for the most serious of crimes comfortably exceeds their performance pre-training in simulated interviews for volume crime. The overall mean rating for the real life interviews also included the elements of challenge and closure, which were not observed in the post-training simulated interviews due to the constraints imposed on those interviews (as described in chapter 3). Selected behaviours showed very little change in levels of performance between the post-training simulated interview and first real life interview.

Only conversation management, which included rapport behaviours showed significant lack of transfer from training to real life and the change from simulated to real life interviews with real life suspects may have caused this. The advanced interviewers may have found it more difficult to build rapport or manage the real life suspects. Alternatively, it may be the case that the controlled responses of the actors in the post-training interviews were too easy to manage and the post-training scores for these behaviours were inflated. Support for this argument comes from the previous research where police officers have rarely performed well in rapport building (George, 1991, Cherryman & Bull, 2001, Clarke & Milne, 2001, Soukara, Bull & Vrij, 2002).

Summarising, which had been a poor skill area before advanced training but improved significantly after training, was the one area within the account phase that had a noticeably low score. Looking at the areas of simple and complex

behaviours, neither area showed significant deterioration between training and the first real life interview. Skills loss might have been expected within the complex behaviours, but there was no sign of this happening. Overall, given the difficulty of the real life interviews, the performance in *real life 1* was credible.

The results from the simple and complex categories underlined the successful skills transfer from training to real life as neither type of skill showed significant deterioration between the post- training condition and real life.

Considering these results against both skills transference theories (Buckley & Caple, 2004) confirms that the successful initial skills transference observed in this study appears to be due only to the transferred principles theory. The real life 1 interviews were longer and more complex than the post-training interviews and required the advanced interviewers to apply the principles of what they learned on the course as opposed to repeating the same procedures that they learnt due to the dynamic nature of investigative interviewing.

*Did the skills learned last over time – overall interview skill?*

This is a more difficult question to answer but tangible skill erosion certainly did take place between the end of training and the second real life interview. The picture presented by these results, however, is more complicated to interpret than the question of initial skills transference. Of the two main areas within the interview (Engage and Explain, and Account) only engage and explain showed significant deterioration between training and the second real life interview. This suggests that the account area of the interview model was performed to a similar standard across all conditions whereas the performance of the introductory phase did deteriorate over time. However, the micro analysis of sub-areas within the main interview areas and behaviour clusters produces a more sophisticated picture.

The interview sub areas and behaviours that did not suffer any significant skills erosion were legal behaviours, questioning, listening and topic structure. The results for questioning and listening are of particular interest as they indicate that neither the change from simulated interview to real life interview nor the

time delay from training course to the second real life interview had a negative effect on the questioning or listening skills of this group of advanced interviewers. The results from the larger group of participants in study 1 also indicated strong performance in both questioning and listening skills among the officers who qualified for advanced training prior to training. The results provide support for the assertion that the advanced interviewers were innately skilled at using questions and had good listening skills prior to training, which is why their performance did not diminish in the period after training, whereas other behaviours which were not so good before training but improved post-training did deteriorate by the time of the second real life interview. It appears from the evidence of studies 1 and 2 that these skills may be the key attributes of the advanced interviewers who participated in this research, as they were strongest before training and the least affected by time after training.

The sub areas and behaviours that did suffer significant skills erosion between training and the second real life interview over time were rapport, conversation management and summarising.

The analysis of the simple and complex categories showed similar deteriorations over the nineteen months between training and the second real life interview. This indicates an overall drop in the quality of the interviews across both types of behaviour and not concentrated in one or other as might be expected. This finding is consistent with Broad and Newstrom's (1995) view that the percentage of skills acquired on a training course diminishes from 40% immediately after the course to 25% six months after training and 15% after one year.

This discussion has already highlighted the factors that make real life interviewing more difficult for officers but the results from the first real life interview showed that these factors did not affect the quality of the interviews conducted by the officers in most areas. The known factor that differentiated the second real life interview from the first real life interview was the amount of time that had elapsed since training. It is accepted that other unknown factors could have influenced performance. For example, how many interviews each advanced interviewer had actually conducted between the first and second real

life interviews or whether they practised the Evaluate (E) part of the PEACE model after each interview. However, the study design selected the second real life interviews from a reasonable period after training, long enough to test if time affected the skills of the interviewers, and the results have shown that time alone is a significant factor in skills erosion.

The contrasting results for the areas of topic structure and summarising are of particular interest. Whereas the real life scores for *topic structure* have been strong in both real life interviews the real life scores for *summarising* were the second lowest of any area assessed in this study. Summarising had improved significantly between the pre- and post-training conditions in study 1 where the post-training performance of the advanced interviewers was rated as skilled. However, it appears that proficiency in this area fell away in the period after training. One consistent theme that has emerged from the earlier PEACE comparison assessment and the real life interviews in this study was that summarising was poorly performed by police interviewers in real life interviews whether PEACE-trained or advanced trained. However, there is a commonsense inter-dependency between the variables of *topic structure* and *summarising*. Effective topic structure where the interviewer questions about a defined subject is a pre-requisite for good summarising: how can an interviewer summarise a subject with no obvious parameters or title? Similarly, summarising a topic area allows the interviewer to establish a conclusion to the questioning on that area and move to the next topic.

The real life results for the advanced interviewers in *summarising* and *topic structure* contradict this apparent relationship. The real life scores for the advanced interviewers in topic structure showed no significant difference from the post-training condition to the second real life condition and were performed well across all conditions. This indicates that the interviews in these conditions had a sound topic structure that gave the advanced interviewers the basis to summarise to the same standard. The results for summarising however indicate that the level of summarising did not match that of topic structure. Examination of rater notes within the score sheets from the real life interviews revealed that summaries were omitted from a number of the interviews by the advanced interviewers. The working relationship between topic structure and summarising

behaviours in the interview model, and the widely varying results for the two areas from the real life interviews, strongly suggest that summarising was gradually neglected by the advanced interviewers after training until its performance fell below even a PEACE standard by the second real life interview. This situation contradicts the earlier PEACE comparison assessment where poor topic structure meant that poor summaries were inevitable and in some way explained the poor performance. The decision by some of the advanced interviewers to dispense with summarising appears deliberate.

Every interview observed in both real life conditions contained the opportunity for a clarification or challenge phase if the interviewer chose to include this in the interview. Challenges were observed and evaluated in 74% of the first real life interviews and 52% of the second real life interviews. Given the serious nature of the crimes evaluated in study 2, one might have expected challenges in every interview. The fact that challenges were not part of every interview again limited the comparisons that could be made in this vital area of the interview model. However, the fact that not every interview contained a challenge may be evidence of a more open-minded approach by the interviewing officers.

The results from study 2 provide a rare evaluation of real life investigative interviews for serious crime. The results from this analysis are indicative of the quality of interview conducted by this group of advanced trained officers at two particular points in time. However, this discussion would not be complete without discussing the limitations of this study.

The main limitation of study 2 is the fact that it is an examination of real life investigative interviews and so features variables that cannot be controlled, as they could be in a laboratory situation. This potentially affects the power and reliability of the results because the differences in the performances of the advanced interviewers could be attributed to unknown factors. Although this has to be acknowledged, this thesis aimed to evaluate advanced interviewing and this could not be achieved without studying real life interviews because it is a real world skill. The design of the rating scale and the PEACE comparison assessment provided a framework within which to judge the results from study

2. The use of both simulated and real life interviews was deliberately included within the study design to present results from both types of interview.

As the sample size for this study was only 27 advanced interviewers, the question could be posed as to whether the reduction in sample size from study 1 affected the findings. The difficulties encountered in data collection, which restricted the sample size in this study, were explained in the methodology section. In essence certain officers within the AI group did not conduct interviews after training as often as required. Therefore, although two interviews were collected for most of the original participants, some of the interviews did not fit the parameters set within the study design. For example, the study design required that the real life 1 interviews were conducted no more than six months after training and certain officers did not appear to conduct an interview within that time, which meant they were excluded from the study. Having established that the major differences in this study were found between the post-training and second real life interview, a comparison of all the interviews collected in the second real life sample against the post-training interviews was undertaken. The results of this analysis are shown at Appendix D. Conducting this analysis produced no major differences in the results between the post-training interview and the second real life interview.

## Conclusion

The advanced interviewers who participated in this study had no further formal training to interview suspects between the original course and the second real life interview. The results show that significant differences were noted in key interview areas and behaviour clusters examined by the time of the second real life interview. These differences were found both within the structure of the interview and the communication behaviours that had been rated. Cross-referencing these results with analysis of the simple and complex skills within the interviews showed significant deterioration in both types of behaviour. Overall these results suggest a general erosion of the extra skills that had been



acquired on the course which, unsurprisingly, was accentuated in the areas which had been poorer pre-training (*summarising* and *closure*). Although the standard of the second real life interviews was still skilled in some cases and good in others, the message that important skills were eroding as time passed cannot be ignored. The standard of advanced interviewers has to be consistently high, not randomly expert in certain gifted individuals, otherwise the quality of interviews returns to being a lottery (Baldwin, 1993). The results of study 2 are an indication of the complexity of the interviewing task.

The main findings of the study are, therefore, in agreement with the original hypothesis. The high standard of some of the investigative interviews examined in this study is a credit to the police service; however, periodic refresher training is necessary to maintain the high levels of skill required. Advanced interviewing represents a major financial investment for the police service, but one worth making on the evidence provided here. This investment was originally made to prevent miscarriages of justice; this includes the wrongful convictions and wrongful acquittals that affect public confidence in the police. The failure to provide formal refresher training is akin to buying an expensive car and then not servicing it. Sooner or later there will be a crash and someone will get hurt.

Having examined the advanced suspect training course and whether the skills acquired on that course transferred to real life, study 3 examined the effect of the further training that the AI group received. The purpose of this training in the enhanced cognitive interview (ECI) was to provide the advanced interviewers with further skills so that they could interview the most important witnesses in serious cases.

## Chapter 5: Advanced interviewing with witnesses: Is omniscience possible? (Study 3)

### SUMMARY OF CHAPTER

The previous studies have shown that the three-week advanced suspect interview training course improved the real life suspect interviewing skills of a group of detectives. However, criminal investigations also involve the accounts of eyewitnesses, which are arguably more important in solving the case. The advanced interviewers who passed the suspect course also received three days supplementary training in the use of the enhanced cognitive interview (ECI) in order that they could interview witnesses in serious crime cases. This next study, therefore, examined a sample of the real life interviews conducted by the advanced interviewers after undergoing this training. The rationale behind the witness interview course design was that the ECI training would be added to the skills acquired on the three-week suspect course, increasing the size of the advanced interviewers' 'tool kit'. This rationale had face validity and the hypothesis for this study was that the witness interviews conducted by the advanced interviewers would be skilful, and conducted to an advanced standard. The study had a within subjects design where the performance of the same officer for behaviours common to both suspect and witness interviews was directly compared across the two types of interview. The results of the study, however, contradicted the hypothesis. Although the witness interviews conducted by the advanced interviewers were not as poor as found in previous research (e.g. McLean, 1992) the advanced interviewers did not use the ECI skilfully. In fact their interviews often resembled the standard police interview as identified by George (1991) where the interviewers directed the flow of the interview by the use of a closed question/answer format, instead of transferring control to the interviewee and eliciting a free recall followed by appropriate probing.

## Introduction

It has been a consistently held view that *witnesses* provide the crucial information in major criminal investigations (Kebbell & Milne, 1998; Rand, 1975; Shepherd & Milne, 2006). However, witnesses are fallible and their accounts can be unreliable (Munsterburg, 1908). This unreliability can be compounded by poor interviewing. Therefore, the interaction between interviewer and interviewee in an investigative interview has a crucial impact on the accuracy of the witness's account.

Poor interviewer behaviour as a factor that affects the reliability of eyewitness accounts has been recognised as one part of interrogative suggestibility, the other part being the individual suggestibility of the interviewee through personality traits or characteristics (Gudjonsson, 2003). The effect of poor questions as part of interviewer behaviour was first identified by Elizabeth Loftus (1979). Loftus (1979) conducted laboratory research that showed how the use of leading questions posed to participants when they were interviewed about a slide sequence of a car crash they had seen caused them to alter their accounts and erroneously add information which had not been present in the event. A similar effect can be produced by subtle differentiations in language. For example, Loftus and Zanni (1975) reported that the use of the indefinite article ("a") instead of the definite article ("the") within a question can lead to different responses from interviewees, where the use of "the" within questions (e.g. "Did you see the ...?") led to a greater number of respondents reporting the presence of items which were not present in the slide sequence.

It has also been found that the way in which an interviewer responds to an interviewee within an interview can affect witnesses' accounts. Gudjonsson (2003), although primarily discussing how false confessions may arise from suspects, also states that negative feedback given to a witness may shift a true response in favour of an untrue or distorted response. This phenomenon was demonstrated by Roper and Shewan (2002) in a study where participants (undergraduate students) watched a video clip and were then asked specific questions about the content of the clip. The participants were then labelled as either a 'good' or 'bad' witness and given feedback. Good witnesses were given

supportive feedback while bad witnesses were informed that they were incorrect or had not remembered enough detail. Roper and Sherwan (2002) reported that witnesses who were informed that they were 'bad' eyewitnesses altered their original responses even where they had reported correct details.

It follows, therefore, that the techniques used by police officers when interviewing witnesses are of critical importance in obtaining reliable and accurate accounts. However, field studies that have examined this issue have found real life witness interviews by police officers to be characterised by poor skills. Fisher et al (1987) examined the working practices of (American) detectives within real life witness interviews. This study revealed a number of deficiencies, which included frequently interrupting the witness, asking inappropriate questions, and asking rapid fire yes/no questions (see chapter 1). In summary Fisher and colleagues found that the interviews were unstructured with "many of the interviewers asking questions about the suspect in....a formulaic manner, as if it were being read from a standardised checklist" (1987, p181). At the conclusion of the study Fisher et al (1987) made several recommendations to improve the techniques of the officers. These were to promote focused retrieval, make the questions compatible with the witnesses' mental representation, to minimise the distractions during the interview process, to induce the witness to talk slowly, to tailor language to suit the witness, and to avoid judgemental comments. These recommendations led to the development of a formalised interview model, called the cognitive interview (Fisher et al, 1987), later developed into the enhanced cognitive interview, designed to improve the recall of compliant eyewitnesses.

Richard George (1991) conducted a field study of police witness interviews in one UK police force. The participants were asked to record the witness interviews that they conducted especially for the study because no witness interviews were recorded as part of any investigation at this time (the importance of this fact is that the participants *knew* they were being recorded). The study was a pre- and post-training evaluation but prior to training George (1991) found that all of the participants used similar techniques. These techniques involved the use of a high proportion of inappropriate questions. Leading questions were asked between 1.34 and 1.58 times per every ten

questions while open questions were used only .28 to .46 times per ten questions. McLean (1992) also examined the quality of real life witness interviews conducted by British police officers and found generally poor techniques (see chapter 1). However, McLean's study (1992) is interesting because he had previously examined a sample of suspect interviews using a similar methodology. McLean found that the officers in the witness interviews used fewer open questions (14.8%) than in the suspect interviews (25.8%). McLean also found that the talk time within the witness interviews was shared equally (50:50), which is indicative of an inappropriate amount of talking from the interviewer. Interviewers in the witness interviews also interrupted the interviewees on average three times per half hour interview, also indicative of poor interviewer behaviour.

The first witness interview training implemented for police officers in England and Wales was introduced with the PEACE model (CPTU, 1992a; 1992b). However, unlike suspect interviews, the quality of witness interviews has not been a popular subject of research since the implementation of PEACE (Clarke, 2005). This is because of a lack of material, itself due to the absence of routine recording of witness interviews in England and Wales. The most informative study on the current standard of general witness interviews is provided by the national evaluation of PEACE (Clarke & Milne, 2001). Clarke and Milne (2001) evaluated 75 real life interviews with victims and witnesses from six different police forces. Fifty-eight (73%) of these interviews were in relation to volume crime, while 17 (23%) were from murder cases. No rapport was established in 40% of the interviews, and interviewers were more likely to keep the interviewee on topic and explore the information provided than they were to use an appropriate structure and witness-led sequencing. The ratio of appropriate questions in the interviews was 57% compared to 43% for poor questions. However, interviewers rarely interrupted or overtalked the interviewee. Overall, the results showed that only 1% of the interviews were judged to be skilful by the raters (compared to 13% of the suspect interviews in the same study).

*Specialist* witness interview training for detectives, using the enhanced cognitive interview (ECI) was introduced into police forces in England and

Wales unilaterally, in much the same way as advanced suspect interviewing had been. The publication of the first edition of the Murder Investigation Manual (ACPO, 1998) introduced the term 'significant witness' to the police service in England. A 'significant witness' is defined in the current edition of the manual as 'those who may have been, or claim to have been, an eye witness or a witness to the immediate event in some other way' (ACPO, 2006 p.204). The manual recommends that interviews with significant witnesses are visually or audio recorded in order to protect the integrity of the evidence produced from those interviews. To respond to this, advanced interviewers from the police force who participated in the two prior studies were also trained in the enhanced cognitive interview (ECI) so that they could conduct interviews with significant witnesses in major enquiries such as murder, rape, and road death.

### *ECI training*

The ECI as currently being taught to police officers in England and Wales has nine elements as described in 'The Enhanced Cognitive Interview: A step-by-step guide' (Milne, 2004) which is based on Fisher and Geiselman (1992), Köhnken (1993) and Milne and Bull (1999). These phases are (i) rapport, (ii) explain the aims of the interview, (iii) initiate a free report, (iv) questioning, (v) varied and extensive retrieval, (vi) investigatively important questions, (vii) summary, (viii) closure and, (ix) evaluation as shown in Appendix E.

The training course that was undertaken by the advanced interviewers was a three-day theory and practice course that the officers undertook on average six months after they had passed the advanced suspect course. The ECI course was designed on the basis that the three-week course had already trained the advanced interviewers in the core skills of interviewing. These were the elements such as interview preparation, questioning, and listening, which were described in the section relating to the advanced suspect interview course (see methodology). The ECI course aimed to train the ECI model as a supplement to these skills. The first day of the ECI course therefore consisted of lectures on the cognitive interview from a leading expert. The day took the officers through the nine phases (see above) of the ECI, linking each phase to the relevant

issues. For example, phase 1 to the importance of rapport and phase 3 to the known fallibility of witness memory and the significance of different question types. The second day of the course consisted of role play sessions where the advanced interviewers practiced each phase using other officers as witnesses, and received feedback from training staff. On the third day of the course each officer conducted a complete ECI using another officer who had been shown a video of an incident as a witness. There was no summative assessment of the training and at the conclusion of the course all the officers were authorised to interview significant witnesses. This approach contrasted with the formal assessment process conducted at the conclusion of the suspect interview course and appears to have been based on the assumption that, as the officers had passed the three-week suspect course, they had the requisite skills to interview important witnesses after the ECI 'module'. The ECI training was seen as a top-up or supplement to the main training course.

The aims of this study were therefore twofold: firstly, to evaluate a group of ECI trained advanced interviewers' post-training performance in real life significant witness investigative interviews and, secondly, to make a direct comparison between interviewer behaviours found to be common to both witness and suspect interviews as conducted by matched participants in each condition who were advanced interviewers. The purpose of this comparison was to establish whether the ECI training produced witness interviews of a similar quality to the advanced suspect interviews. There was, however, very little prior research which assisted with a directional hypothesis for this study. In the study described above George (1991) had reported that the officers who received a combination of ECI and CM training did not improve after training. But, this was a small study with relatively limited training given to the officers. Also, the officers in George's (1991) study were randomly allocated to the various groups rather than pre-selected through ability like the advanced interviewers in the current study. McLean (1992) compared the performance of the officers in his witness study unfavourably with the performance of officers in a similar suspect study he had conducted two years previously (McLean, 1990) but different officers participated in each of the studies. Similarly, Clarke and Milne (2001) found that the witness interviews in their national evaluation of PEACE were poorer than the suspect interviews but again examined interviews by different

officers. Therefore, the hypothesis for the current study was based upon the overall skill level of the advanced interviewers, as demonstrated by the findings from study 1, and the fact that they had received a total of four weeks training, more than any other interviewers previously studied. Using this rationale it was hypothesised that the advanced officers would produce witness interviews of an equivalent quality to their suspect interviews. This study of real life investigative interviews with witnesses is important because, as recently acknowledged, only two of the 65 published studies on the cognitive interview have been field studies (Memon, 2006).

## Method

### *Design*

The current study had a within groups design and the independent variable was interview type; witness versus suspect interview. The first part of study 3 involved the collection and analysis of one real life significant witness interview each conducted by 35 advanced interviewers who had received extra training in the use of the ECI. These interviews were assessed against a rating scale that comprised 70 individual interviewing behaviours derived from the ECI training they received (see Appendix F). Means scores for the individual behaviours in different phases of the interview were calculated for the participants and a Friedman test was then conducted to establish the ranking order of the phases.

The second part of the study compared selected behaviours from these real life witness interviews with the same behaviours found in the real life suspect interviews conducted by the same advanced interviewers. Specifically, the results section directly compares the performance of the same 35 interviewers in 29 interview behaviours (dependent variables) found to be common to both the ECI and conversation management (CM) models. The 29 behaviours were distributed throughout the interview models including the introductory phase, main account gathering phase and closure phases (see Appendix G). These behaviours had been rated against the same definitions within the respective rating scales when the interviews were analysed independently and so



provided a reliable comparison of the same behaviours by the same interviewers in two different interview situations.

In order to illustrate the relative performance of the participants in each compared behaviour 29 separate *t* tests, including the calculation of effect sizes were conducted on all 29 pairs of behaviours from the suspect and witness interviews. Effect sizes were calculated using Pearson's correlation coefficient *r* (Field, 2005) for all comparisons because the sole reporting of statistical significance to indicate difference between groups has been criticised where the sample size is relatively small (Clark-Carter, 2003). In interpreting effect size Cohen's (1992) widely accepted suggestions (Field, 2005) about what constitutes a large or small effect were used. Cohen (1992) described a small effect as 0.2, a medium effect as 0.5 and a large effect as 0.8.

The use of multiple *t* tests is normally inappropriate where numerous comparisons are to be made between the performances of two, or more, groups in two or more experimental conditions. This is because repeated *t* tests on the *same* experimental data increases the familywise or experimentwise error rate, increasing the probability of a type 1 error (Field, 2005) In such circumstances ANOVA is the appropriate analysis. However, ANOVA is an omnibus test (Field, 2005) in that it tests for an overall experimental effect. In the current study the aim of the second part of the study was to identify *which*, if any, of the matched behaviours were performed significantly better or worse in either the suspect or witness interviews. Therefore, the use of ANOVA within this design was inappropriate because it would not provide specific information about which behaviours might be significantly different between the suspect and witness interviews. Hence, in this study the use of a multiple *t* test procedure, instead of ANOVA, was appropriate as the analysis of each pair of behaviours was distinct and independent of the other pairs of behaviours. No comparisons were made between different behaviours in either suspect or witness conditions.

### *Participants*

The participants in this study were drawn from the original 49 advanced interviewers examined in study 1 (the original AI group). All 49 officers received the extra ECI training and were asked to submit details of an interview they conducted with a 'significant witness' after this training. Thirty-five officers submitted these details and so participated in this study. This comprised 28 male officers (n=28, 80%) and seven female officers (n=7, 20%). For simplicity they will be referred to as the AI group in this study as well.

### **Materials**

The 35 witness interviews collected for this study originated from major crime enquires within the south of England. The interviews comprised witnesses in ten murder cases (29%), 18 victims in rape cases (51%), and a combination of victims and witnesses in seven other types of cases including grievous bodily harm, indecent assault, and major theft.

The interviewees consisted of 13 males (37%) and 22 females (63%). The larger number of females is due to the number of female rape victims encountered. Thirty-four (98%) of the interviewees were adult and one was a juvenile (3%). Overall, including the 18 rape victims, 22 of the interviewees were victims (63%). Fifteen interviewees were not victims but were other witnesses (38%). These witnesses were all sensory witnesses in that they witnessed the event in question through either seeing or hearing something of relevance to the investigation. This included eye witnesses to the act of murder.

The delay between the incident in question and the interview is a relevant factor in the assessment of these interviews. Unlike laboratory conditions, which feature a uniform delay and an incident which lasts no more than a few minutes, the incidents covered in these interviews ranged from a fleeting glimpse of an offender to lengthy episodes where victims were put through terrifying ordeals, usually sexual assaults, or where the crime was repeated at regular intervals. The mean time delay between the incident being witnessed

and the witness being interviewed for all 35 interviews was 8.15 days (SD = 23.37) but this included two interviews that related to historical reports of sexual abuse, which took place some months after the alleged incidents. Recalculating the time delays without these two cases reduced the average time delay to 2.36 days (SD = 1.71; range 1-7 days). Indeed, 43% of the interviews (n=15) took place no more than one day after the incident. The mean length of all 35 witness interviews was 103 minutes (SD = 42.31; range 43-202 minutes).

The suspect interviews used for this study were the first post-training real life interviews conducted by the matched participants in study 2. The interviews comprised 21 murder cases (60%), three rape cases (9%), five serious assault cases (14%), two theft cases (6%) and one case each (3%) of causing death by dangerous driving, neglect of a child, supply of drugs and false imprisonment. Thirty-four of the suspects were adults (97%) and one juvenile (3%). Twenty-nine of the suspects were male (83%) and six were female (17%). The mean length of the suspect interviews was 147.6 minutes (range 47-276 minutes, SD = 67.46).

The majority of the 35 witness interviews collected for this study was recorded on video tape (n=27, 77%). The remaining interviews were audio recorded (n=8, 23%) but the exact reasons why these particular interviews were only audio recorded is not known. In contrast, the law dictates that suspect interviews should be audio recorded and the permission of the suspect is required for the use of video (PACE, 1984 as amended). In order to balance the issues caused by the varying recording formats encountered, the rating scale that was designed for the witness interviews did not include assessment of any non-verbal behaviours and raters were instructed not to interpret any non-verbal behaviour witnessed.

## Procedure

The interviews were examined by one primary rater who was an experienced advanced interviewer, interview co-ordinator and a trainer. A sample of the

witness interviews was separately rated by a second individual who was also an advanced interviewer and trainer. The second rater was unaware of the scores awarded by the main rater. The overall inter-rater agreement across all interviews was 81%.

### *Coding and Scoring*

In order to evaluate the ECI interviews, a specific rating scale was devised. The rating scale was based on a number of sources including 'The Enhanced Cognitive Interview; A step-by-step guide' (Milne, 2004); this document drew together into a practitioner manual the three main references on the origins and principles of the cognitive interview (Fisher & Geiselman, 1992; Köhnken, 1993; Milne & Bull, 1999). Other sources of information that contributed to the design of the rating scale were the national evaluation of PEACE interviewing which examined real life interviews with witnesses conducted by police officers (Clarke & Milne, 2001), two other field studies into witness interviewing which identified appropriate and inappropriate behaviours exhibited by police officers when conducting real life witness interviews (George, 1991, MacLean, 1992), and assessment material from six police forces who ran ECI training courses.

The final design of the rating scale for this study was constructed using the nine phases of the ECI detailed in the second edition of the step-by-step guide (Milne, 2004). These phases were (1) greet and personalise the interview and establish rapport; (2) explain the aims of the interview; (3) initiate a free report; (4) questioning; (5) varied and extensive retrieval; (6) investigatively important questions; (7) summary; (8) closure and (9) evaluation. The rating scale included individual interviewer behaviours in each phase, as described in the guide. For example, phase 2 consisted of explaining to the interviewee about focused retrieval and concentration, reporting everything and how the interviewer would transfer control of the interview to the interviewee (see Appendix F). Examples in the guide gave advice about how interviewers should word key ECI instructions such as transferring control (e.g. 'I wasn't at the bank so I do not know what happened. You are the one with all the information, so

tell me everything that you can remember’), and were used as a marking guide that accompanied the rating scale.

The rating scale also included behaviours not found within the guide but that reflected the real life nature of the study. The original cognitive interview and subsequent ECI was designed for use with co-operative witnesses and the step-by-step guide was also based on the assumption that the interviewee was compliant, i.e. a willing witness. Laboratory research on the ECI has also invariably used compliant participants and tests the efficacy of the ECI versus other interview techniques. However, real life witnesses are not always compliant and therefore the rating scale for this study included three categories of interviewee: co-operative, resistant or vague, so that the types of witness encountered in this study could be clearly identified. As a result the rating scale also incorporated five behaviours relevant to resistant or vague interviewees. In phase 3, initiate a free report, where a witness refused or appeared unable to give a free recall, the rating scale included two behaviours: obtained first account to relevant detail and opened account to cover relevant areas, which were derived from the PEACE conversation management model. In a separate section entitled Resistance (only where resistance is encountered), the rating scale included the behaviours: remained calm when faced with blocks, hostility or aggression, able to mirror and marshmallow hostility, and persistent in the face of lies or vagueness, which were also derived from conversation management techniques as current witness interview training recommends that conversation management should be used with unwilling interviewees. The completed version of the rating scale included 70 behaviours that were rated on a five-point Likert scale where ‘1’ was very poor, ‘2’ poor, ‘3’ satisfactory, ‘4’ skilled and ‘5’ very skilled and two behaviours that were diametric; these were ‘gives time/day/date and location’, and ‘uses sketch plan’ (see Appendix F for the completed rating scale).

In order to fulfil the second aim of the study, the behaviours within the completed witness rating scale were then compared to the rating scale developed for the earlier suspect interview studies (study 1 & study 2). In total 34 interviewer behaviours were identified that were common to both rating scales and it was intended to conduct the second part of this study utilising the

ratings of all these behaviours from the suspect and witness interviews. However, five behaviours that were included in the original 34 behaviours common to both rating scales were not present in a sufficient number of interviews for valid comparisons to be made. These five behaviours could only be rated where a witness was hostile, un-cooperative or gave a contradictory account. Analysis of the three ratings for witness co-operation revealed that 33 of the interviewees were rated as co-operative (95%) and the remaining two were rated as vague (5%). This meant that none of the interviewees were rated as un-cooperative. Further, the accounts given by the witnesses were also rated as comprehensive, outline or contradictory. Thirty accounts were rated as comprehensive (87%) and the other five rated as outline (19%). These ratings meant that none of the witnesses in this study were assessed as hostile or as giving contradictory accounts. Therefore, the final number of common interviewer behaviours compared across the 70 interviews (n= 35 witness and n=35 suspect) was 29 (see Appendix G).

## Results

The results from this study will be given in two parts. Firstly, the AI group's performance across the whole ECI will be presented followed by a breakdown of the results from each of the nine phases. Then, a detailed comparison of the AI group's performance in the 29 behaviours common to both suspect and witness interviews will be presented.

### *Overall Results*

The rating scale used for the current study included an individual rating for the overall interview. The mean interview score for the participants based on this single rating was 2.60 (SD = .736). Based on the scoring guide that accompanied the rating scale where '1' was very poor, '2' poor, '3' satisfactory, '4' skilled, and '5' was very skilled this rating assessed the interviews as less than satisfactory and considerably below a skilled rating (4). To establish a

more representative score a mean score for the participants was calculated from the seventy behaviours rated against the Likert scale within the witness interview rating scale. This produced a mean score of 2.99 (SD = .416), which equated to a satisfactory rating. Further analysis of the individual behaviours in each of the nine phases of the witness interviews conducted by the AI group was then conducted to establish whether this mediocre performance was distributed throughout the behaviours examined or whether certain phases of the interviews were conducted more skilfully than others.

*Results from individual phases of the ECI*

Phase 1 of the enhanced cognitive interview – the rapport phase - deals with greeting the interviewee and establishing rapport. The rating scale included eight behaviours in this area, which included procedural behaviours and communication behaviours. Full results for the behaviours in phase 1 are shown in table 5.1.

Table 5.1 – *Advanced interviewers’ means and standard deviations for ECI phase 1 (Rapport) behaviours*

	Rapport	
	<i>M</i>	SD
Establish name preference	2.52	1.66
Introduce self	3.97	1.15
Introduce others present	3.97	1.21
Asks neutral questions to build rapport	1.18	0.63
Gives self information for rapport	1.06	0.34
Reassures interviewee	2.51	1.17
Invites questions from interviewee	1.65	1.22
Explains equipment	2.06	1.02

Certain behaviours within the rapport phase were performed well, such as the interviewer introducing themselves ( $M= 3.97$ , e.g. avoiding the use of rank and giving explicit permission for the interviewee to use the interviewer's first name). However, other rapport behaviours were almost completely unused by the interviewers. Only one officer (3%) gave information about themselves as a way of establishing rapport and the mean score for the AI group for this behaviour was 1.06. Only two officers (6%) asked neutral questions to establish rapport ( $M=1.18$ ). The scores suggest the AI group covered the procedural issues but ignored the communication behaviours.

Phase 2 of the enhanced cognitive interview covers explaining the aims of the interview to the interviewee. The purpose of phase 2 is to continue the rapport process by explicitly describing what the interviewee will need to do to provide the level of detail required from the interview (e.g. concentrate hard and focus on their memory). Six behaviours were assessed in phase 2 ( $M=2.78$ ). The full results for individual behaviours in this area are displayed in table 5.2.

Table 5.2 – *Advanced interviewers' means and standard deviations for ECI phase 2 (Interview aims) behaviours*

	Interview aims	
	<i>M</i>	SD
Explain reasons for interview	2.29	1.17
Explain format of interview	2.46	0.91
Explain focused retrieval	2.51	1.38
Explain need for detail	3.29	1.31
Report everything instruction	3.31	1.62
Transfer control	2.80	1.38



The poorest performance was in *explaining the reason for the interview* ( $M= 2.29$ ) and the strongest performance was in the *report everything* instruction ( $M= 3.31$ ).

Phase 3 of the enhanced cognitive interview, initiating the free report, is the first phase, which deals with the information provided by the interviewee. The rating scale included four behaviours within this area plus one diametric variable, concerning whether the interviewer did or did not use a sketch plan to assist the interviewee. The use of a sketch plan may not always be appropriate in an interview but is known to be a useful aid to recall. Only 13 of the AI group (39%) requested a sketch plan from their interviewee. Overall the AI group achieved the highest score for any phase of the witness interviews in *initiating the free report* ( $M=3.37$ ). Within the behaviours comprising phase 3, *mental reinstatement instruction* was the lowest score ( $M= 2.60$ ) and *does not interrupt witness* was the highest mean score ( $M= 4.46$ ). Table 5.3 displays the results from the phase 3 behaviours.

Table 5.3 - *Advanced interviewers' means and standard deviations for ECI phase 3 (Initiate free report) behaviours*

	Initiate free report	
	<i>M</i>	SD
Mental reinstatement instruction	2.6	1.21
Initiate free report	3.11	0.93
Does not interrupt witness	4.46	0.98
Encourages witness to give account	3.31	1.13

The range of scores for the mental reinstatement of context covered the complete range of the Likert scale (1-5). Some interviewers simply asked an open question to initiate a free report while others delivered a skilful, patient

mental reinstatement of context instruction as the conclusion of a comprehensive introduction to the interview.

The variation in approach to the introductory part of the interview (i.e. phases 1, 2 and 3) was reflected in the measurement of the time that elapsed between the commencement of the interview and the first question about the incident posed by the interviewer to the interviewee. This ranged from one minute to 15 minutes with a mean of 5.89 minutes (SD = 2.52). The length of the free recall from each interviewee was also measured. This ranged from two minutes to 35 minutes (mean 11.37, SD = 9.70). Applying Spearman's rho nonparametric test of correlation to these variables and the overall assessment of the interview score showed a significant positive correlation between the length of time that elapsed from the start of the interview to the first question and the overall assessment of the interview ( $\rho = 0.551$ ,  $N = 35$ ,  $p = .001$ , two tailed) but no significant correlation between the length of the free recall and the overall assessment of the interview ( $\rho = 0.299$ ,  $N = 35$ ,  $p = .081$ , two tailed) or between the time that elapsed from the start of the interview and the length of the free recall ( $\rho = 0.079$ ,  $n = 35$ ,  $p = .653$ , two tailed).

Phase 4, the questioning phase, was the largest section of the rating scale and included 18 behaviours. The behaviours in phase 4 incorporated behaviours describing ECI instructions to be used when expanding the initial free report of a witness, e.g. telling the interviewee it was acceptable to say that they did not know the answer to a particular question and questioning behaviours which were more generic to investigative interviewing e.g. using closed questions appropriately. The overall mean score for all the behaviours in phase 4 was 3.35. This was very similar to the result for the behaviours in phase 3. The results for the individual behaviours in phase four are shown below in table 5.4.

Table 5.4 – *Advanced interviewers' means and standard deviations for ECI phase 4 (Questioning) behaviours*

	Questioning	
	<i>M</i>	SD
Further use of instructions	2.00	1.05
Alright to say 'don't know'	2.06	1.28
Alright to say 'don't understand'	1.89	1.32
Repeat report everything	1.66	1.28
Activate relevant images	2.97	1.22
Witness compatible questioning	2.97	0.98
Clearly structured topics	3.46	0.78
Thorough and logical examination of topics	3.23	0.73
Productive open single questions	3.03	0.75
Questions easily understood	4.40	0.74
Questions appropriately paced	4.20	0.93
Used closed questions where appropriate	2.91	0.85
Avoids multiple questions	4.60	0.81
Avoids leading questions	4.11	0.93
Avoids forced choice questions	4.40	0.98
Avoids comments or statements	4.89	0.40
Questions from previous answer	4.71	0.57

Closer examination of individual behaviours showed that the behaviours associated with ECI were not performed as well as the generic questioning behaviours. For example, the *further use of instructions* behaviour had a score ( $M=2.00$ ) that was lower than more general *avoids comments or statements* behaviour ( $M= 4.89$ ). Another example of the lack of use of ECI instructions was where interviewees should be reminded that it is acceptable to say 'I don't know' or 'I don't understand' in response to a question, 53% of the AI group did not mention these instructions to their interviewees at all.

The questioning behaviours in phase four showed that after the initial free recall the questioning style used by the AI group was similar in nature to the questioning style they used in suspect interviews. The closed questioning style adopted by the majority of the AI group, however, was also reflected in the mean score for *witness compatible questioning* ( $M= 2.74$ ), indicating that their questioning was largely inappropriate for these witness interviews.

The questioning style of the advanced interviewers was also pertinent to behaviour in phase 4 entitled *activate relevant images*. This behaviour assessed the interviewers' ability to select the most relevant subjects from the free recall and obtain further detail ( $M=2.97$ ). However, the AI group were organised about their choices and rarely topic-hopped, as evidenced by the score for *clearly structured topics*, ( $M=3.46$ ). The effects of an inappropriate questioning style are demonstrated in two examples below.

Example 1. A woman was being interviewed having alleged that her boyfriend raped her after she refused to work as a prostitute. The witness related her lengthy ordeal including the act that the offender had allegedly taken her to visit another prostitute to 'get some experience' before finally raping her at her home address. The interviewee alleged that the sexual assault culminated with the offender urinating in her mouth. After this recall the interviewer (a male officer) asked numerous probing questions about the physical aspects of the sexual assault which included asking how long the offender urinated in her mouth and what it tasted like. This line of questioning was flawed and unnecessary. The extra detail that the officer sought to establish about this act could never be verified. Neither was the questioning necessary to prove any specific legal point with regard to the offence of rape. Conversely, the visit to the prostitute's house, which appeared to provide a better source of corroboration of the witness's account, was scarcely revisited after the initial recall.

Example 2. In another interview, a witness who was a paramedic provided a 26 minute free recall about arriving first at the scene of a murder. The interviewee related how he had arrived at the house and entered the hallway to see a man standing over the female victim who was face down and heavily bloodstained. The man, who was unaware of the paramedic's presence, stabbed himself in

the chest and then attempted to place the knife in the woman's hand by curling her fingers around the handle of knife. This was crucial evidence made all the more compelling by the free narrative that provided it. However, immediately after the recall finished the interviewer asked a series of probing questions relating to the paramedic's qualifications and working partner on the night of the incident as if desperate to sort the account into a chronological order more suited to the production of the witness statement needed for the prosecution file. This destroyed the mental reinstatement of context that had been established by the initial instructions.

Phase 5 of the ECI includes four behaviours that are designed to vary the retrieval methods used by the witness. These instructions were rarely used by the AI group ( $M=1.34$ ). This was the lowest score for any phase of the witness interviews. Table 5.5 displays these behaviours and the results from phase 5. Not one interviewer in the AI group used the *change perspective* instruction and only three officers (9%) used the *reverse order instruction*. One of these was rated as excellent, one skilled and one satisfactory.

Table 5.5 – *Advanced interviewers' means and standard deviations for ECI phase 5 (Varied retrieval) behaviours*

	Varied retrieval	
	<i>M</i>	SD
Reverse order instruction	1.26	0.88
Change perspective instruction	1.00	0.00
Use of different senses	1.54	1.01
Use of memory jogs	1.54	1.01

Phase 6 of the rating scale consisted of one behaviour. This was called *investigatively important questions* ( $M= 3.93$ ) and was introduced into the model to deal with the observation from investigators that there are often questions that must be asked of every witness regardless of their account. An

example of this might be child abduction. The true offender is arrested soon after the incident driving a white van but a member of the public comes forward following a public appeal and states he saw a red van acting suspiciously in the relevant area. A police officer would interview the witness regarding what he saw but if the witness never mentioned the van then the officer would have to clarify the initial disclosure in order that the witness' information can be fully assessed prior to trial.

Phase 7 of the rating scale included three behaviours dealing with summarising the interviewee's account. ( $M= 1.77$ ). The range of performance by individual interviewers within this area included the lowest rating 1 and the highest rating 5. Table 5.6 shows the results for the individual behaviours.

Table 5.6 – *Advanced interviewers' means and standard deviations for ECI phase 7 (Summary) behaviours*

	Summary	
	<i>M</i>	<i>SD</i>
Accurate and logical summary of account	1.84	1.30
Logical link between topics	2.26	1.29
Asks for new information	1.13	0.66

The low mean score for behaviour one ( $M=1.84$ ) is accounted for by the fact that 21 interviewers ( $n=21$ , 60%) did not summarise the interviewee's account at all, seven summarised very poorly ( $n=7$ , 20%), one summarised satisfactorily ( $n=1$ , 3%) and three each summarised skilfully or very skilfully ( $n=3$ , 9%). Only three officers (9%) asked for more information after summarising.

Phase 8 of the rating scale dealt with the closure of the interview. This comprised six separate behaviours ( $M= 2.20$ ). Table 5.7 shows the results from the individual behaviours in this phase.

The performance of the officers in this phase of the interview was generally poor. The behaviours within the closure phase included those that valued the effort made by the interviewee, provided information about what would happen after the interview and preserved the rapport between interviewer and interviewee. The majority of the AI group did thank the interviewee (n=29, 82%) and some did provide satisfactory or good information about what would happen after the interview (n=16, 48%).

Table 5.7 – *Advanced interviewers' means and standard deviations for ECI phase 8 (Closure) behaviours*

	Closure	
	<i>M</i>	SD
Polite, positive closure	1.86	1.33
Neutral topics for closure	2.31	1.27
Summarised events and procedures	1.14	0.69
Explained process and future	2.39	1.05
Invited closing questions from interviewee	1.97	1.46
Thanked interviewee	3.27	1.28

However, the majority of the interviewers did not invite the interviewee to ask any questions about the process they had been through (n=21, 60%), and 30 of the interviewers (n=30, 94%) did not engage in any neutral conversation to end the interview as recommended (Milne, 2004).

The results from phase 9 are shown in table 5.8. The behaviours in this phase were not aggregated into a single rating as they represent different aspects of evaluating the interview as opposed to linked behaviours common to one phase of the interview.

The performance in the individual ratings within this phase varied. Ratings associated with the evidential product acquired by the interviewers were high. These were *detailed knowledge of the offence* ( $M= 4.60$ ), *examined all information produced in interview* ( $M= 4.29$ ), and *obtained evidential product that will withstand judicial scrutiny* ( $M= 4.60$ ).

Table 5.8 – *Advanced interviewers’ means and standard deviations for ECI phase 9 (Evaluation) behaviours*

	Evaluation	
	<i>M</i>	SD
Used available time efficiently	3.43	0.88
Detailed knowledge of offence	4.60	0.74
Examined all information produced in interview	4.29	0.93
judicial scrutiny	4.60	0.95
Used appropriate interview strategy	2.49	0.85

These ratings contrasted with the rating associated with witness compatibility, i.e. *using the appropriate witness strategy* ( $M=2.49$ ) and reflected the conversation management approach utilised in the majority of interviews despite the fact that the interviewees were co-operative.

In order to establish the ranking order for the advanced interviewers’ use of the ECI, a Friedman test was conducted on the data from the first eight phases of the model. This revealed that the advanced interviewers’ performance varied significantly across the phases  $X^2 (8, N = 34) = 126.33, p < .001$ ). The ranking showed that phase 4 was performed to the highest standard (ranked 1;  $M = 3.31$ ), followed by phase 3 (ranked 2;  $M = 3.30$ ), phase 2 (ranked 3;  $M = 2.70$ ), phase 1 (ranked 4;  $M = 2.35$ ), phase 8 (ranked 5;  $M = 2.17$ ), phase 7 (ranked 6;  $M = 1.74$ ) and phase 5 (ranked 7;  $M = 1.34$ ).



### *Communication behaviours*

In addition to behaviours integral to each phase of the enhanced cognitive interview, the rating scale included six behaviours that could be categorised as communication behaviours and spanned the whole interview. The mean scores for these behaviours are shown in table 5.9.

Table 5.9 – *Advanced interviewers' means and standard deviations for ECI communication behaviours*

	Communication behaviours	
	<i>M</i>	SD
Maintained talking turn	3.74	1.06
Used silences, pauses and prompts	3.40	1.00
Remained polite	4.46	0.74
Used clear speech and grammar	4.43	0.70
Used witness own words where possible	4.09	0.70
Avoided police or legal jargon	4.71	0.46
Managed behaviour of the interviewee	3.76	1.03

These behaviours were performed to a satisfactory or skilled standard across the whole group. In particular, the AI group avoided the use of police terminology or jargon ( $M= 4.71$ ) and were polite throughout the interviews ( $M= 4.43$ ).

The strong performance of the AI group in the communication skills behaviours bore similarities to their performance in matched behaviours within the suspect interview rating scale.

*Do advanced interviewers compare in ability across both suspect and witness interviews?*

The second part of the analysis in this study therefore made a direct comparison between the performance of the AI group in real life investigative interviews with suspects and real life investigative interviews with witnesses where common behaviours could be identified in both interviews.

Significant differences were found in 12 of the 29 matched behaviours. In 11 out of the 12, the AI group performed better in the interviews with suspects. The only behaviour where the AI group performed better in the witness interviews was *'thanking the interviewee'* at the conclusion of the interview. Table 5.10 shows the full results of this comparison.

In the introductory phase, significant differences accompanied by a large effect were found between the suspect and witness interviews in the way the interviewers introduced themselves ( $t(34) = 2.94, p < .05, r = .83$ ), and the way in which they identified the other people present ( $t(33) = 3.33, p < .05, r = .50$ ), although it should be noted that these behaviours were performed to a skilled level in both interviews. A further significant difference, again accompanied by a large effect size, was also found in the way that the interviewers established a name preference with the interviewee ( $t(11) = 4.84, p < .05, r = .82$ ), although the low number of cases where this behaviour was observed in the interviews with witnesses affected the power of this result.

A strong significant difference and large effect size was also found in the way that the interviewers explained the reasons for the interview between the interviews with suspects and witnesses ( $t(34) = 7.72, p < .005, r = .79$ ). This behaviour had a mean rating of 4.03 in the suspect interview, which was skilled, but a rating of 2.29 in the witness interviews, which was poor. Interviewers were more likely to fully explain the purpose of the interview when interviewing suspects than when interviewing witnesses.

Table 5.10 – Means, standard deviations, significant differences and effect sizes for comparison of means for behaviours common to suspect and witness interviews

Interview behaviour	Suspect interview		Witness interview		<i>t</i>	<i>r</i>
	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>		
Interviewer introduces self	4.60	0.77	3.97	1.15	2.95*	0.83
Establishes name preference	4.57	0.85	2.52	1.66	4.84*	0.82
Identifies other people present	4.71	0.52	3.97	1.21	3.33*	0.5
Explains reasons for the interview	4.03	0.92	2.29	1.17	7.72**	0.79
Clearly structures topics in interview	3.37	1.43	3.46	0.78	-0.31	0.05
Examines topics logically and thoroughly	3.68	1.06	3.23	0.73	2.14*	0.34
Uses productive open single questions	3.89	0.80	3.03	0.75	5.56**	0.69
Questions are clearly understood	4.41	0.74	4.40	0.74	-0.18	0.03
Questions are appropriately paced	4.43	0.82	4.20	0.93	1.16	0.19
Uses closed questions where appropriate	3.23	0.81	2.91	0.85	1.93*t	0.31
Avoids multiple questions	4.54	0.70	4.60	0.81	-0.32	0.05
Avoids leading questions	4.03	0.82	4.11	0.93	-0.50	0.08
Avoids comments and statements	4.80	0.47	4.89	0.40	-0.77	0.13
Questions from previous answer	4.50	0.72	4.71	0.57	-1.24	0.22
Appropriate use of questions	3.91	0.61	2.97	0.75	6.40**	0.73
Accurate and logical summary of account	4.06	1.16	1.86	1.33	7.29**	0.79
Logical link between topics	2.79	1.40	2.31	1.27	1.50	0.26
Maintained and encouraged turn taking	4.03	0.92	3.74	1.06	1.38	0.23
Uses silences, pauses and prompts	3.63	0.91	3.40	1.00	1.21	0.22
Uses clear speech and grammar	4.29	0.71	4.43	0.70	-1.00	0.17
Avoids police jargon	4.60	0.60	4.71	0.46	-0.85	0.14
Managed behaviour of interviewee	4.23	0.77	3.76	1.03	2.28*	0.49
Polite and positive closure of interview	3.11	1.07	2.70	1.01	2.36*	0.39
Summarised events and procedures	2.37	1.41	1.53	0.92	2.88*	0.46
Examined all info produced in interview	4.30	1.01	4.29	0.93	-0.13	0.02
Explained process and future agenda	2.11	1.43	2.39	1.05	-0.70	0.12
Thanked interviewee	2.49	1.75	3.27	1.28	2.38*	0.39
Used available time efficiently	3.80	0.90	3.43	0.88	1.89	0.31
Detailed knowledge of offence	4.46	0.70	4.60	0.74	-1.00	0.74

\* =  $p < .05$ , \*\* =  $p < .005$

This result is of particular importance because, unlike suspects, witnesses are not legally represented during their interviews and the full implications of the

interview should be explained to them including the fact that they could be required to attend court as a witness. A further significant difference, but with medium effect size, was found in the behaviours for examining the topics logically and thoroughly ( $t(33) = 2.14, p = .05, r = .34$ ). The difference in these behaviours was not as strong as the difference between other behaviours but reflected the fact that the AI group probed the accounts of interviewees chronologically in both suspect and witness interviews. This was less appropriate in the witness interviews where efforts should have been made to allow the witness to control the sequencing of the subjects discussed as part of the transfer of control instruction.

Although no significant difference was found in a number of the questioning behaviours as noted above, a strong significant difference with large effect size was found in the *use of productive, open, single questions* between the two types of interview where more of this type of question was asked of suspects than of witnesses ( $t(34) = 5.56, p < .005, r = .69$ ). The mean score for this behaviour in the suspect interviews was 3.89, which was close to a skilled rating. In the witness interviews the mean score was 3.03, which was only satisfactory. As mentioned above, the AI group favoured a directive probing questioning style in both suspect and witness interviews, which resulted in the different ratings recorded. This phenomenon was also evident in the rating for the next behaviour, which showed a significant difference with large effect size. This was a rating for the *appropriate use of questions* ( $t(34) = 6.40, p < .005, r = .73$ ). In the suspect interviews the mean score for this behaviour was 3.91, which was very close to a skilled rating while in the witness interviews the mean score was 2.97, which was just below a satisfactory rating.

A further large effect size was noted in the significant difference found in the rating for the accurate and logical summary of the interviewee's account ( $t(31) = 7.23, p < .005, r = .79$ ). The AI group regularly summarised in their suspect interviews following the guidelines of the PEACE model by summarising at the end of the first account and after each topic. However, the standard of summarising by the AI group in the witness interviews was poor. Twenty-one of the AI group (60%) did not attempt any form of summary at the end of the witness interviews as recommended by the ECI model.

A significant difference, with medium effect size, was also found in the rating for the *managed behaviour of the interviewee* within the interview ( $t(16)=2.29$ ,  $p < .05$ ,  $r = .49$ ). In contrast to the behaviours within the rating scale, which assessed dealing with resistance, this behaviour was defined as exercising an appropriate level of control within the interview. Whereas the AI group appeared skilled at managing the denial strategies employed by the majority of suspects, they over-controlled the compliant witnesses in the witness interviews as demonstrated by their questioning strategies.

The remaining significant differences were found within the closure behaviours. *Polite and positive closure of the interview* ( $t(32) = 2.36$ ,  $p < .05$ ,  $r = .39$ ) and *summarised events and procedures* ( $t(31) = 2.88$ ,  $p < .05$ ,  $r = .46$ ). Both showed medium effect sizes. The AI group did not follow the closure protocols for the witness interviews but did follow the closure procedure in the suspect interviews. The latter is governed by the codes of practice governing interviews with suspects and this probably explains why closing procedures are adhered to. The mean scores for polite and positive closure were both around the satisfactory level, suspect interview 3.11 and witness interview 2.70, but the ratings for summarising events and procedures were both poor, suspect interview 2.37 and witness interview 1.53.

There was a non-significant difference in 17 of the behaviours. The AI group structured the topics that they covered to a satisfactory standard in both interviews. However, they performed less well in the links they made between the topics. The AI group also performed to a similar level in the way that they asked questions that were clearly understood and appropriately paced, avoiding the use of poor question types in both interview types. These behaviours were rated as skilled in both interview types although the use of closed questions showed a trend towards a significant difference in the different interviews ( $t(34) = 1.93$ ,  $p = .062$ ) where the AI group's use of closed questions was less skilled in the witness interviews.

Similar levels of performance can also be seen in the way the AI group maintained the conversational turn-taking within both suspects and witnesses

and their use of silences, pauses and prompts were equivalent across both interview types. The AI group used clear speech and grammar and avoided police jargon to a skilled level in both interview types.

It was also judged that they examined all the relevant information in both interview types to a skilled level and had a detailed knowledge of the offence under investigation. A similar level of performance was also noted in explaining the post interview process. This was poor but slightly better in the witness interviews.

The final rating that was calculated was an overall score for the matched behaviours in each condition. The overall mean score for the 29 matched behaviours in the suspect interviews was 3.92 and 3.53 in the witness interviews. A paired sample *t* test between these two scores produced a significant difference between the scores ( $t(34) = 4.09, p < .005, r = .49$ ). This showed that the overall performance of the AI group was significantly inferior in the witness interviews compared to their performance in the suspect interviews when compared across the 29 behaviours common to both types of interview.

## Discussion

The results of this study fail to support the research hypothesis that the advanced interviewers would be equally as skilled when interviewing witnesses. The witness interviews conducted by the AI group were not skilled as evaluated by the behaviours encompassed with the ECI. The AI group did obtain structured accounts from the witnesses and, in doing so, avoided inappropriate questions (as defined by forms of words). However, key elements of the ECI were consistently overlooked by the AI group and their interviews more closely resembled a conversation management approach than an enhanced cognitive interview. The AI group used only the basic ECI instructions at the commencement of the interviews and then conducted witness interviews that led the interviewees through an account, instead of transferring control and supporting them as they recounted their information.

Despite specific ECI training behaviours that are central to skilled witness interviewing such as rapport building and summarising were poorly performed. Furthermore, the more complex mnemonics of the ECI (change perspective and different temporal order) were also poorly performed. Although the use of some of these instructions is not always appropriate to every interview, there were definite opportunities within these interviews to use the techniques to great effect. Several of the witnesses had difficulty remembering parts of an incident; particularly where they were describing a seemingly innocuous event that had occurred at a location which was familiar to them and that only later became significant. The use of the reverse order recall instruction is specifically recommended within the ECI model for these situations, as it can assist witnesses to break the script-type recall associated with familiar events and surroundings.

In fact, the term poorly performed is somewhat misleading in terms of the advanced interviewers in this study. The low scores attributed to a number of the participants were because they failed to demonstrate the relevant behaviour as opposed to performing it badly. In other words the participants frequently omitted certain ECI mnemonics. However, it is not unusual for certain components of the cognitive interview to be used more than others. For example, both George (1991) and Memon et al (1994) noted that the mental reinstatement instruction was used more frequently than transfer control or different temporal orders by participants in their studies. Kebbell et al (1999) surveyed the forensic effectiveness of the various ECI components and found that officers trained in the cognitive interview viewed establishing rapport, report everything, encourage concentration and witness compatible questioning as the most useful components. They were also more likely to use them than other elements of the model. Kebbell et al (1999) also found that mental reinstatement of context, change perspective, change orders, transfer control, and imagery were viewed as less effective and were least likely to be used.

Therefore, based on the previous research one explanation for the advanced interviewers omitting certain ECI components may be that they were electing not to use areas of the model that they perceived to be less effective. However,

the support for that theory is far from compelling as the previous research is not consistent on which of the ECI mnemonics are viewed as most effective. For example, the officers trained in the cognitive interview who participated in Kebbell et al's (1999) survey rated rapport and witness compatible questioning as two of the most useful components and these elements were poorly performed by the participants in the current study. Furthermore, evidence from other studies suggests that police officers find certain skills more difficult than others. The performance of the advanced interviewers for rapport building in the current study was consistent with the poor performance of the AI group in study 2 and the PEACE trained officers in the PEACE comparison assessment as well as previous research (e.g. Clarke & Milne, 2001) and provides strong evidence of a service wide weakness in this area. Therefore, rather than a deliberate use of certain mnemonics through a conscious decision the evidence suggests the advanced interviewers lack skill in this area even after specialist training.

A lack of skill was also evident in other areas. The use of further instructions following the initial recall has been shown to be superior to simply asking the interviewee to try again (Campos & Alonso-Quecuty, 1999). However, on numerous occasions within the interviews the AI group selected topics chronologically after the free recall. This often meant that where an interviewee was involved in an incident at the end of an evening out, a significant period of time had passed in the interview before the most relevant part of the interviewee's account was probed. This meant that both interviewee and interviewer were tired and less able to concentrate. In addition interviewers often covered all the parts of an incident in similar detail (using probing questions), which further lengthened the process. This approach indicated a lack of skill in selecting and prioritising topics or subjects to be covered in the interview and a lack of witness compatible questioning post training similar to that identified in rapport building.

The AI group also favoured probing questions that explored relevant subjects in minute detail. This type of questioning is lawful and theoretically correct in that the questions used commenced with the words who, what, where, when, why and how e.g. 'What colour was the man's underwear?' However, this type of



questioning was not the most appropriate, because it produces shorter answers and does not elicit the amount of information compared to that produced by open questions within an ECI (Brock, Fisher & Cutler, 1999). The direct comparison between behaviours common to both suspect and witness interviews showed that the AI group used open questions less appropriately when interviewing witnesses than in suspect interviews, and confirmed that the AI group over-managed the witnesses.

The lack of ability shown by the AI group in the current study is more difficult to understand because the previous studies had identified a good level of interview ability prior to training and a positive response to the advanced suspect interview course (study 1), plus the ability to transfer the suspect skills to real life (study 2). Furthermore, the AI group showed strong improvement across both simple and complex areas of the suspect model and therefore the more complex mnemonics within the ECI such as different temporal orders and change perspective should not have been beyond them. The question remains as to why the witness interviews conducted by the AI group were less skilled than the suspect interviews conducted by the same officers.

The findings from previous research utilised to determine the hypothesis for this study emphasise that are highly relevant to this question. George's field study (1991) showed that as little as two days' cognitive interview training improved the interview skills of one group of police officers. However, it also showed seven days' training which comprised a combination of cognitive interview training and conversation management training did not improve the interview skills of another group of police officers. McLean (1992) compared the results of his witness study to an earlier study (1990) he had conducted into suspect interviewing and noted that police officers used more open questions and fewer counter-productive questions in the suspect interviews. Clarke and Milne (2001) also observed that the witness interviews in their evaluation were of a lower standard than the suspect interviews with closed questions more prevalent than open questions.

The most obvious reason for the different levels of skill displayed by the AI group in this current study was the design of the training course. The AI group

underwent three weeks of training to interview suspects. This involved detailed theory lectures on all the elements of the conversation management model plus extensive practice attempts. This was followed by a formal assessment process. The ECI course involved one day of theory lectures followed by two days of practice with no final assessment. Therefore the interviewers assessed in this study had all *passed* an advanced interview suspect course but had only *attended* an ECI course. However, the ECI training course was a supplementary course. The AI group had already passed the three-week suspect course, which meant that their knowledge at the start of the ECI course was higher than it had been at the start of the suspect course. Therefore the comparative lengths of the two courses cannot be put forward as the sole reason for the difference in skill.

The fact that the issue is more complicated than the comparative length of the training courses is supported by the examination of the 29 matched behaviours that were observed in both witness and suspect interviews conducted by the AI group. The results showed significant differences in the performance of the AI group in 12 of these behaviours with the main differences being found in witness compatibility behaviours. For example, the results in studies 1 and 2 showed that the AI group were proficient when required to summarise topics in interviews with suspects. However, the same officers rarely summarised the accounts of witnesses in the ECI interviews. Why was this? The answer may lie in the different reasons for summarising. In the conversation management model, the use of a summary is to show the suspect that the interviewer is listening but also to commit the suspect to their account so that any discrepancies can be stored by the interviewer for the challenge phase (Shepherd, 1988). In the ECI the use of summary is to 'check the interviewer's own recall for accuracy' (Milne, 2004). It is possible that the AI group were only interested in summarising where it helped to build a challenge and not where it introduced the possibility that the witness could add new information.

The most significant factor may be that the AI group as individuals were selected for the advanced interview programme on the basis of the skills they demonstrated in an assessment of an interview with a *suspect*. The officers then developed these skills in an intensive three-week *suspect* interview

course, after which they showed considerable improvements in their ability to interview *suspects*, both in simulated interviews and real life interviews. The witness interview skills of the AI group were actually unproven prior to training. On top of this the ECI training that was given to the AI group was shorter and undertaken some time after the suspect course. Either of these reasons may account for the difference in performance of the AI group between the suspect interviews and witness interviews, but it is probably a combination of both.

It appears possible, therefore, that the three-week suspect interview training produced an 'overshadowing' effect on the three-day witness training because the suspect interview course was longer and was undertaken first. The AI group used this training in real life for a number of months before undertaking the ECI course. This meant that the suspect training was more embedded in the AI group and that the AI group then reverted to elements of the suspect interview model during their witness interviews. Previous research has suggested that it is more difficult to train officers in the cognitive interview where previous training is well established (George, 1991).

In terms of an objective comparison of the interview abilities of police officers to interview either suspects or witnesses, the design of the current study could be considered a limitation. The study was not able to include a pre-training witness interview conducted by the AI group due to the fact that witness interviews are not routinely recorded. Therefore, the pre-training standard of the AI group in relation to witness interviewing was unknown. Also, the fact that the AI group was not formally assessed at the end of the ECI course meant that the comparison was between officers who passed one type of training and attended another. However, this study was about evaluating one particular training programme and, as such, it did effectively evaluate the results of that training programme. Further research is needed into the best method of selecting and training police officers to interview witnesses effectively.

## Conclusion

The reason for giving the advanced interviewers supplementary training in the enhanced cognitive interview was so that they could interview the most important witnesses in the most serious crimes. The study showed that this approach did not produce skilled witness interviewers. The results from this study indicate that police officers who have received intensive interview training in conversation management followed by supplementary training in the use of the enhanced cognitive interview model do not employ the full range of techniques available to them in the enhanced cognitive interview model. This illustrates the difference between a skilled interview with a suspect and a skilled interview with a witness, and demonstrates the need for specialised training in both areas if reliable and full accounts are to be obtained from both suspects and witnesses. In coming to this conclusion, it must be remembered that the witness interviews conducted by the AI group were superior to the witness interviews found in the Clarke and Milne study (2001). However, the AI group had received the ECI training to interview the most significant witnesses to the most serious of crimes. The fact that the witness interviews they conducted were not of the same standard as the suspect interviews they conducted is significant in terms of their ability to secure the best evidence from witnesses who were central to solving a crime, especially when it has been shown that the accuracy of witness evidence is influential in persuading suspects to admit to offences they have committed (Kebbell, Hurren & Roberts, 2006).

## **Chapter Six: An examination of advanced interviewers' questioning strategies (Study 4)**

### **SUMMARY OF CHAPTER**

The previous studies in this thesis have focused on investigative interviews with suspects and witnesses in their entirety, evaluating the skills and behaviours of interviewers with different levels of training across whole interviews. However, even though all investigative interviews are dialogues set within a particular legal context with their own specific legislative protocols, common to every interview is the need for the appropriate use of questions if a reliable account is to be obtained from the interviewee. The results from the previous studies show that the advanced interviewers demonstrated an enhanced ability in their use of questions when compared to basic PEACE-trained interviewers. Furthermore, the use of appropriate questions in an investigative interview is most effective if it is part of an overall questioning strategy for the interview.

A questioning strategy is the structured and deliberate use of different types of appropriate question, covering the relevant subject matter across the timespan of the interview according to the interviewee, interviewer and interview situation; the questioning strategy for an interview with a compliant witness should be different from the strategy for an interview with a resistant suspect. The advanced interviewers also demonstrated a higher level of ability than basic PEACE-trained interviewers in the way they structured investigative interviews in the previous studies. This enhanced ability represents a key difference between advanced interviewers and other interviewers, and understanding the reason for it is important in evaluating advanced interviewing. Therefore, the last two studies in this series of studies focused purely on the use of questions within investigative interviews and adopted an alternative research paradigm to explore two different aspects of question usage.

The study reported in this chapter (study 4) is an investigation into the rationale which influences the questioning strategies of advanced interviewers in both suspect and witness interviews. In-depth interviews with a small group of advanced interviewers, comprising both advanced suspect and advanced witness interviewers, identified three main themes: (1) advanced interviewers make deliberate decisions over the questioning strategies they use, (2) interviewers exert inappropriate levels of control in compliant witness interviews and (3) the complexity of the interviewing task.

The final study (study 5), reported in the following chapter, examined the different patterns of question use observed in investigative interviews by basic PEACE and advanced trained officers.

## Introduction

Prior to the implementation of PEACE, the types of questions used by police officers as part of their overall tactics during investigative interviews were frequently criticised (e.g. Moston et al, 1992; George, 1991; Baldwin, 1993). The evidence for this criticism was found primarily within interviews with suspects. Before interviews with suspects were routinely audio-recorded, the rare opportunities that observers had to monitor police interviews revealed how leading questions were used to persuade or bluff a suspect in order to construct the case needed to convict the suspect (Irving, 1980; McConville, 1992; Evans, 1994). Once tape recording was implemented, the product of police interviews with suspects received wider scrutiny. Baldwin's (1993) seminal research similarly showed that poor questioning was characterised by a strategy that simply sought a confession, and was prevalent in both serious crime and volume crime interviews with suspects. Baldwin (1993) used case studies to illustrate the numerous examples of leading questions that merely sought the agreement of the suspect with the interviewer's view of the case as the correct one. The following example lists a typical approach by an officer:

*You were aware they were going to screw somewhere? You were obviously aware of what they were going to do and you were a party to it. Is that right? (p.342)*

This type of interviewer approach was associated with the wider issue of the interviewer's attitude towards the suspect. Complementary research (Moston et al, 1992; Moston & Engleberg, 1993; Mortimer, 1993, 1994b, 1994a) into police officers' attitudes showed that some police officers made early assumptions of guilt in the majority of cases they dealt with, and that this was associated with the questioning style adopted in the interview. Mortimer (1993, 1994b) further suggested that the way in which an interviewer approaches an interview is linked to the interviewer's schemata of a particular incident (i.e. their stereotypical knowledge of a situation as dictated by experience). As shown in table 6.1 Mortimer (1994a) proposed two interview models that could be observed in an interviewer's behaviour according to the interviewer's schemata. Following on from her proposal Mortimer suggested that poor interviews were

always characterised by an early use of direct questions that sought only to confirm the interviewer’s pre-determined view of the incident, while more skilful interviews were characterised by an open approach that sought information from the interviewee by the use of open questions, reserving probing questions to clarify necessary detail. The view suggested by these models is generally accurate but overly simplistic as it takes no account of the resistance factor which may be present within the interview. Some suspects will not participate in a free narrative and so earlier use of direct probing questions is necessary. Therefore, an early switch from narrative to focused questioning consisting of probing questions can be indicative of a skilled questioning strategy where the interviewer deliberately employs this strategy based on his or her assessment of the particular suspect.

Table 6.1 – *Behavioural indicators of interview enactment schema (Mortimer, 1994a).*

Behaviour	<i>Constraining/suggestive pattern</i>	<i>Investigatory pattern</i>
<i>Narrative/probing switch</i>	Early switch from obtaining narrative to direct questioning	Focus on obtaining uninterrupted narrative, postponed direct questioning
<i>Freedom given to interviewee</i>	Interviewee hindered by high level of interviewer disruption	Interviewee helped by low level of interruption
<i>Latitude of response afforded to interviewee</i>	Restricted by high level of suggestive questioning	Aided by high level of productive questioning

The reliability of the confessions gained from a constraining/suggestive approach was also shown to be dubious; particularly where suspects were vulnerable to suggestibility through low intelligence or poor memory (Gudjonsson, 1992; Gudjonsson, 2003; Pearse & Gudjonsson, 2006). This phenomenon has been well demonstrated by Gudjonsson’s factor analysis of the Heron interviews (2003). In this analysis, a range of four tactics -- defined as exaggerating evidence, browbeating, manipulation and persistent pressure - - used by the interviewing officers were plotted across the timespan of the interview against the responses of the interviewee, which were defined as



resistance, admission, poor memory, seeks information and distress. The analysis showed how the suspect was manipulated in the interview leading to extreme stress, and how an extended period of browbeating and manipulation eventually produced a confession (Gudjonsson, 2003). Furthermore, the nature of the interview meant that Heron was “prompted and led in connection with almost every conceivable corroboration point” (Gudjonsson, 2003, p 103), meaning that the confession lacked reliability, as well as being oppressive.

The implementation of PEACE does appear to have improved the ratio of appropriate questions that are used within investigative interviews with suspects in England and Wales (Clarke & Milne, 2001). However, the questioning style of PEACE-trained interviewers in the PEACE comparison assessment of PEACE interviewers reported previously was generally poor (see chapter 2).

The evidence from investigative interviews with adult witnesses in England and Wales is less well-documented because there is still no mandatory recording of interviews with adult witnesses. At the same time that the full extent of police dependence on confessions was being demonstrated, certain authorities did advance the view that this proven focus on confessions meant that witness interviews would be correspondingly poor (Shepherd, 1988). The only witness interviews that have been routinely recorded until recently were those with child victims of sexual abuse due to the Memorandum of Good Practice Guidelines (Home Office, 1992). Research studies examining child witness interviews also presents a picture of sometimes inappropriate questioning by police officers in these admittedly difficult interviews (Davies, Westcott & Horan, 2000), where officers use leading questions instead of open questions. Children are more typically vulnerable to suggestion than adults and the use of open questions in interviews with children compared to closed questions is known to produce more valid and reliable information (Hershkowitz, 2001). However, a review of the questioning style used in interviews with children in England and Wales after the implementation of the Memorandum of Good Practice revealed a large number of affirmations and confirmatory comments that adversely affected the quality of the child’s account (Davies et al, 2000). Evidence from interviews with

child witnesses by dedicated investigators in other countries has revealed a similar picture (e.g. Lamb et al, 2000; 2002; Myklebust & Alison, 2000).

One early field study examining police interviewing of adult witnesses in Great Britain, which was conducted at a time when there was no national training programme to teach officers how to interview, did also reveal shortcomings in police techniques with this population (George, 1991). George (1991) assessed the rates at which various types of question were asked and found that open questions were asked at a rate of between .28 and .46 times per ten questions, while leading questions occurred at a rate of between 1.34 and 1.58 times per ten questions. The predominant question type that was used in the interviews examined was the closed question (the study included 'probing' questions within this category), which was asked between 6.74 and 7.99 times for every ten questions.

More recently, the witness interviews examined as part of the national evaluation of PEACE (Clarke & Milne, 2001) were generally considered to be poor. One rater involved in the study said of the witness interviews:

*these were of a much lower standard than the suspect tapes, in that there were far more leading questions asked, most of the interviewers did not allow the witnesses to tell their account, and the interviews were mainly police-led, unstructured and not planned (p77).*

Other research in Canada (Wright & Alison, 2004) studied the ratio of different question types across segments of adult witness interviews conducted by detectives. As in the previous field research (George, 1991), the authors identified the use of more closed questions as opposed to open questions overall. However, Wright and Alison (2004) went further and identified a pattern where the early phase of the interviews showed a high frequency of identification questions, which was replaced by a high frequency of closed yes/no questions in the latter stages of the interview. This finding resulted in the authors suggesting that the interviewers were constructing the witnesses' account consistent with the interviewer's own schema of the incident under investigation as found by Mortimer in suspect interviews (1994a). This view was

further supported by Rock (2001) who compared audio recordings of statement taking by police officers with the final statement produced and showed how material facts within the statement were not written as originally said by the witness. This approach has been termed directive questioning (Shepherd & Milne, 1999), where investigators apply a relevance filter to the interviewee, selecting information that fits with their view of the case and omitting or suppressing information that does not fit this view. Shepherd and Milne (1999) maintain that directive questioning is consistent with interrogation as opposed to interviewing. Directive interviewing shares common characteristics with the constraining or suggestive model proposed by Mortimer (1994a). Both feature the use of inappropriate questions at their core and suggest that the use of inappropriate questions is closely linked to this type of interview. Shepherd and Milne (1999) & (2006) also put forward two alternatives interview styles, patterned and non-directive. Table 6.2 displays a comparison of all three styles.

Table 6.2 – *styles of interview (after Biddle and Evenden, 1980)*

	Directive	Patterned	Non-directive
Interviewer's role	Interrogator	Conversational guide	Counsellor
Relations with interviewee	Superior-subordinate	Equals	Helper
Latitude given to interviewee	Very little	Some	A great deal
Plan/agenda	Rigid adherence	Flexible	Free
Flow	Interviewer sets the pace and interrupts the interviewee	Interviewer supports and steers the interviewee's flow	Interviewer supports the interviewee's flow builds upon replies and waits out pauses
Talk-sharing	Interviewer	Evenly shared, possibly most done by interviewee	Most done by interviewee
Types of question	High proportion of closed and leading questions	High proportion of open, with some reflecting back	High proportion of reflecting back, with some open

Patterned interviewing extends some freedom to the interviewee but *steers* their account through the use of open questions, while non-directive gives maximum freedom to the interviewee and merely *supports* their flow.

The non-directive interview would appear to be unsuitable for an investigative interview because it allows the interviewee to select the subject matter of the interview. Indeed, any suggestion that police interviewers should allow interviewees a completely free rein within an interview, to say as much or as little as they wish to, is naïve. The rules of evidence dictate that key legal points must be covered in interviews with eyewitnesses (i.e. the ruling in *R v Turnbull* (1977) QB 224 which mandates that a witness must be asked question such as the distance he was from the event, what the lighting conditions were and whether he requires glasses). This necessitates asking some closed questions about particular issues even if the witness has not mentioned them (e.g. 'do you wear glasses normally?'). Indeed, it is impossible to conduct any effective investigative interview without some form of direction given to the interviewee.

The optimum strategy is for an investigative interviewer to prompt the interviewee to give a relevant account that can be probed where necessary, thereby restricting the use of closed questions to a minimum. Within this approach it is inevitable that some form of directive questioning and control must occur. It is the *degree* of control exercised by the interviewer that is the crucial factor: too much and the interview falls foul of the criticism referred to above; not enough and the interview is irrelevant to the matter under investigation. There is a need to steer an interviewee towards relevant subject matter in an investigative interview, i.e. the matter under investigation, therefore the patterned interview would appear to be the correct style for an investigative interviewer.

The Youth Justice and Criminal Evidence Act (1999) introduced video recording of interviews with adult witnesses in England and Wales. The evidence of a wider range of witnesses is now presented from the video recorded interview, not from a statement produced by the interviewing officer after the interview. This change will highlight deficiencies in the questioning style of the interviewing officers in the same way that the tape recording of suspect interviews did some years ago, and there is a fear that because of this the

evidence of witnesses will become the new focus of miscarriages of justice (Shepherd & Milne, 2006; Savage & Milne, 2007).

## Interpretive Phenomenological Analysis

As can be seen, understanding the questioning strategies of skilled investigative interviewers is vital in improving interview skills. However, this required a change of research paradigm. The findings from the suspect studies (PEACE comparison assessment, study 1 & study 2) showed that there were shortcomings in the questioning ability of basic PEACE-trained officers and that advanced interviewers consistently showed a higher degree of organisation, questioning and listening ability within their interviews after training. Indeed, the advanced interviewers demonstrated enhanced questioning and listening ability within their interviews even *before* training, the latter being relevant to their selection for enhanced training). The witness study (study 3) also suggested that the advanced interviewers showed better questioning ability than found in previous research (George, 1991, Clarke & Milne, 2001). These findings were new and important, as the whole area of advanced interviewing was previously un-researched. However, the results from the previous studies could not offer an explanation for this enhanced ability because quantitative research methods produce relatively sterile results that only reflect statistical reality (Coolican, 2004). Therefore, the current study adopted a qualitative research methodology to examine the reasons behind the questioning strategies of advanced interviewers in different phases of simulated investigative interviews with suspects and witnesses. This type of methodology was selected because it is recommended when the subject matter is relatively unexplored in academic literature, or when flexibility is required to allow for the discovery of unexpected topics of interest (Hudelson, 1996) and, it emphasises “closeness to the participants and richness of data” (Coolican, 2004, p219), both of which apply to the current study.

The particular type of methodology selected for the current study was *Interpretative phenomenological analysis* (IPA); this is a methodological tool for the qualitative analysis of a phenomenon based on the experiences of

individuals (Smith, 2003). IPA is an inductive approach, which avoids prior assumptions. It is described as phenomenological because it focuses on an individual's thoughts and perceptions, and interpretive because the researcher must also make sense of the participant's experience in a way that addresses a particular research question (Smith, Jarman & Osborne, 1999). Unlike quantitative methods, IPA encourages a dialogue between the researcher and participants, which can result in a new perspective on the research question. Hence, IPA supports data-driven theorizing where the data used in an analysis may come from structured one-on-one interviews, focus groups, experience diaries or questionnaires. An IPA analysis typically involves five to 15 participants and includes a number of verbatim excerpts from the data (Heron, 1996, Shaw, 2001).

The specific method used in the current study was based on the 'thought listing' technique (Cacioppo & Petty, 1981). The thought listing technique asks participants to record their thoughts with regard to a particular stimulus, either verbally or by writing them down. The data is then coded and used to identify themes within the data. The current study is an adaptation of this method called a 'think aloud' procedure as used by Wright and Powell (2006) to identify the difficulties experienced by Australian interviewers in adhering to open questions while interviewing child victims of sexual abuse. The participants in that study conducted an interview with a child as part of a training event and were then interviewed about their questioning style after making a transcript of the interview. The 'think aloud' procedure used by Wright and Powell (2006) identified three main themes that had an impact on the ability of the interviewers to adhere to the open question style recommended for forensic interviews with children. These were: (i) the specificity of the information required from the child; (ii) the unfamiliarity of using open questions and (iii) the complex distinction between open and probing questions.

The 'thought listing' technique was employed in the current study to identify key themes which influenced the questioning strategies of the advanced interviewers.

## Method

### *Design*

Two groups of advanced interviewers, one suspect interview trained (n=4) and the other witness interview trained (n=5), were interviewed about the question strategies they employed when conducting a simulated interview at the end of a training course. The interviews were conducted using questionnaires that probed the decision making of the advanced interviewers at two distinct points in the interviews. The first point was the opening of the interview, either the *first account* (NCF, 1998) in the suspect interview, or the *free recall* in the witness interviews (Milne, 2004). The second point was the first *topic* (NCF, 1998) examined in detail following the first account, or the first *image* (Milne, 2004) activated after the free recall. Following the procedure, the responses of the participants were manually coded into the main themes that arose from the data.

### *Participants*

This study used two independent groups of advanced trained police officers who were all fully trained detectives with varying lengths of police service. The first group of four interviewers (referred to as Interviewers 1-4) had successfully completed a three-week advanced suspect interview course as described in chapter 2. The group consisted of three male (n=3) and one female (n=1). Their average police service was 14.5 years (range 5-23 years). The second group (referred to as Interviewers 5-9) had successfully completed a three-week advanced witness interview course. This group consisted of four female officers (n=4) and one male officer (n=1). The average service of this group was 9.4 years (range 7-15 years). There was no reason for the different lengths of service between the two groups i.e. officers with shorter service were not directed to undertake witness interview training first).

The advanced suspect interview training course was previously described in detail in chapter 2 as part of study 1, which compared investigative interviews

conducted by officers with different levels of training. The new three-week advanced witness course, designed as a result of the findings in this thesis, however, has not previously been described in this thesis and will not be described in detail as the overall course design is not relevant to this study. Briefly, the new advanced witness interview course trained detective officers in the enhanced cognitive interview model, as described in chapter 3 (Milne, 2004), and the phased interview model (Home Office, 2002). As with the advanced suspect course, the witness course includes theory sessions based on the components of the interview models it related to as well as theory sessions on appropriate and inappropriate types of questions. The course also focuses on the subject matter to be selected within investigative interviews based on its relevance to the matter under investigation. The course includes multiple practice opportunities and feedback sessions where interviewers are given feedback on all aspects of their performance. At the end of both suspect and witness training courses, the participants had all received the same amount of training and feedback in the use of questions.

## Materials

The study used one simulated interview conducted by each of the participants as part of the relevant training course as the basis for the 'think aloud' analysis. The suspect interviews (n=4) all related to sexual assaults. The witness interviews related to a burglary, two physical assaults (n=2) and two sexual assaults (n=2). The interviews were recorded on DVD as part of the course. As the interviews were simulated, they were not conducted to conclusion and were restricted to a maximum length (80 minutes) as part of the training course design. Therefore, the overall length of the interviews was not relevant to the study and was not recorded. The study used selected video clips only as the basis for an in-depth face-to-face interview with the participants as to their questioning strategy.

Three questionnaires were designed to assist with the procedure. The first questionnaire (Appendix H) was designed for the participants to complete after



conducting the interview that was used in the process. The questionnaire was self-administered and asked the participants about the questioning style they selected at the two designated points in the interviews. Specifically, the questionnaire asked the participants to write down their thoughts regarding (i) their general approach to the interview in terms of their questioning style, (ii) their specific questioning style in the first part of the questioning phase of the interview – either first account or free recall depending on the interview model that was utilised and (iii) their specific questioning style during the first subject revisited after the first account or free recall (see Appendix H). The purpose of this questionnaire was solely as an aide memoir for the participants (see procedure) and was not utilised in the final coding of data or results. Two further questionnaires (Appendices I and J) were designed for use by the interviewers in the second stage of the process to ensure that each participant was asked the same questions (see procedure below). The answers to the questions in these questionnaires were coded.

## Procedure

The procedure for the study was applied to the two groups of participants separately at the conclusion of an advanced suspect and an advanced witness interview training course. As part of the final assessment of the courses, each participant conducted a simulated interview with either a suspect or witness, according to the type of course. Immediately after they completed the simulated investigative interview, the participants completed the supplementary questionnaire (Appendix H). The second stage of the process involved a face to face interview between each participant and a researcher. In this interview a set of 14 further questions were asked of each participant in three stages. Firstly, the participant was asked four general questions about their questioning style in the interview they had conducted (see Appendix I). Secondly, they were played the opening five to seven minutes of questions from the first part of their interview, and asked five further questions (see Appendix J) based upon their perception of the clip and how this compared with their impressions immediately after the interview they had recorded in the aide memoir. Thirdly,

they were played 5-7 minutes of the first revisit to a topic during the interview whereupon the five questions which were asked in relation to the first clip were repeated (see appendix J). The participants used the aides-memoir completed the previous day to assist them in this process. The answers given by the participants in these interviews were recorded verbatim. The mean length of the interviews was 23 minutes (range 20 –27mins). The face to face interviews were conducted by two teams of interviewers from the interview training staff who had conducted the course.

The sole reason for conducting the procedure in two parts was that the simulated investigative interview used for the think aloud process also formed part of the final assessment process for the training courses. These simulated interviews were conducted on one day and the results of the course were given to the officers on the following day. Therefore, it was decided that if the ‘think aloud’ process was conducted before the official results of the course were known, it would influence the behaviour of the participants in the face to face interviews because they would be reluctant to be candid if they thought their views formed part of their assessment. The second part of the think aloud procedure was conducted after the results of the course were given to the officers so that the participants were aware that they had passed the course and would be confident in their interview performance. The study design deliberately targeted the successful officers, using purposive sampling (Coolican, 2004) because the intention was to investigate the questioning strategies only of advanced trained officers.

### *Coding and Scoring*

Between the first and second stage of the process, the questions used by the participants in the simulated interviews were coded by the training staff using the Griffiths Question Map (see chapter 7 and Appendix K). The classification encompassed eight different types of questions encountered in investigative interviews, which were further categorised into either appropriate or inappropriate question types (Griffiths & Milne, 2006). Under this classification system there are three appropriate question types. The first of these is open

questions, which are defined as questions allowing a full range of response from the interviewee. These questions are most commonly identified with the active words Tell me, Explain or Describe, e.g. 'Describe everything that happened in the shop'. The acronym TED is used by officers in the current study when discussing the use of this type of question. The second type of appropriate questions are probing questions, which are defined as more intrusive than open questions and requiring a more specific answer. These questions usually commence with the active word who, what, why, where, when, or how and can be used to follow up open questions e.g. 'Which road did you walk down?' The acronym 5WH is used by officers in the current study when referring to this type of question. The third type of appropriate question is the appropriate closed question, which is most commonly used at the conclusion of the questioning phase of the interview about a subject where open and probing questions have been exhausted and it is still necessary to establish key points e.g. 'Did you strike the man more than the one time you have described?' Officers sometimes describe following a 'funnel' of questions from open to appropriate closed during sections of an investigative interview.

The classification then lists five other question types that are inappropriate and associated with poor questioning:

- (i) inappropriate closed questions that could appear identical in wording to an 'appropriate closed' question but are used at an inappropriate point in the interview. These questions are unproductive because they allow an evasive interviewee the easy option in responding 'no' or giving less detailed answers e.g. 'Could you describe the man who pushed you?'. They also condition compliant interviewees to provide shorter answers;
- (ii) leading questions which suggest an answer e.g. 'Are you normally that aggressive after drinking?';
- (iii) multiple questions, where a number of questions are asked at once, making it difficult to ascertain which one the interviewee is meant to answer e.g. 'what I want to know is how you got there, what you did once you were inside and when you first decided to steal the car?'. This category also includes multiple concept questions where one

question requests different types of information e.g. describe how you hit him and how you felt when you did it ?;

- (iv) forced choice questions, which only offer the interviewee a limited choice of response e.g. ‘ did you kick or punch the woman ?’, and
- (v) an opinion or statement which is defined as where the interviewer merely expresses their opinion as opposed to asking a question e.g. ‘ I think you did assault the other person’. The purpose of this coding was to facilitate the second part of the procedure.

After the second part of the procedure was completed, the data from the interviews with the participants was collated and coded manually identifying trends from the answers given. The coding consisted of examining each participant’s answers to each of the questions asked in the second stage of the process and identifying recurring themes. The transcripts were re-examined until all major themes were identified. These themes were then prioritised. The coding process was influenced by the research question, i.e. to identify the questioning strategies used by the advanced interviewers and discern differences between suspect and witness strategies.

## Results and Discussion

The think aloud procedure aimed to produce an insight into the thoughts of the advanced interviewers with regard to their questioning strategies and it was found that three main themes emerged. Firstly, the advanced interviewers did express definite questioning strategies in both suspect and witness interviews. Secondly, however, where the advanced suspect interviewers were found to be consistent in their approach, the advanced witness interviewers articulated varying strategies, some of which were more consistent with the suspect interviewers than the other witness interviewers. The approach of the suspect interviewers was one that obtained a first account through a combination of open and probing questions and then used strings of probing questions to add detail to the first account. This *controlling* approach was inappropriate in the witness interviews. Thirdly, interviewers in both groups admitted difficulty in

identifying and selecting the most appropriate questioning strategy. These themes are expanded below using extracts from selected participants' interviews to illustrate key points.

*Deliberate and strategic choices of question types and subject matter*

Every interviewer who participated in the study reported making definite choices with regard to their questioning strategies, whether trained under the suspect or witness interview training programme. Each interviewer questioned gave a reason for selecting their opening question and a reason why they adopted the particular questioning style that they did in each phase of the interview.

The suspect interviewers all adopted a similar style within their interviews. This style was characterised by an information gathering approach, which consisted of a majority of open questions in the first account narrowing to probing questions in the topic phase. For example, Interviewer 1 had conducted a simulated interview with an actor where the actor was playing a suspect who had allegedly raped a woman in an alleyway as he walked her home from a nightclub. The complainant had reported the incident to a passing motorist immediately after leaving the alleyway and a taxi driver had been traced who had reported seeing the man 'leading' the woman into the alleyway. Faced with this situation, the interviewer described his questioning style in the first account as

*open, lots of describe, tell me, explain to me*

adding that he wanted the suspect to

*open up and give information and used an appropriate (open) first question to achieve this*

The interviewer actually used 16 open questions, 13 probing questions and seven appropriate closed questions over 19 minutes in this phase of the

interview. This questioning committed the suspect to giving an account of consensual intercourse with the complainant in the alleyway. The same interviewer then selected six subjects from the suspect's first account for further probing. He introduced the first of these to the suspect as

*when you said the victim (sic) led you into the alleyway*

The topic consisted of 15 probing questions and two open questions. The interviewer recognised the physical change in his questioning style at this point in the interview and said he wanted detail as he felt this could become an area of challenge. The interviewer recognised an immediate discrepancy in what the suspect had said compared to what the interviewer knew prior to interview and felt that asking the suspect for further detail could develop a potential challenge to the suspect's account.

Interviewer 2 interviewed another actor playing the same role and gave a similar response with regard to his questioning style, but included the additional information that, although he wanted to use open questions, the suspect talked so much that he

*used 5WH questions to control him*

Analysis of this interviewer's interview showed that he used 57 open question and 79 probing questions in a 45-minute first account. This interviewer questioned the suspect further on three topics. The first topic that this interviewer selected for further questioning concerned an incident in the pub where the suspect alleged that he and the victim kissed and fondled each other. The interviewer stated he wanted further information on this incident so that he could return to the location and make enquiries to verify or negate the incident. The interviewer concurred with Interviewer 1 as to which area of the suspect's account was the most important (whether the suspect had led the girl into the alleyway or vice versa).

Interviewer 3 interviewed an actor playing the part of a suspect who had allegedly sexually assaulted a neighbour after forcing entry to her flat. This

interviewer's first account lasted 31 minutes and included asking the suspect to draw a sketch plan of the flat as well as 31 open questions, 46 probing questions, four appropriate closed questions and three inappropriate closed questions. The interviewer described her initial approach as

*open but perhaps needed more parameter style questions as he was determined to talk and I should have controlled him better*

The suspect's account was that the allegation was malicious and that he and the victim had a consensual sexual relationship that he had terminated on the evening of the incident. The interviewer selected four topics for further probing; the first of these was the initial knock on the door of the complainant by the suspect. The suspect said this was a gentle tap befitting their clandestine arrangement, whereas the complainant said that he had banged on the door when she refused to answer it. During this topic Interviewer 3 asked one open question, nine probing questions and two appropriate closed questions. When asked why she had selected this topic Interviewer 3 said

*I knew it was an indication of the consent issue. That's where it all started with the threats, and it was checkable*

After watching the recording of this area of the interview Interviewer 3 added

*the topic wasn't long enough and I should have got more detail by more probing questions*

Interviewer 4 interviewed an actor playing the part of a man who had sexually assaulted a woman at a party and then physically assaulted her boyfriend when confronted by him. The interviewer obtained a 28-minute first account consisting of 38 open questions, 20 probing questions, six appropriate closed questions and six inappropriate closed questions. The interviewer said of his first account questions

*my questions were generally open and went along the time line with some probing to clarify and set the scene. I tried to use the funnel where appropriate*

The interviewer covered the time line of the offence and then selected two topics for further questioning before the interview was stopped by the trainers. In the first topic, lasting five minutes, the interviewer asked 33 probing questions, one open question and one appropriate closed question. When played the recording of this topic, the interviewer described the distinct change in questioning style that was typical of the suspect trained interviewers when moving from first account to topic areas.

*It was the start of the physical contact between the two and it was important to get fine grain detail of the consensual actions, bearing in mind I knew the victim had got injuries*

In the recording the interviewer was clearly using probing questions to explore the initial explanation offered by the suspect and his answer identified the strategy behind this plan. The suspect was portraying the complainant as a willing partner in a consensual sexual encounter at a party whereas the woman's early complaint to the police and other witness evidence suggested otherwise. The interviewer added

*The suspect had done a lot of talking in the first account and the 5WH allowed me to get the detail now and keep him in check*

Although differences emerged between the styles adopted by the suspect trained advanced interviewers, as evidenced by the different ratios of question types used, a consensus did emerge that their decisions were planned and part of a deliberate strategy. Furthermore, every interviewer recognised the difference between open questions and probing questions.

The advanced witness interviewers displayed a similar level of conscious decision making. The witness trained interviewers had a range of scenarios to interview actors about. Interviewer 5, the first of the advanced witness trained interviewers, was asked to interview a witness who had seen two men acting suspiciously at the back of her house. The scenario was that one of the men was suspected of an attempted break-in at a neighbouring house. When asked to describe how she commenced the questioning in her interview and said



*I started off with a TED question, 'describe' which I thought was appropriate. It got her thinking first and I think inspired her to give me information*

Interviewer 5 used a context reinstatement after this question and achieved a further recall from the witness before probing aspects of the description recalled by the witness. Her questioning with regard to the description became more probing in style with three open questions, ten probing questions and two appropriate closed questions.

Interviewer 7 interviewed an actor playing the role of a witness who had seen an assault in a doctor's surgery. The key element to this interview was that the witness had first seen the feet of the offender poking out from under a dividing screen in the surgery. The interviewer displayed a high degree of awareness of his questioning style which he described as

*open for gaining accounts although closed and 5WH used to get specifics needed for the time line. This was the same in account and topics. But 'tell me' felt overused while 'explain' and 'describe' felt underused*

The interviewer was asked to identify when his questioning was most effective and said

*when the subject was cognitive – eyes closed visualising and then describing what she saw*

Conversely, the interviewer felt his questioning was least effective when asking the witness

*to tell me about a specific item rather than asking her to describe it, for example the clothing in topic 2*

These views were echoed by the interviewer's interview where he obtained two free recalls by the witness about the incident prior to questioning for further detail about the description of one man before the interview was stopped. The interviewer was asked how he decided which part of the description of the offender to ask about first and stated that as the witness mentioned the shoes he would ask about those first.

Interviewer 9 interviewed another actor playing the same role as the actor for Interviewer 7. This interviewer asked five open questions and two closed questions in the first phase of her interview and the two open and three probing questions in the first topic she revisited. This topic was a description of the shoes that the suspect wore as selected by Interviewer 7. Interviewer 9 also correctly described how she switched from a 'tell me, explain, describe' style to a more probing style in the two different phases of her interview. In particular she felt that her use of a more probing style was effective for the detail she needed about the shoes

*I felt I was getting a good level of detail and therefore a good description for my first topic, which was his shoes and the bottom of his trousers – the colour, texture, material, length, stitching etc*

Interviewer 9 added

*I was trying to start each probe with a TED and then bottoming it out with probing questions*

The evidence from the interviews with the interviewers demonstrates deliberate questioning strategies that were combined with clear choices over subject matter at all points of the interview. This is in stark contrast to the quantitative data from the PEACE comparison assessment of PEACE-trained interviewers that showed random selections of subject matter and question types from PEACE-trained interviewers. However, the decisions made by the advanced interviewers in these interviews were not always the most appropriate. In particular, the advanced witness interviewers still favoured a more controlling style where they directed the interviewees to parts of their recall instead of allowing the interviewee to control the interview in line with best practice guidelines. This will now be discussed.

### *Inappropriate levels of control applied to the interviewees*

The advanced trained suspect interviewers all directed the actors in their simulated interviews to the starting point of their interviews. Interviewer 1, who interviewed a suspect about a rape in an alleyway, was asked what influenced his first question and said

*I wanted to take him straight to the alleyway*

Interviewer 3, when asked the same question in relation to her interview said

*I wanted to get across the seriousness of the effect on the victim. It's totally unacceptable that she was left so distressed. That's why I chose the bit about the vomiting*

Interviewer 4 illustrated another dynamic of the interview situation when he related that his first question was influenced by complying with a legal requirement to ask the suspect whether he had made a significant statement (PACE, 1984) attributed to him upon arrest.

Having gained first accounts from the suspects, the advanced trained suspect interviewers then decided which subjects should be probed further. The interviewers again directed the interviewees to subjects of their choice. Interviewer 1 said that he selected the first topic to probe, having mentally compared the suspect's account with those of the complainant and of a taxi driver who had seen the man and woman enter the alleyway. In response to the question, 'why did you choose the first topic?' the interviewer said

*the taxi driver (a witness) described the suspect leading the complainant into the alleyway and in his account (the suspect) it was the other way around which I could possibly make into a challenge*

Interviewer 2 was influenced by a part of the suspect's account that he knew contradicted the complainant's account. The interviewer directed the suspect to this part of the account omitting other parts of the suspect's account in order to commence further probing at this point. Interviewer 3 said her choice of first topic was influenced by

*the indication that it centred on the consent issue, that's where it all started, with the threats*

Interviewer 4 was asked what influenced the first topic he chose to probe and said

*It came from his account... the first time he alleged that he and the victim consensually touched*

The interviewer was also asked which part of the suspect's account he ignored and said

*Everything until the complainant's boyfriend went for cigarettes*

This type of rationale from the advanced suspect interviewers is in line with their training and consistent with each other. The PEACE model advocates selecting topics for further questioning after the first account (NCF, 1998) and each of the scenarios presented situations to the interviewers where the accounts offered by the actors were inconsistent with other evidence of which the interviewers were aware. None of the topics selected by the interviewers went towards the innocence of the suspects; this is a limitation of the study in that it would have been interesting to see if the interviewers would have selected a topic that assisted the suspect's explanation. The type of comment made by the advanced suspect interviewers was not surprising.

The advanced witness interviewers, however, were less consistent in their approach. This was surprising and similarities were noted between the comments some of these interviewers made and those of the suspect trained interviewers, despite the fact that their training emphasised transferring control to the interviewee. Interviewer 5, who interviewed a witness about the suspected burglary next door, was asked which topic she questioned about first following the initial recall and said

*I chose the man because I was led to believe he was the suspect and had damaged her window*

The interviewer also said, after viewing a clip of the topic

*It was my agenda and I got what I was looking for and she knew what I wanted*

Interviewer 8 actually described her overall questioning style in the topic areas as

*directive and in control, a little more closed in onto what I wanted to talk about' (than in the initial phase)*

These views contradict those of the other advanced witness interviewers. For example, Interviewer 6, when asked what influenced the area that she questioned on after the free recall, said

*I chose male two first. She (the interviewee) had described two men in the park and I asked which one she saw the best and then went with him first*

Interviewer 7 also stated he was directed to which area of the recall to probe by listening to the interviewee's recall and noticing the areas on which the interviewee provided better detail. In particular, the witness stated she had noted the offender's shoes and Interviewer 7 said

*Actually I started with the shoes as she had the most sight of these. Rightly or wrongly I chose the full description*

Lastly, Interviewer 9 seemed to be torn between the two styles. When describing where she commenced the interview she said

*I wanted to get to the point right where I wanted to be*

but when giving her rationale for the first topic, which she probed after the first recall, she said

*I chose the feet and legs under the screen, I knew the interviewee had seen the full person but her description started with these bits and I knew they were important to identify the offender*

The inconsistent disclosures made by the advanced trained interviewers in this section contrast with the clear and consistent views of the suspect interviewers.

The advanced suspect trained interviewers directed the interviewees to areas of interest in order to obtain relevant information in the first instance, and then to test it against other accounts or information they felt could be obtained. The points to prove of the offence under investigation seemed to provide the framework for this approach. This was strongly evidenced by the rape cases where directing the suspect towards subjects which could prove or disprove consent was a consistent feature of the direction exercised by the interviewers. The link between the replies of the suspect and establishing whether there was a case to answer is direct in this situation. The controlling style in a suspect interview is appropriate. However, one observation that can be made about all the suspect interviewers is that they all *automatically* moved to a more probing questioning style in the topic phase of the interview instead of establishing whether a more open, less controlling style would obtain the further detail required. The advantage of a more open style in the suspect interviews is that it would diminish the need for the interviewer to devote cognitive capacity to framing questions (Köhnken, 1995). This would allow more cognitive capacity for listening and identifying discrepancy within the suspect's account.

The advanced witness interviewers gave differing views on the way they either transferred control to the interviewee or directed the interviewee. Some of the comments made by the advanced witness interviewers clearly indicated they were exercising an inappropriate amount of control over the chronology and emphasis of the interviewee's account, which was more akin to a suspect interview. Comments by other interviewers did indicate a willingness to follow the agenda favoured by the witness. The two advanced witness trained interviewers who did direct the interviewees inappropriately also used a more closed questioning style. Overall, all the interviewers, whether advanced suspect or witness trained appeared to favour a style that exercised more control over the interviewee. This is not the optimum approach in all interviews.

### *The complexity of the interviewing task*

Investigative interviewing is a real world skill and the selection of questions and subject matter within the interview situation does not occur in isolation. In the

previous sections of this study, interviewers have referred to this fact as they described framing questions while simultaneously attempting to compare the answer given by the interviewee with other information. The interviewers were asked, both in the aide memoir and the face to face interviews, where their interviewing was least effective. The complexity of the interviewing task was articulated by a number of the interviewers.

Interviewer 1 said before he watched any of the clips of his interview that he felt his questioning was least effective in topics. The interviewer said

*I was juggling the tasks of listening, working out my next question and contemplating my 'too short' first account*

Indeed, he judged his questioning here the least effective of the whole interview feeling it was *'too many closed questions'*. After watching a clip of his first interview topic the interviewer confirmed that his listening skills were worse than in the first account because he was trying to match the account with the topic, and the topic to what he already knew from case file. In addition, the suspect gave him new information, hence his reflection that he had obtained enough in the first account. The interviewer felt he did not obtain enough information in this topic.

Just as Interviewer 1 highlighted, Interviewer 2 felt he did not take everything in that the interviewee said because of the difficulty in simultaneously processing the information that was being given by the suspect and framing the next question plus comparing the information in the topic with the first account. Interviewer 2 asked a very high number of questions in his first account (n=136), the majority of which were probing and attracted short answers from the actor playing the suspect. These two facts may be associated. Interviewer 2's chosen questioning style meant he asked for a lot of detail as part of the first account and his answers in the face to face interview suggest this detail 'overloaded' his working memory, leading to a drop in performance in the latter part of the interview.

Interviewer 3 noted after watching an excerpt of her interview that she interrupted the suspect, repeated his words and then asked a question as if to

give herself thinking time. The interviewer also said that her first topic was not long enough and did not get enough detail. Interviewer 3 had already said that this topic was very important as it went towards consent – a key legal point in this case. She identified that

*he said he put one of his hands flat and knocked on the panel. I should have asked how far away, how far back you pull your arm back, why did you have one hand on the handle. I should have put him on the spot*

She identified that her listening skills were not as good as in the first account because she got the suspect's left and right hand mixed up in one reply. As with the previous two interviewers, Interviewer 3's questioning style altered from a mixture of open and probing to a more probing style in the topic phase thereby increasing the cognitive load (Köhnken,1995), which may account for the error she noted on watching the clip.

Some of the advanced witness interviewers experienced similar difficulties. Interviewer 7 noted that he looked stilted in the topic phase of his interview. His fluent style, which was evident in the free recall section of the interview, was replaced with a more hesitant approach that looked uncomfortable. The interviewer offered an explanation for this saying

*I was listening intently, thinking about the shoes she was describing – maybe that's why I look so stilted. I had split concentration*

Interviewer 9 acknowledged that she used an inappropriate question when trying to establish one particular point. When asked why this happened she said

*My mouth leapt ahead but unfortunately left my brain behind, I wanted the answer but I used an inappropriate question to get it, because I didn't think before asking the question*

However, the other two advanced witness interviewers did not express any particular difficulties, either when completing their aides-memoire or being interviewed face to face. In fact, these interviewers commented favourably on their own listening skills in all areas of the interview. This is despite the fact that their interviewing style was overly directive. These interviewers also described their interviewing style as 'appropriate' and 'open' despite a large proportion of



probing questions which could have been avoided. These two interviewers appear to have less ability to self-evaluate their interviews and failed to identify the complexity of the task they were undertaking.

The current study produced very interesting and informative responses from highly trained interviewers but had certain limitations. One limitation of this study is that the purposeful sampling employed (Coolican, 2004) only focused on a small group of advanced interviewers conducting simulated interviews immediately after training. Broader sampling using a wider range of interviewers and longer delays since training interviews could have produced different views. However, the biggest potential limitation of the study was that the participants were interviewed by training staff that were also responsible for their assessment. This could have given rise to socially desirable responding (SDR), defined by Paulhaus (2002) as '*the tendency to give positive self descriptions*'.

Paulhaus (2002) further described SDR as the tendency to *choose* a desirable or moderate response, implying that the phenomena was associated with the selection of one response from a range of alternatives. As might be expected in a study that has concentrated on the wording of questions the design of the questionnaires used in the collection of the data was carefully chosen so as *not* to offer a fixed range of alternative answers. The questions used were open and designed to elicit fulsome responses rather than a spread of ratings to be ranked and analysed. Indeed, the fact that the participants had been trained on the relevant interview models and still expressed some of the views that they did is strong evidence that SDR is not a factor which limits the results of this study.

## **Conclusion**

The overall picture presented by the comments of both the suspect and witness advanced interviewers is that the skill of investigative interviewing is complex. It requires the simultaneous application of several cognitive processes. This is

accentuated when using probing questions as the interviewer is mentally juggling listening to the interviewee, attempting to image what is being said, comparing this to other case information in an attempt to spot inconsistencies, and framing the next question. Despite acknowledging this in their face-to-face interviews, most of the participants in this study still appeared to favour the more directive, probing approach, believing it obtained more detail even with compliant interviewees.

The alternative methodology employed in this study went beyond the statistical findings of the previous studies and provided an informative perspective on the questioning abilities of the advanced interviewers. It is clear that the advanced trained interviewers were able to articulate a clear rationale for their questioning strategies in both suspect and witness interviews. There is very little previous research in this area but the participants in the current study appeared more confident in their rationale than did the Australian child abuse investigators in Wright's study (2006). What was surprising, however, is that the advanced interviewers did not express a range of different interview strategies for different suspect and witness interviews but instead subscribed to one general strategy regardless of interview type.

The questioning strategy described by the advanced interviewers in this study does not fit any one of the models described by Shepherd and Milne (1999) or Mortimer (1994a). Although some of the witness interviewers used inappropriate levels of control, the interviews did not feature a high proportion of leading questions or frequent interruptions by the interviewer, as seen in the directive questioning model found in Shepherd and Milne (1999). Neither could the style of the advanced interviewers be called constraining or suggestive as defined by Mortimer (1994a), because although the interviews did feature an early switch from obtaining narrative to direct questioning the interviewees were not restricted by a high level of suggestive questioning (Mortimer, 1994a). The main reason that the advanced interviewers' strategy does not match any of these previously defined models is that the advanced interviewers did not use the inappropriate question types which are the defining feature of these strategies. However, the interview strategies expressed by the advanced interviewers were also nothing the other questioning models described in the

literature, e.g. the non-directive approach quoted by Shepherd and Milne (1999), which is characterised by complete freedom for the interviewee. Nor did the interviewers use a high proportion of open questions as attributed to the investigatory pattern (Mortimer, 1994a) or the patterned approach (Shepherd & Milne, 1999).

The responses of the advanced interviewers showed that they did approach their interviews by sharing talk time and steering the interviewee's flow, but that they favoured probing questions. The most accurate way of describing the approach articulated by the advanced interviewers is a *controlling strategy*. The most important element of this strategy is the amount of control applied by the interviewer, which can be varied between a little and a great deal. A controlling strategy as expressed by the advanced interviewers is suitable for suspect interviews, as long as the interviewer does not use a schema in a suggestive pattern. Using this strategy, the interviewer can restrict the suspect to relevant subjects that need to be examined as defined by the investigation and the suspect's first account. However, the controlling strategy as expressed by the advanced witness interviewers is not the best strategy for a compliant witness interview. This type of strategy restricts the interviewee and applies too much control to the flow of information from the interviewee, resulting in shorter answers and less information as identified in previous research (e.g. George, 1991, McLean, 1992).

The data provided by the current study produced very detailed information about an important aspect of investigative interviewing. Further research is needed and the final study in this thesis sought to develop understanding of this area further through a broader study involving interviewers with varied levels of training.

## **Chapter 7: Identifying appropriate and inappropriate questioning strategies in investigative interviews (Study 5)**

### **SUMMARY OF CHAPTER**

Throughout this thesis, the importance of appropriate questioning to promote effective investigative interviewing has been demonstrated. The first three empirical studies showed that the advanced interviewers used appropriate question types in both suspect and witness interview, but failed to use questions effectively in witness interviews. The previous study (study 4) revealed the complex nature of the questioning task and confirmed that the advanced interviewers mistakenly adopted a similar questioning strategy for all interviews, witness and suspect, despite the fact that different interviews need different approaches in order to be effective. The final study in this thesis develops the themes identified from the previous studies and used a thematic analysis to examine the questioning patterns in investigative interviews. The study used a tool developed especially for the research that plotted the sequencing and chronology of all the questions used in a sample of investigative interviews. The analysis categorised a number of distinct patterns which were evident in the interviews. These are presented as: (i) the unskilled interview strategy, (ii) the oppressive interview strategy, (iii) the skilled interview strategy, and (iv) the AI witness interview strategy.

## Introduction

Stern (1903/04) was the first to distinguish between two kinds of interview, identified as *Bericht*, meaning “report”, and *Verhör*, meaning “interrogate” (Myklebust & Bjorklund, 2006). *Bericht* was defined as asking questions in a way that allowed the interviewee to give their account, using a free narrative and open questions. *Verhör* was defined as a much more rigid interview style, which used closed questions to obtain more specific information. Stern (1903/04) went on to state that the fundamental difference between *Bericht* and *Verhör* styles allowed the classification of all questions into two categories; either open or closed (Stern, 1903/04).

The open or closed classifications have proved to be consistently attractive to researchers when evaluating investigative interviews with both witnesses and suspects. For example, when developing the cognitive interview Fisher and Geiselman (1987) compared the ratios of open and closed questions within adult witness interviews conducted by American police officers, finding that the officers used nine closed questions to every open question. Fisher and Geiselman (1987) argued that using a higher ratio of open questions would lead to the elicitation more information from the witness. Clifford and George (1992) quantified the ratio of open and closed questions used by police officers in interviews with adult witnesses and found that the ratio changed from 1:20 to 1:2 after cognitive interview training. Myklebust and Bjorklund's evaluation (2006) of the effect of long term training on Norwegian child abuse investigators found that even after training the interviewers still used approximately ten closed questions to every open question in interviews with child witnesses. Clarke and Milne (2001), when conducting the national evaluation of PEACE interview training, commented that interviews with suspects “were still dominated by closed questions, followed in frequency by open...questions” and that “this was not conducive to obtaining a complete account” (p101). These studies, and others, are consistent in that they equated a higher ratio of open questions across the *whole* interview with a more skilled interview. Indeed, the overall effect of much published research on the subject of investigative interviewing is to recommend the use of open questions in investigative interviews. This view is summed up by Milne and Bull (1999) who describe

open questions as 'the best kind of question from the point of view of evidence and information gathering' (p22). However, this view ignores the inherent differences between different types of investigative interview. Whereas, Myklebust and Bjorklund (2006) examined interviews with child witnesses, both Fisher and Geiselman (1987) and Clifford and George (1992) evaluated interviews with adult witnesses, while Clarke and Milne (2001) evaluated real life interviews with suspects and witnesses. Each of these interviews requires different strategies in order to be both lawful and effective.

The PEACE model (NCF, 1996) also originally advocated one interview model for suspects and a different interview model for witnesses. This approach implicitly suggested that every suspect would be resistant and would require probing and managing to obtain information from, and that every witness would give rich, free, narrative information. This suggestion mirrors the assumption in the research quoted above (Fisher & Geiselman, 1987; George, 1991; Myklebust & Bjorklund, 2006). However, real life situations also include compliant suspects and resistant witnesses. A skilful interviewer, for example, should utilise the cognitive interview with a compliant suspect allowing the suspect to give a full account by asking as few questions as possible. A skilled interviewer should also use a more probing questioning style with a witness who demonstrates a lack of co-operation. As effective investigative interviewing practice develops, evaluating interviews solely based on the quantifying the ratio of open and closed questions across the whole interview appears flawed. As shown in the previous study within this thesis, different interview situations require different approaches and the ability to utilise varied questioning strategies or patterns in different situations is at the heart of *advanced* interviewing.

Another major focus of previous research examining the use of questions has been the negative effect of certain types of questions. For example, Loftus (1979), in the course of researching the fallibility of eyewitness memory, showed that the use of leading questions that contained misinformation led to errors in the recall of participants who had seen a slide sequence of a car crash. George (1991) demonstrated that the number of leading questions within real life interviews with witnesses was much higher than the number of open

questions and that this affected the information obtained. Rock (2001) and Wright and Alison (2004) showed how the questions used within real life witness interviews were used to construct a statement that resembled the interviewer's schema of the incident under investigation, rather than a faithful replication of the interviewee's account. Pearse and Gudjonsson's (2003) factor analysis of a murder suspect's confession highlighted the oppressive nature of the questions that were used and how these questions resulted in a false confession. Other research studies have studied the effect of different question types on vulnerable groups such as children (Davies et al, 2000; Jung & Bavelas, 2000; Hershkowitz, 2001; Memon, Holley, Milne, Köhnken & Bull, 1994; Memon & Vartoukian, 1996; Milne & Bull, 1996; Myklebust & Bjorklund, 2006) and people with learning disability (Bull, 1995; Milne, Clare & Bull, 1999). Typically, these studies found that interviewers used a majority of leading or closed questions, and that their question types adversely affected the quality and extent of the interviewees' accounts. The significance of the research focus on the use of inappropriate questions in investigative interviews is that it has been associated historically with the motivation of the interviewer. In suspect interviews this motivation has been guilt bias, where the questioning strategy is based on interviewer's belief in the interviewee's guilt (Moston et al, 1992, Shepherd, 1991), and in witness interviews the interviewer's biased perception of what occurred in an incident (Meisner & Kassin, 2002; Ask & Granhag, 2005; Mortimer, 1993, 1994b, 1994c). The research on this subject is conclusive that the use of inappropriate questions within an investigative interview is counter-productive in terms of the reliability of the information obtained from that interview.

Questions have been described as a "key constituent of the DNA of interactional life" (Hargie & Dickson, 2004, p115), and therein lies the problem for interviewers. Although using questions is a part of daily life, the use of different question types in social situations has less significance than in investigative interviews. Yet, because questioning *is* such an integral part of everyday life, for many years interviewers assumed that they were naturally skilled and as a result the type of inappropriate question noted above was frequently and inappropriately used in investigative interviews because the interviewers used everyday conversational behaviour. As demonstrated by the

previous studies in this thesis, the *appropriate* use of different question types within an investigative interview is a complex task which has to be learnt (Milne & Bull, 1999), and then requires constant practice to maintain. However, the skilled use of questions within an investigative interview is more than using the correct form or words.

Ulijn and Verweij (2000) state that questions can be defined on three levels: the form of the question (literal level), the content of the question (semantic level), and the *intent* of the question (pragmatic level). It is the last of these three levels, the intent of the questions that is a particularly relevant categorisation when considering questions within the dynamic environment of an investigative interview. The sequence in which the questions are asked and the overall context in which the questions are given is as important as the form of words used and therefore cannot be ignored. Thus, although certain question classifications contain over 15 different types of question (e.g. Hargie & Dickson, 2004) these definitions are based solely on the *form* and *content* of the individual question where subtle changes in words that constitute the question can result in a slightly different classification. For example, the Hargie and Dickson (2004) categorisation includes both *relevancy* probes and *accuracy* probes, which have very similar definitions. This micro classification may be essential for theoretical discussion, but is neither informative nor applicable to practical analysis where the goal is to improve interview skills. For investigative interviewing it is more relevant to categorise questions as either appropriate or inappropriate and then define the most significant types of question used as stipulated by Milne and Bull (1999), but also to take into account the intent of the question based on the overall context (Ulijn & Verweij, 2000). The context can be interpreted from the pattern of questions.

The issue of *talk patterns* has been recognised in general communication literature and appears highly relevant to categorising appropriate and inappropriate questioning strategies in investigative interviews. The open-to-closed nature of some conversational exchanges where the conversation has a broad opening before moving to more specific questions and answers has been termed a *funnel* sequence (Kahn & Cannel, 1957). A sequence of the same type of question, usually a sequence of closed questions, has been termed a



*string of beads* (Stewart & Cash, 2000), and a sequence of rapidly varying open and closed questions has been termed an *erratic sequence* (Kestler, 1982). Kestler (1982) noted that this last approach was recommended for lawyers attempting to 'trip up' witnesses in court! Although researchers have generally scored the type and frequency of different questions within investigative interviews, Wright and Alison (2004) did look at the patterns of questions used within a small sample of interviews with witnesses (n=19). They suggested that examining interviews from this perspective could prove beneficial. However, the results of their study focused only on the deficiencies found in the sample of interviews examined and were still presented as mean figures for the use of different question types across the time span of the interview.

The responses from the advanced interviewers in the 'think aloud' procedure supported the notion that the skilled use of questions within an investigative interview is a complex task. Nevertheless, the advanced interviewers were able to articulate conscious decisions, not only about the individual question types that they selected but also about how they combined different types of questions into an overall questioning strategy for a particular situation. However, whereas the suspect interview strategies expressed by the advanced interviewers employed open and closed questions in appropriate combinations to obtain an initial account and then probe relevant topics, this was not the case for the witness interview strategies. The witness interview strategies that were described by the advanced interviewers often combined open and closed questions inappropriately. This resulted in questioning sequences that probed subjects chosen by the interviewer instead of employing a strategy that allowed the interviewee to relate their account in a way which was interviewee compatible (i.e. in an order and manner of their choice). Therefore, although studies 1 and 2 had demonstrated that the advanced interviewers possessed an enhanced ability to identify and select appropriate questions, studies 3 and 4 revealed that their application of this knowledge to the most appropriate questioning strategies appears to be inconsistent. In contrast, the interviews conducted by PEACE-trained interviewers examined in the PEACE comparison assessment (chapter 2) showed little evidence of deliberate thought over the combination of questions that were used. The questioning in the PEACE comparison assessment interviews was largely unstructured and disorganised.

Overall, these findings indicate that the skilful use of questions within investigative interviews consists of combining appropriate question types into effective combinations or patterns that are identifiable and can be categorised. These patterns vary the ratio of open and closed questions according to the phase of the interview and stance of the interviewee. This theory, if valid, develops the body of knowledge on the subject of questioning, which had previously defined interviews as either purely open or closed. The objective of the current study, therefore, was to identify and categorise the varied questioning strategies observed in investigative interviews conducted by a range of interviewers with different levels of training. This required developing a new tool which that displayed the chronology and sequencing of question usage, as well as the type and frequency of questions used.

## Method

### *Design*

The choice of methodology for the current study needed to extend beyond one dimensional quantitative scoring of the type and frequency of questions present in interviews as seen in previous research (Fisher & Geiselman, 1987; George, 1991; McLean, 1992; Clarke, 2005; Myklebust & Bjorklund, 2006). Therefore, in order to develop a deeper understanding of the question patterns and strategies within the investigative interviews examined, a qualitative approach was selected (Jupp, 1989). However, most qualitative research approaches develop theory in the absence of a prior hypothesis (Coolican, 2004) and the current study was based on a hypothesis, i.e. that different patterns of questions would be apparent depending on the interview situation and on the training of the interviewer. For this reason, the specific methodology selected for the current study was a *thematic analysis*, which did allow the ability to check whether the data collected was consistent with the research hypothesis (Coolican, 2004). The study used a specifically designed and developed tool called the Griffiths Question Map (GQM) that mapped the chronology and sequencing of questions across the timespan of an investigative interview alongside details of the subject matter covered in order to produce a visual

record of the way in which the questioning was constructed across the whole interview.

As the rationale underlying the current study was based on the findings of the previous studies in this thesis the current study employed purposive sampling of a selection of the data gathered during those studies, as opposed to random sampling of different interviews, in order to test the research hypothesis. However, in order to prevent a confirmatory bias within the sample, i.e. the selection of interviews which only agreed with the hypothesis, it was important to examine a sufficiently high number of interviews to provide resilience within the findings. Therefore, although the current study employed a qualitative approach which usually involves a lower numbers of participants (Heron, 1996, Shaw, 2001) the current study actually examined a large number of interviews in order to capture both the richness of data associated with a qualitative approach and the reliability derived from a quantitative methodology (N = 114).

### *Participants*

The 'participants' in this study were the officers within the AI group who took part in both studies 2 and 3 (n=35) and the PEACE-trained officers that had participated in the PEACE comparison assessment (n=44). The main difference between the two groups of participants was the advanced trained officers were detectives who had undergone the three-week advanced suspect interview course (as described in the chapter 2) and a three-day ECI course (as described in chapter 5), whereas the PEACE-trained officers had only undertaken the standard one-week PEACE course (described in chapter 1). Further information about the participants can be found in chapter 2. Due to the design of the current study the participants had no active role as the data examined was the interviews the participants had previously conducted for the earlier studies.

## Materials

The interviews used for this study consisted of the first real life suspect interviews conducted by the AI group immediately after training (N = 35), the real life significant witness interviews conducted by the same officers after ECI training (N = 35) and the real life interviews conducted by the PEACE trained officers (N = 44). These interviews are described fully in chapter 2 (for the PEACE comparison assessment and study 2) and chapter 5 (for study 3).

To provide findings with greater ecological validity in order to inform and improve real life practice only real life interviews were examined, as opposed to simulated interviews where an actor role played either the suspect or witness. Simulated interviews lack real world jeopardy and it is the questioning behaviour of police officers in real life cases which has been the source of much criticism in the past (e.g. George, 1991; McLean, 1992; Gudjonsson, 2003). A breakdown of the types of cases included in these interviews is shown in table 7.1.

Table 7.1 – breakdown of case types examined in study 5

Case type	Baseline		Real life 1		Witness	
	No.	%	No.	%	No.	%
Murder	1	2%	21	60%	10	28
Sexual Assault	15	34%	3	9%	21	59
GBH	6	15%	5	14%	4	11
ABH	9	20%	0	n/a	0	n/a
Theft	11	25%	2	6%	1	2
Other	2	4%	4	11%	0	n/a
<b>Total</b>	<b>44</b>	<b>100%</b>	<b>35</b>	<b>100%</b>	<b>35</b>	<b>100%</b>

## Procedure

The procedure for the study had three separate phases. In the first phase of the study, an individual GQM for each interview collected was constructed by listening to audio tapes of each interview (see coding and scoring below). The second phase of the study consisted of examining all the GQMs that had been constructed in order to identify and define distinct questioning strategies which were apparent from the data. This examination consisted of visually scanning the different patterns of question use, as recorded onto the GQMs according to the type, frequency and chronology of questions employed by the interviewers and also assessing the subject matter selected by the interviewers. In the third phase of the study the GQMs from the suspect and witness interviews were then re-examined and allocated to one of the categories defined in phase two according to the different questioning strategies defined in phase two. Before presenting the results it is necessary to explain the coding and scoring of the interviews examined.

### *Coding and scoring: the Griffiths Question Map*

The coding and scoring of the patterns of questions and subject matter covered within the interviews was accomplished using a specific rating tool developed for use within this study, called the Griffiths Question Map (GQM). The fundamental issue in coding the questions within the interviews accurately was defining the different question types that were relevant to the task. Numerous classifications of question types are listed in the general literature on communication skills and the specific literature on investigative interviewing. For example, Hargie and Dickson (2004) when discussing general communication skills defined 17 different question types in five separate categories as shown in table 7.2.

Table 7.2 – Question classifications and types as defined by Hargie and Dickson (2004)

Category	Question type	Definition	Example
Open and Closed	Open	Broad in nature, longer answer, more than 1 or 2 words	Tell me about your holiday. Tell me more.
	Closed	Has a correct answer, yes/no. selection or identification quest.	Are you married? Are you married, single, divorced...?
Recall and Process	Recall	Simple recall of information	What year did you leave school?
	Process	Need higher cognitive process to answer	Give me three reasons why you think house prices will fall.
Probing	Clarification Justification Relevance Extension Echo Accuracy Non-verbal probes	All follow up questions designed to get respondents to expand an original answer and requiring slightly different information	Just go over those reasons again please.
			Tell me more about the role of parents in that.
			Single parents, you say?
Conversational leads	Simple leads	Leading respondent to answer required	You do, of course, go to church don't you?
	Conversational leads	Everyday remarks as part of conversation	Wasn't that a bad accident yesterday?
Individual Qs	Rhetorical	No answer required	I'm hungry, aren't you?
	Multiple	Two or more questions as one	Was the car big or small, had you seen it before?
	Affective	Related to emotions or feelings	How did that make you feel?
	Leading	Containing assumptions	If you think the car was dark, do you mean black?

The literature specific to interviewing has also classified question types. Milne and Bull (1999) categorised questions specifically with reference to their active use in investigative interviews with witnesses. Milne and Bull (1999) noted that the interviewer has the opportunity to skew the interviewee's account, and

divided six question types into two categories, namely appropriate and inappropriate types of questions as shown in table 7.3.

Table 7.3 – *Question classifications and types as defined by Milne and Bull (1999)*

Category	Question type	Definition	Example
Appropriate	Open ended	Best type of question; the interviewee is able to give an open unrestricted answer	Tell me everything you can recall about the car that you saw.
	Closed	Allowing only a relatively narrow response, usually consisting of one word or phrase and often commencing with the words: Who, What, Where, When, and Why.	What colour was the car that you saw?  What make was the car?
Inappropriate	Forced choice	Presenting the interviewee with a finite number of options from which to choose an answer	Was the car big or small?
	Multiple	Two or more questions as one	Was the car big or small, had you seen it before?
	Leading	Suggesting the correct answer to the interviewee within the question.	If you think the car was dark do you mean black?
	Misleading	Suggesting an incorrect answer to the interviewee within the question	If the car was dark it couldn't have been light grey, could it?

There is agreement between the two question classifications in their definition of open, multiple and leading questions. However, there is fundamental disagreement in the other categories. For example the question 'Wasn't that a bad accident yesterday?' which is cited as a conversational lead by Hargie and Dickson (2004), is either a leading or misleading question according to Milne and Bull (1999), depending on whether there was an accident and how serious it was. Overall these two examples of question classification show the difference in opinion that exists with regard to question types and how different situations affect the appropriate or inappropriate use of questions.

The main reason for the difference between the two classifications of question types listed above is that one was compiled with reference to general interpersonal communication and the other originated from the specific application to investigative interviewing. The Hargie and Dickson classification (2004) is passive in that it simply describes different types of question but does not apply any *value* to the question types it defines. The Milne and Bull (1999) classifications are driven by whether the question is appropriate or inappropriate. However, although they may differ on the definition of certain forms of words, both question type classifications quoted above define questions according to the form of words in one sentence. As described above, a question can be read totally differently if defined pragmatically in the context of the questions that come before and after (Ulijn and Verweij, 2000). The sequence and chronology of questions is a crucial consideration when seeking to examine question usage across an investigative interview. For example, the apparently leading question 'What made you want to kill him?', when taken in isolation, is defined differently if it occurs in the following sequence:

- Q            Tell me what happened at your flat last night.
- A            You'd have done the same, if you'd have come home and found him like I did. I really wanted to kill him.
- Q            *What made you want to kill him?*

Seen in the context of this sequence the question 'What made you want to kill him' is a question that asks for more information. It *probes* the previous response by asking for more information about the 'what'. Therefore the use of the question in this scenario is as a probing question, not leading and not inappropriate.

The final design of the GQM used eight question types that were defined pragmatically (Ulijn & Verweij, 2000) when using the tool. The questions comprised three question types that were categorised as appropriate and five that were categorised as inappropriate to capture the full range of question usage in investigative interviews with both witnesses and suspects. The appropriate question types were; *open questions* defined as those allowing a



full range of response (e.g. 'Describe everything that happened in the shop?'); *probing questions* defined as being more intrusive and requiring a more specific, focused answer. *Probing questions* usually commence with or use the active word who, what, why, where, when, or how, (e.g. 'What part of his body did you kick?'); and *appropriate closed yes/no questions* are generally used at the conclusion of a subject where open and probing questions have been exhausted or where the use of a closed yes/no question is necessary to establish a legal point such as intent in an interview with a suspect (e.g. 'Did you strike the other man more than the single time you have described?'), or consent in a witness interview (e.g. 'Did you give this man permission to use your car at any point in this conversation?').

The inappropriate question types were:

*Inappropriate closed yes/no question*, which could appear identical in wording to an 'appropriate closed' question but are used at the wrong point in the interview and are therefore unproductive because they allowed an evasive interviewee the easy option in giving less detailed answers (e.g. 'Did you punch the man?') or closed down a compliant interviewee unnecessarily (e.g. 'Did you see anything else?').

*Leading question*, a question that suggests an answer. In the classification for the current study, this incorporates both leading and misleading questions. The difference between leading questions and misleading questions is that the former suggests an answer (e.g. 'would you agree that you are aggressive after drinking?') while the latter may include false information based on an assumption of the interviewer (e.g. 'what made you pick up the knife?').

*Multiple question*, defined as asking a number of questions at once, making it difficult to ascertain which one the interviewee is meant to answer (e.g. 'What I want to know is how you got there, what you did once you were inside and when you first decided to steal the car?'). This definition also included multiple *concept* questions that ask the interviewee to focus on different senses simultaneously (e.g. 'what did you see immediately after the gun went off and how did you feel?').

Forced choice question, a question that only offers the interviewee a limited choice of responses (e.g. 'Did you kick or punch the other woman?').

Opinion or statement, the last type of inappropriate question, is technically not a question but is often seen in unskilled interviews where the interviewer expresses their own view about the case (e.g. 'I think you did assault the other person'). These statements can be used with a pause to obtain a reaction (answer) from an interviewee and are inappropriate because an interviewer should not express their opinion within an interview.

The GQM was designed as a graph which allocated one line for each of the eight question types used running across a page from the vertical axis so that every question used in an interview could be sequentially plotted onto the appropriate line as it was used by the interviewer. The plots were joined so that a map was formed of the question usage across the timespan of the interview as can be seen in figure 7.1 below.

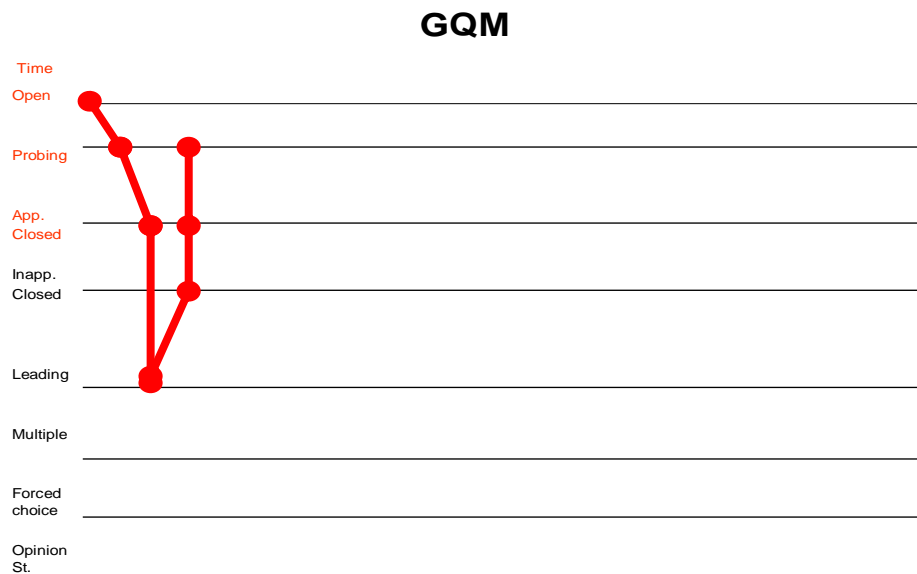


Figure 7.1 – A short sequence of questions as plotted onto a GQM

The horizontal axis was used to record the chronological number of each question enabling detailed analysis of the total number of questions asked within the interview so that a complete picture of the sequencing, type, frequency and distribution of the questions used in the interview could be viewed. An example of a finished map can be seen in figure 7.2.

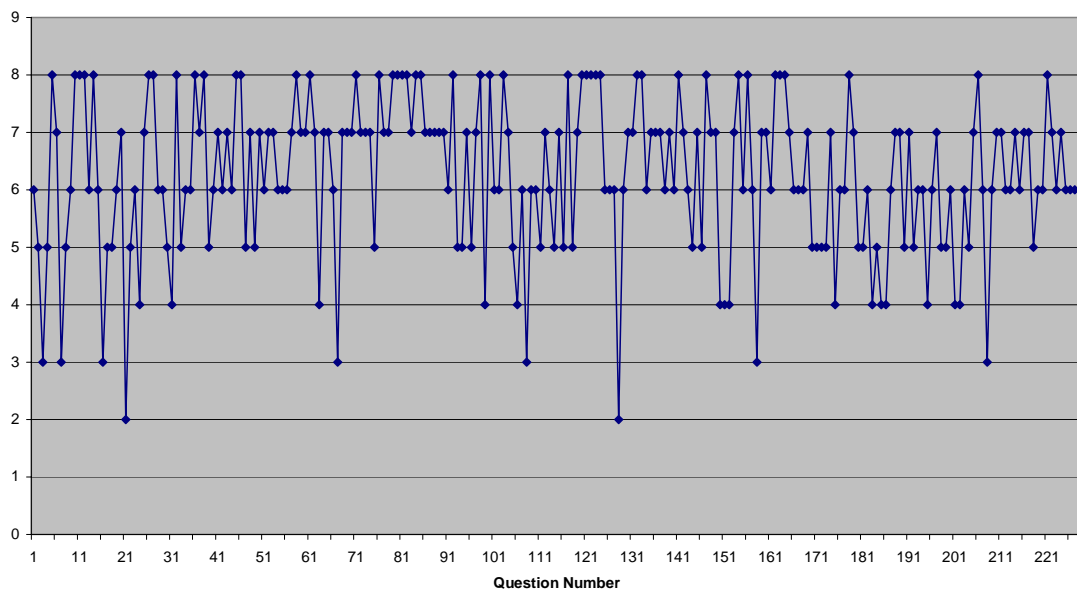


Figure 7.2 – A completed GQM showing 228 questions across a 145 minute interview

In addition to plotting the questions used in the interview, the GQM also captures the duration and subject matter covered in each part of the interview. This is recorded as the time a section commenced and concluded and a recognisable title of that section (e.g. 45 minutes – 49 minutes ‘Visit to Red Lion pub’). The inclusion of these details allows analysis of the subjects covered in the interview, the order they were covered in, and the amount of time spent on them (Appendix K shows a complete draft GQM as used to assess investigative interviews).

### *Inter-rater reliability*

Prior to the current study, the GQM was evaluated by training 40 advanced interviewers in its use and then comparing the results when the officers were asked to use the GQM to assess the question usage in a video clip of a mock interview.

The advanced interviewers that assisted in this process were all detective officers (n= 32 male, n=8 female), who had successfully completed the three-week advanced suspect course. They had varying levels of police service with at least 18 months in service as a detective. They participated in this process in groups of eight as part of a two-day refresher training programme for all advanced interviewers. The interviewers were first given a theory revision session on the use of questions and different question types. Following this, the interviewers were introduced to the GQM and trained in its use. The advanced interviewers were also shown completed examples of GQMs to familiarise themselves with the different maps produced by different interviews. This session included specific instruction on the definitions of the question types used in the GQM.

The interviewers were then asked to use the GQM to identify the question types in a video clip of an investigative interview they were shown. The clip was of a simulated investigative interview with an actor playing the role of a suspect. The clip lasted approximately 17 minutes and consisted of 53 questions. The clip was taken from a mock interview and the questions were varied although the majority were appropriate. The GQMs completed by the officers were collected and the results compared against a GQM completed by the author. This revealed some interesting issues with regard to inter-rater agreement. Officers achieved very high levels of agreement when assessing inappropriate questions; there was 100% agreement across officers when identifying multiple questions and forced choice questions, and 92% agreement when assessing leading questions. However, officers did not achieve these levels of agreement when assessing appropriate questions and closed questions. Table 7.1 shows the complete results for the inter-rater agreement process.

During a de-brief it became apparent that certain officers focused on the first word of the question and defined the question from this word regardless of what followed; this resulted in disagreement over whether certain questions were open questions or probing questions. An example of this was the question ‘Describe what happened *next*’. Most officers defined this as an open question whereas a minority defined this as a probing question on the grounds that the word ‘*next*’ placed an end parameter on the interviewee not to proceed beyond a certain point in their account. This issue is accounted for in the definition that was used for open questions. The wording of that question does not limit the detail that is being asked for; the question is asking for detail by use of the verb ‘describe’. This example simply reinforces the complexity of question definition.

As can be seen in table 7.4, the overall level of agreement between officers for open questions was 84% and for probing questions was 89%. However, the level of agreement between all raters for the correct use of closed yes/no questions was only 66%; raters often had conflicting views on whether these questions were *appropriately* used in the clip, although all the advanced interviewers correctly identified closed yes/no questions on every occasion they occurred.

Table 7.4 – *Inter-rater agreement for GQM question types*

Question types	Interview Excerpt <i>N</i>	Inter-rater agreement					Overall	
		Group 1 <i>N</i>	Group 2 <i>N</i>	Group 3 <i>N</i>	Group 4 <i>N</i>	Group 5 <i>N</i>	<i>M</i>	%
Open questions	10	9	8	8	9	8	8.40	84%
Probing questions	15	15	12	13	13	14	13.40	89%
Appropriate closed	5	3	4	3	3	3	3.20	64%
Inappropriate closed	5	3	3	3	4	4	3.40	68%
Forced choice	3	3	3	3	3	3	3.00	100%
Leading	5	5	5	4	4	5	4.80	92%
Multiple	5	5	5	5	5	5	5.00	100%
Opinion/statement	5	5	5	5	5	5	5.00	100%
Total	53	48	45	44	46	47	46.2	87.10%

The combined inter-rater agreement for all question types was 87.1%. This was almost identical to the levels of inter-rater agreement found between raters in a study of question types employed by Canadian investigators in interviews with adult witnesses where there was 87.7% agreement across all question types (Wright & Alison, 2004). Significantly, the breakdown of inter-rater agreement per question type in that study was not published.

Following design and testing the GQM was used to assess all interviews examined in the current study.

## Results and discussion

The construction and examination of the question maps derived from the coding of the interviews in this study did identify both appropriate and inappropriate questioning strategies used by the participants. Three distinct questioning strategies were identified for suspect interviews conducted by the participants. Each of the strategies was named for ease of recognition. The names were (i) the unskilled interview strategy, (ii) the oppressive interview strategy, and (iii) the skilled interview strategy. The witness interviews examined, however, did not reveal a variety of distinct question strategies; instead only one questioning strategy was identified. This was called the AI witness interview strategy.

The main findings will now be presented under the titles of each of the questioning strategies defined. Each section will commence with a definition of that particular questioning strategy and report the number of interviews that were allocated to that category from the interviews examined. The section will then go on to give a detailed example of one interview typical of that category. The example will comprise a GQM of the interview, tables of the number and type of questions asked and transcripts of passages of questions and answers.

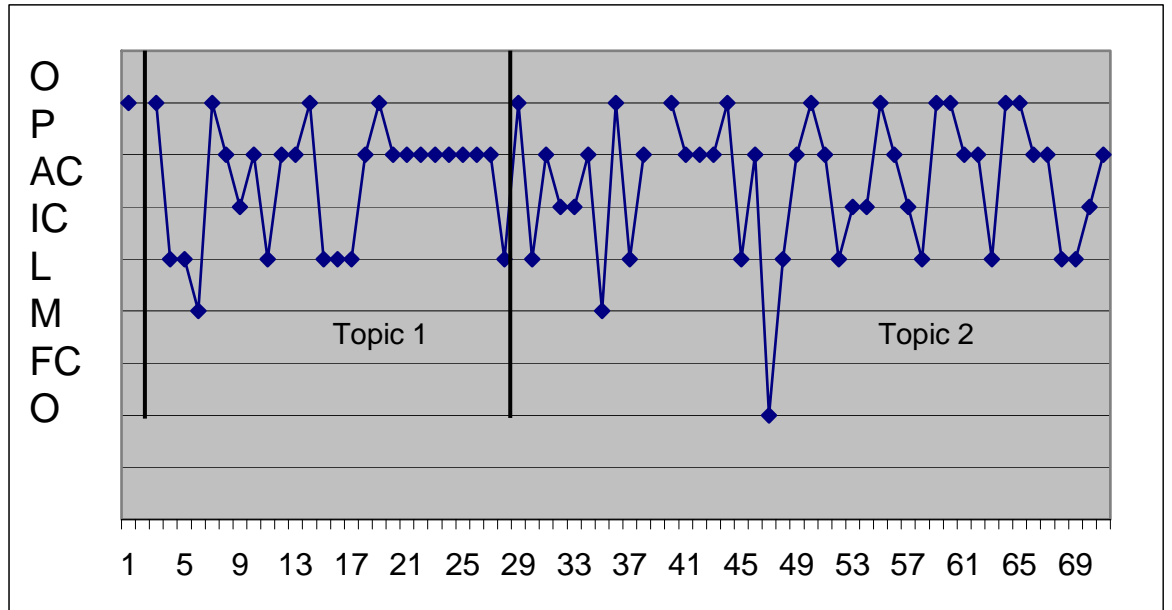
### *The unskilled interview strategy*

The unskilled interview strategy was characterised by a disorganised approach by the interviewer. The interviewer typically used both appropriate and inappropriate question types and often topic hopped, i.e. asked several questions on one subject before switching to another subject and then returning to the first subject. This often resulted in incomplete coverage of important subjects or repeated questioning on one area at different parts of the interview. The use of inappropriate questions, typically closed yes/no questions at the wrong time, multiple questions and leading questions occurred during these interviews but lacked the confirmation bias of the unlawful interview (see below). A total of thirty nine of the suspect interviews examined were allocated to this category. All of these were conducted by the PEACE trained officers.

The GQM reproduced in figure 7.3 is an example of an unskilled interview. The interview was conducted with a juvenile male suspect accused of unlawful sexual intercourse with a 15-year-old girl. The interviewer was a detective who had received one week's PEACE training as part of detective training. The suspect was accompanied by a legal adviser during the interview.

The interviewer opened the question phase of the interview by saying, '*We want to talk to you about an allegation made by X about having underage sex with her. This is your opportunity to tell me your story,*' (Q1). This question produced a two-minute account from the suspect in which he said that he knew the girl making the allegation and that he and five friends, including the complainant, were in a car that belonged to a mutual friend on the occasion when the offence allegedly took place.

The suspect added that he had left the car with another boy to go to 'the shops' and denied intercourse had taken place with the girl. The interviewer treated this response as the first account and summarised the reply and then asked further questions on various topics for the remainder of the interview. The first of these was about the car where the incident occurred (T1), which lasted seven minutes. The second topic (T2) concerned the other people in the car; this lasted five minutes.



O =open, P=probing, AC= appropriate closed, IC = inappropriate closed, L = leading, M = multiple, FC = forced choice,  
 O =opinion/statement

Figure 7.3 – GQM example of an ‘unskilled’ interview strategy

The 25 questions asked in topic 1 (shown in the GQM) are a combination of appropriate and inappropriate questions. In order to demonstrate this further, these questions are reproduced in full in Appendix L with their categorisations as allocated in the GQM. After concluding the area of questioning about the car, the interviewer then asked a series of background questions about the people the suspect had named. This is shown as topic 2 on the GQM. These questions were again a combination of appropriate and inappropriate questions. Table 7.5 shows the type and frequency of the questions used across the section of the interview shown in the GQM.

On first impressions the interviewer appears to have a relaxed style. The suspect was not rushed over his answers and the whole exchange was friendly. Table 7.5 shows the type and frequency of the questions and indicates that 69% of the questions in topic one were appropriate, made up of open, probing and appropriate closed questions. However, the GQM indicates a random selection of different question types across topic 1, which is inefficient. The



suspect's first response indicated that he knew the complainant and had been present in a car (where the offence allegedly took place) with the complainant and others on one particular day. The interviewer dealt with this reply as a 'first account' and summarised it before starting to ask further questions about the car.

The GQM also reveals that the sequencing of the subsequent questions was unskilled and that inappropriate questions occurred regularly throughout the topic resulting in a stilted exchange because the interviewer regularly asked closed questions inappropriately. This approach has something of an erratic sequence about it (Kestler, 1982) although it appears to be an accidental approach as opposed to deliberate because of the lack of leading questions. Therefore, this approach can be more accurately termed the random sequence. There is no suggestion of a confirmatory bias from the interviewer looking at the content of the questions. The questions simply suggest that the interviewer is not skilled in obtaining information.

Table 7.5 – *Type and frequency of questions in an unskilled interview*

Question type	Topic 1		Topic 2	
	No.	%	No.	%
Open questions	4	15%	10	24%
Probing questions	13	50%	15	36%
Appropriate closed	1	4%	6	14%
Inappropriate closed	7	28%	9	21%
Leading	1	4%	1	2%
Multiple	n/a	n/a	n/a	n/a
Force choice	n/a	n/a	1	2%
Opinion/statement	n/a	n/a	n/a	n/a
<b>totals</b>	<b>26</b>	<b>100%</b>	<b>42</b>	<b>100%</b>

Very early in the topic the interviewer wanted information about the car, which was central to the investigation, and after asking the interviewee to tell everything he knew about the car (Q2), the interviewer asked two closed questions. This gave the interviewee the chance to give short uninformative answers (Q3 & Q4). Further on in the topic the interviewer asked a series of eight laborious probing questions about who sat where in the car (Q20-Q27). A more open approach based around asking the suspect to describe who was sitting where in the car would have obtained longer replies and more information. Therefore, although the table records the fact that 69% of the questions asked in topic 1 were appropriate the GQM displays that an inappropriate sequencing of questions occurred throughout the topic, that the questioning style was random and that the interviewer asked too many questions for the information gained from an apparently co-operative interviewee. The fact that 32% of the questions in this topic were closed (either appropriate or inappropriate) is a further indication that the interviewer's approach was inefficient. Closed questions are important in investigative interviews but their use in the first topic of an interview, where the interviewee is giving an account and the interviewer should be gathering information, is incorrect.

Seventy-four per cent of the questions in the second topic were appropriate. The sequencing of the questions was improved here as the first question about each individual tended to be open before being followed by further probing questions for detail in a funnel sequence. However, inappropriate closed questions were used frequently throughout the interview (36% of questions). The GQM displays the distribution of questions throughout the topic in a way that is more helpful in identifying the weaknesses in this approach. This interview is not unlawful but in terms of skill the interviewer has used 70 questions across a short timespan to obtain comparatively little information. This approach has a number of consequences. Within the interview the interviewer would become fatigued more quickly due to combining the multiple tasks of framing each question, processing the information given in the answer, comparing this with other case information and then framing the next question. The interviewee is also likely to become tired with the process. There is a

possibility that by the time the interviewer reaches the most important part of the account both parties will be tired and important information will be missed.

Overall, the unskilled interview is identical to the disorganised and unskilled approach note by Baldwin (1993).

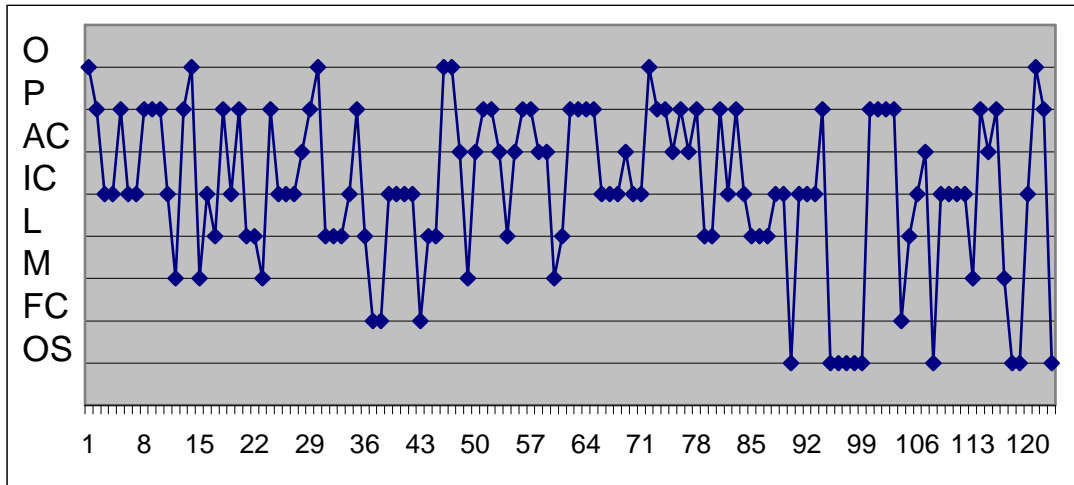
### The oppressive interview strategy

The oppressive interview strategy was characterised by the predominant use of inappropriate questions and a guilt bias on behalf of the interviewer. Whereas the inappropriate questions in the unskilled interview occurred in combination with appropriate questions, the oppressive interview featured sequences of inappropriate questions, generally directed to gain agreement from the suspect to an assertion made by the interviewer. In addition the oppressive interview strategy topic hopped but consistently returned to topics associated with the perceived guilt of the suspect. The oppressive interview strategy was also characterised by premature and unsupported accusations of guilt made by the interviewer to the suspect. Only three interviews were allocated to this category. All were conducted by PEACE trained interviewers in the PEACE comparison assessment.

The interview used as an example in this section was deemed unlawful during a trial and resulted in the acquittal of the defendant. The interview was conducted by a detective, who had received PEACE training as part of detective training, and specialist interview training to interview child victims of sexual abuse. The interview was in relation to a child abuse allegation. The suspect was an educated professional who was accused of indecently assaulting a nine year old girl during the night when she 'slept over' at the suspect's house with the suspect's own daughter and family.

The interviewer had also interviewed the complainant in this case and references to the credibility that the interviewer attached to the allegation played a crucial part in the interviewer's mindset when interviewing the suspect.

Figure 7.4 shows the GQM for a 45-minute portion of the interview that was the bulk of the interview.



O =open, P=probing, AC= appropriate closed, IC = inappropriate closed, L = leading, M = multiple, FC = forced choice,  
 O =opinion/statement

Figure 7.4 – GQM example of an oppressive interview strategy

The selection of subjects covered in the interview was unstructured and it was impossible when listening to the interview to define and mark recognisable topics covered by the interviewer. Questions about what time the complainant arrived at the suspect’s house were interspersed with general questions about the suspect’s bedtime routine, work routine and clothing on the day of the alleged incident. Therefore, the GQM and table 7.6, which denote the type and frequency of questions asked, are presented for the whole interview and not separately for the first account and topics as previously.

In an interview of this kind, which was excluded by the trial judge and resulted in the acquittal of the suspect, the type and frequency of the questions asked (as displayed in table 7.6) *do* reflect the unfair nature of the interview. The table shows that only seven open questions were asked in the whole interview (6%) and 71 inappropriate questions were asked (58%). These facts alone assist in the assessment of the interview. However, the GQM provides more detailed information about the way in which the interview progressed.

Table 7.6 – Type and frequency of questions in an oppressive interview strategy

Question type	Interview	
	No.	%
Open questions	7	6%
Probing questions	33	27%
Appropriate closed	12	10%
Inappropriate closed	33	27%
Leading	17	14%
Multiple	7	6%
Forced choice	4	3%
Opinion/statement	10	8%
<b>totals</b>	<b>123</b>	<b>100%</b>

The map of this interview is noticeably different from the previous example. The map is dominated by inappropriate questions from the early stages, which become more frequent as the interview progresses. This interview does display an *erratic* sequence of questions (Kestler, 1982) but is also accompanied by a guilt bias from the interviewer. The unskilled interview showed a random pattern that used numerous closed questions inappropriately combined with open and probing questions but few leading, forced choice or multiple questions. This interview fluctuates wildly between all the inappropriate question types, but features sequences of leading questions. In addition, the profile of the questions shows a downwards trend towards the bottom of the map as the interviewer progresses from asking a mixture of appropriate and inappropriate questions to expressing a series of unfounded opinions about the perceived guilt of the suspect.

The lack of discernable topics in the interview suggests a lack of preparation and planning. The end result of the interview suggests this may have been due to the interviewer's belief in the suspect's guilt – why prepare to question the suspect when you know he is guilty? The suspect stated in the early part of the

interview that he was downstairs alone with the girls after his wife and the au pair went to bed upstairs because he was using a computer to access emails. However, this disclosure was never probed by asking for details of whom the suspect had emailed and which emails he had read. This extra detail could have corroborated or negated the suspect's account, particularly if followed by subsequent examination of the computer. Instead, after approximately 67 questions the interviewer started to express his opinions and this can be seen on the map where the questions spiral down from an open question (Q73) through a series of inappropriate questions to the first statement made by the interviewer (Q90) which was *'I have spoken to this girl. I have no doubt what she said is the truth'*.

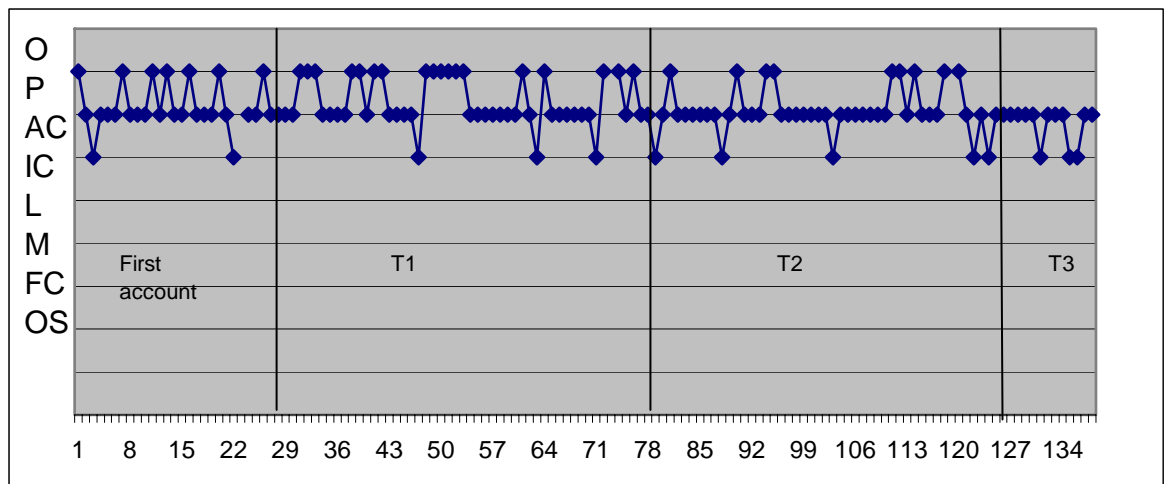
The oppressive interview demonstrates a phenomenon known as 'epistemic motivation' (Ask, 2006) where the interviewer's behaviour, during the interview, was influenced by a pre-determined opinion of what had taken place. The interviewer made several similar statements in the following passage. The interviewer then proceeded to ask a number of questions about whether the suspect was under stress at work. When challenged by the solicitor over the relevance of these questions the interviewer said that if the suspect had committed the offence then stress at work might have been mitigation. The relevance in mentioning these questions (one open question and seven probing questions) is that they feature as statistics regarding the type and frequency of questions asked. This is an indication of how misleading the bare figures can be without knowing the sequence in which they were asked.

The pattern of questions in this interview reflects the fact that the interview was dominated by inappropriate questions from an interviewer with a guilt bias towards the suspect. The interview did not obtain an account from the suspect and culminated with unfounded allegations made by the interviewer purely based on his opinions having previously interviewed the complainant.

## The skilled interview strategy

The skilled interview was characterised by a deliberate questioning strategy and the use of appropriate questions throughout. Also, the skilled interview featured coverage of relevant subject matter in well organised, logical topics which attributed relevant time allocation to each subject. The questioning strategy included the use of a variety of questioning strategies according to the phase of the interview. Thirty seven interviews were judged to be skilled, these comprised all the interviews conducted by the advanced interviewers and two conducted by PEACE trained interviewers.

Figure 7.5 shows the GQM for an extract of an interview with a murder suspect who was denying the offence. The case involved a fight at a party. The suspect had been arrested soon after the incident because he was named as the offender by witnesses. However, the suspect had made no comment to all questions in the preliminary interviews. At the commencement of this interview the suspect admitted being present and being involved in the fight but said that the dead man was the aggressor. The GQM shown in figure 7.5 covers the first account obtained from the suspect following the admission that he was present and the first three topics then selected and covered by the interviewer. This interview lasted a total of one hour ten minutes and consisted of 144 questions.



O =open, P=probing, AC= app. closed, IC = inapt. closed, L = leading, M = multiple, FC = forced choice, O=opinion

Figure 7.5 – GQM example of a skilled interview strategy

The GQM shows that the map of this interview is different from the previous maps and demonstrates that the questions used by the interviewer were confined to the three appropriate types, open, probing and appropriate closed. No inappropriate questions were asked during this interview. Table 7.7 shows the complete breakdown of the type and frequency of all the questions asked in this interview.

Table 7.7 – *Type and frequency of questions in a skilled interview*

Question type	Account		Topic 1		Topic 2		Topic 3	
	N	%	N	%	N	%	N	%
Open questions	6	27%	17	33%	10	22%	1	6%
Probing questions	14	64%	31	61%	32	71%	12	67%
Appropriate closed	2	9%	3	6%	3	7%	5	28%
Totals	22	100%	51	100%	45	100%	18	100%

One of the reasons that this interview is skilled is the fact that the interviewer alters his approach at different points in the interview and this is depicted by the map. The opening of the interview shows that the interviewer is using a balanced combination of open and probing questions to obtain the account offered by the suspect. As explained above, the account given by the suspect is a fairly typical account in that the suspect admits he was present and involved in a fight but maintains that the evidence obtained from the witnesses is wrong. The reason that the suspect has altered his stance from one of not replying to any questions is not clear, but probably stems from the fact that he had realised that someone who knew him had named him as being present and so a complete denial would be futile.

In these circumstances the interviewer needs to focus on the *detail* of what the suspect is saying, as this has the potential to either strengthen or negate his



account. The interviewer must be mindful of the possibility that the witnesses are mistaken and probe the suspect's account searching for the necessary detail. The question sequences in this interview display, at different times, *funnel* sequences (Kahn & Cannel, 1957) where a sequence of questions commences with an open question and becomes progressively more focused, using probing questions then a closed question and *tunnel* sequences (Stewart & Cash, 2000) where there are sequences of the same question type, plus combinations of the two.

Topic 1 concerned general detail about who the suspect was with prior to the party and how he had heard about the party. The ratio of questions was still fairly balanced between open and probing questions but reflects the stance of the suspect in that he is resistant, giving brief answers wherever possible.

Topic 2 concerns the first time that the suspect and his friends went to the party and were refused entry. The ratio of probing questions increases during this topic, as the interviewer goes about committing the suspect to add detail to his first account. Numerous sequences are shown in the GQM where the interviewer uses an open question to initiate a subject before asking several probing questions on the same subject, and then concludes the questioning on that subject by asking a closed question appropriately before repeating the process for a different subject within the same topic.

Topic 3 is a very important area as it concerns the argument and first physical contact between the suspect and victim. This is obviously crucial to the issue of intent, as the suspect was alleging that the deceased was the aggressor. In topic 3 the ratio of open to probing question alters dramatically. At the start of topic 3 one open question is used to initiate a short sequence of questions before the interviewer uses a sequence of probing questions, interspersed with several appropriate closed questions to obtain fine grain detail about who started the argument. The sequence, which should be read in the context that this was a resistant interviewee, went as follows:

Q97            Tell me again about the argument? (Open)

A                Well, he started on me for no reason. Fair enough we'd tried to

- bunk the party but it was no big deal. He was well aggressive
- Q98 What was the first thing he said to you? (Probing)
- A Can't really remember. I just know he was bang out of order and we could see he was going to kick off. I was saying that it was going to kick off. I didn't want any trouble.
- Q99 Did you tell him that? (Appropriate Closed)
- A No, didn't get a chance
- Q100 Who started the fight? (Probing)
- A He did, he landed me a good one in the face
- Q101 Are you sure about that? (Appropriate Closed)
- A Yeah, yeah
- Q102 What do you mean by landed? (Probing)
- A Punched
- Q103 Where exactly did that punch land? (Probing)
- A My nose
- Q104 What did you do immediately after he hit you? (Probing)
- A Hit him back.
- Q105 Where exactly did you hit him? (Probing)
- A His guts. I still didn't want trouble
- Q106 How hard did you hit him? (Probing)
- A Not too hard
- Q107 How did he react when you hit him? (Probing)
- A Went completely mad.

This sequence can be described as an '*extended funnel*' where the questioning moves from open to probing to closed but the amount of detail required and the stance of the interviewee mean that the interviewer uses a sustained sequence of probing questions before closing the subject with an appropriate closed question.

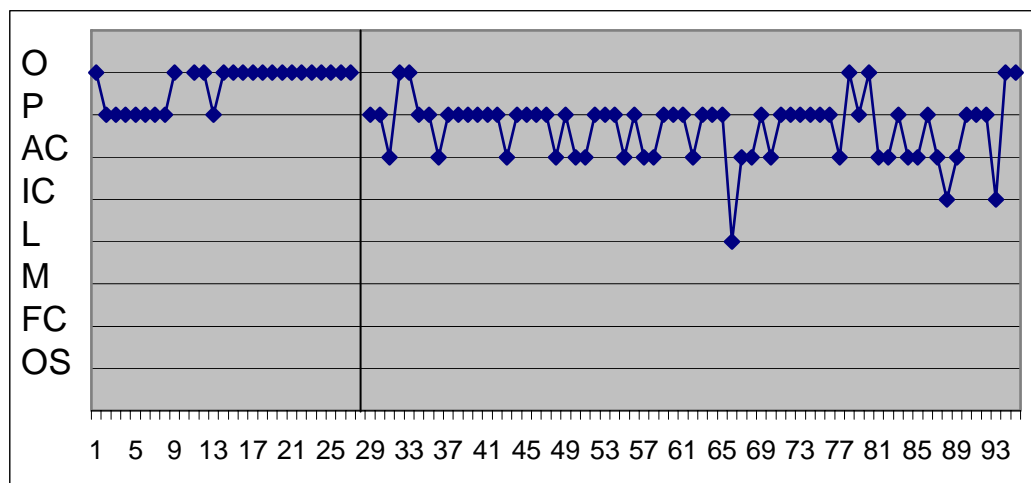
On a basic level, both the GQM and the table of types and frequencies of questions asked show the fact that no inappropriate questions were asked in this interview. However, it is the interviewer's ability to tailor an interview to the individual circumstances of the case that is reflected in the pattern of questions and that cannot be captured by gate scoring the type and frequency of

questions. The changing profile of the questioning in this interview can be seen immediately in the GQM.

### The AI witness interview strategy

The AI witness interview strategy was characterised by a task orientated direct approach which obtained a chronological account from the witness through a sequential time line of topics relating to the incident. The AI witness interview strategy used appropriate question types but employed inappropriate sequences of questions which constrained the interviewee and directed the flow of the interviewee for the convenience of the interviewer. All forty four witness interviews conducted by the advanced interviewers were allocated to this category.

Figure 7.6 displays an example of an interview with a rape victim. The interview took place in two parts, as shown on the GQM. The initial phase of the interview, which took place following the mental reinstatement of context and initiation of a free recall shown as the first question Q1, lasted approximately 40 minutes, consisted of 25 questions and included a 12-minute free recall from the interviewee.



O =open, P=probing, AC= app closed, IC = inapp. closed, L = leading, M = multiple, FC = forced choice, O =opinion

Figure 7.6 – GQM example of the AI witness interview strategy

Following a break, a further phase of questioning lasting about 22 minutes took place, which consisted of 71 questions. Table 7.8 shows the breakdown of the type and frequency of questions used by phase of interview.

In the first part of the interview, 72% of the questions used by the interviewer were open questions. However, the GQM reveals that after the initial free recall the interviewer asked seven probing questions. This is not what is advocated in the ECI model, where the initial free recall should be followed by other retrieval attempts initiated by further context reinstatements. The interviewer did then ask a sustained sequence of open questions prior to the break in the interview.

The second phase of the interview was dominated by probing questions and so, even though only three inappropriate questions were asked in the whole interview, the GQM indicates that the ECI model was not used for this interview. Instead, following one free recall, the interviewer pursued a conversation management style of interview, which has a profile not dissimilar to a skilled interview with a suspect where the interviewer used tunnel sequences of probing questions that sought fine grain detail that could have been obtained through the use of open questions.

Table 7.8 – *Type and frequency of questions in an AI witness interview.*

Area of the interview	Recall/first account		Question phase	
	N	%	N	%
Open questions	18	72%	6	8%
Probing questions	7	28%	41	58%
Appropriate closed	0	n/a	21	30%
Inappropriate closed	0	n/a	2	3%
Forced choice	0	n/a	0	n/a
Leading	0	n/a	1	1%
Multiple	0	n/a	0	n/a
Opinion/statement	0	n/a	0	n/a
<b>totals</b>	<b>25</b>	<b>100%</b>	<b>71</b>	<b>100%</b>

The map indicates that the interview would have been difficult for both interviewee and interviewer, with over 90 questions asked in little over 60 minutes. Although the table of results shows that the second part of the interview contained a high percentage (58%) of probing questions it is the pattern of questions that more accurately displays the distribution of the questions in a way that could be used to develop the interview skills of the interviewer. The GQM used as an example here is representative of the witness interviews conducted by the advanced interviewers in study 3 and highlights their collective failure to use the most appropriate questioning style for victims and witnesses in major cases.

During the inter-rater process, the advanced interviewers showed high levels of awareness of inappropriate question types, which was a positive result in terms of interviewers being trained to recognise the questions that should not be used in investigative interviews. However, the lower rate of agreement in the correct identification of different types of appropriate question was less encouraging. Although the purpose of the inter-rater process was to test the inter-rater agreement with regard to the assessment tool for this study, it did also highlight the fact that if advanced interviewers struggle to correctly identify certain question types they will have problems using questions in a skilled manner in investigative interviews. The difficulty the advanced interviewers experienced in recognising the difference between different types of questions has also been found in other research. At the conclusion of a research programme that evaluated the interview skills of Australian child abuse investigators, Wright (2006, p139) stated that “one unexpected finding...was the difficulty interviewers had in recognising what constitutes an open-ended question as opposed to a specific (probing) question”. The fact that highly trained interviewers in two different studies have been found to have difficulty in distinguishing between two different types of appropriate question reinforces the complexity of questioning as a skill.

This study had certain limitations. One limitation of this study is that the use of a qualitative approach means that the results from the study cannot be generalised. The purposive sampling which re-used interviews from the earlier

studies may have skewed the results towards the hypothesis which was, itself, derived from the findings of those studies. However, the theory that different question strategies are evident within investigative interviews has face validity and is supported by previous research. For example, the studies conducted by Rock (2001) and Wright and Alison (2004) in relation to witness interviews mentioned above. The difference between the previous research and the current study is that previous research focused on identifying malpractice whereas the current study had a more open minded approach and sought to identify all types of questioning strategies that were present in a range of interviews of both suspects and witnesses. Furthermore, the pattern of questions evident in the 'skilled' interview in this study (above) involved a suspect who adopted the stance of answering questions but denying the offence. This same stance was adopted by 80% of the suspects in the real life interviews in study 2 and can be described as a *generally compliant* stance. This level of compliance is not unusual and has been found in previous real life studies (e.g. 83%; Pearse & Gudjonsson, 1996). Therefore, for interviewers faced with this response from a suspect, it is possible to advocate a general questioning strategy, based on the findings of the current study which is independent of the suspect's innocence or guilt and allows thorough examination of the interviewee's account.

In terms of future research the analysis of questioning strategies could be expanded to include coding of the answers given by the interviewee. This would enhance the value of the results by being able to portray the type of answers given to particular types of questions and help resolve the areas of disagreement between raters as the inclusion of answers in the coding would provide an element of triangulation to the definitions. The idea of defining a question by the answer it attracts, i.e. how the question was perceived by the respondent seems logically centred on the person who the question was directed towards.

## Conclusion

The results from the current study are not new in terms of defining interviews as unskilled or oppressive. For example, previous research by Baldwin (1993) identified that investigative interviews conducted by some police officers were disorganised and unskilled. Pearse and Gudjonsson (2003) identified oppressive interviewing by factor analysis of the tactics employed in twenty key criminal cases. Previous research has also defined skilled interviewing in terms of the tactics employed by police officers (e.g. Soukara & Bull, 2006) and desirable interviewer behaviours (e.g. Cherryman, 2000; Cherryman & Bull, 2001). However, common to these previous studies is the use of a quantitative methodological approach to provide statistical findings. This type of approach is important in providing findings which can be replicated in order to provide reliable evidence of a phenomenon. There is no doubt that unskilled and oppressive interviewing occurs, or that skilled interviewing can be achieved.

The results from this exploratory study are, however, innovative, and provide new information about the components of different styles of interview in line with Hollin's (1999) view that psychology should be providing solutions to identified problems. The findings go beyond quantifying either, the type and frequency of questions used or the interviewer behaviours in an interview and actually illustrate the various interview strategies associated with different styles of interviewing.

The main factor behind the unique contribution of the current study is the assessment tool used within it. The GQM has provided a completely new way of assessing question use and interview skill. The visual representation of information via completed GQMs can be used to evaluate interviews across different languages and cultures due to the fact that it does not depend on a final written report. The obvious patterns associated with the different types of interview have a wide range of potential uses from training interviewers to assessing the nature of an interview for court proceedings. Developed into an online training tool it could be used for distance learning where an individual could listen to an interview, make his/her judgement as to the type of questions used and then be provided with the definitive pattern of questions according to

the agreed definitions and previous users' consensus of opinions. Over time, using an electronic version a database could be built that could identify where the most significant agreements and disagreements are in terms of defining questions. In short, the GQM has huge potential as a tool to drive forward the development of questioning as a skill.

The current study has revealed that distinct patterns of questioning associated with different strategies are present within investigative interviews, as shown by the examples of the GQM. The patterns of questions recorded by the GQM have shown that the sequence in which questions are asked and the way in which subjects are selected by interviewers are superior as methods of assessment to gate scoring the type and frequency of different questions across the whole interview. The study has also shown the value of defining questions pragmatically, according to their intent (Ulijn & Verweij, 2000) in this environment. However, the study also revealed how difficult this can be.

Further research into the questioning patterns evident in investigative interviews where interviewees adopt particular stances could identify productive and appropriate questioning strategies for these situations. In this respect, the assessment tool developed for this study can be used by researchers in different languages because the GQM produces a map of the question strategy and language becomes less of a barrier. The GQM has already been used in a study of Estonian child abuse investigators (Kask & Bull, in prep) and as part of a review of investigative interviewing training and procedures in New Zealand (Schollum, 2006).

Studying the questioning patterns employed by investigative interviewers across different languages and investigative cultures can only assist the development of appropriate interview skills.



## **Chapter 8: Does advanced interviewing work? – General discussion and summary of experimental Findings**

### **SUMMARY OF CHAPTER**

The advanced interview training programme was originally designed and implemented on the premise that the original one-week PEACE interview training course did not fully equip police officers to conduct interviews with either suspects or witnesses to a sufficiently high standard in major crime cases. This thesis set out to discover whether this specialised interview training programme did improve the standards of interviewing with suspects and witnesses in real life, serious crime investigative interviews. In order to achieve the aim of the thesis, a methodology was designed that assessed the interview skills and behaviours displayed by a group of police officers (called the AI group) at different points in time before and after the training programme, in both simulated and real life investigative interviews, and with both witnesses and suspects. This final chapter summarises and then discusses the findings of the studies.

## Introduction

The results of study 1 showed a positive training effect for the advanced suspect interview training course across all the areas of the suspect interview model and communication behaviours examined. Study 1 also showed that the AI group was significantly more skilled than other PEACE-trained detectives before training. The discussion focuses on the training design and selection procedure that contributed to these results. The results of study 2 were mixed. The skills associated with most the areas of the interview model demonstrated positive initial transfer from the course to real life interviews with suspects, but then significant erosion when tested 19 months later. The exception was topic structure, which remained strong throughout. Rapport building and conversation management had weaker skills transference initially and also showed evidence of significant decline 19 months later. In contrast, legal behaviours, questioning and listening showed positive skills transfer and no major skills erosion up to 19 months after training. The discussion examines the reasons behind these differing results in the light of similar research on refresher training and ongoing supervision.

The third study in the thesis was an evaluation of real life interviews with significant witnesses conducted by the AI group after supplementary ECI training. The results showed that the level of competence displayed by the AI group when interviewing witnesses in real life was not as high as that which had been displayed when interviewing real life suspects. Comparisons of behaviours common to both suspect and witness interviews showed that the AI group opened the interview, used different types of questions, structured the interview and closed the interview more appropriately in suspect interviews than in witness interviews. The discussion examines the overshadowing effect of the initial suspect interview training and how this may have affected the witness interviews.

The last two studies in the thesis reported detailed examinations of questioning as a skill within investigative interviews. The in-depth interviews conducted with a small group of advanced interviewers in study 4 established that their

questioning strategies were deliberate but inflexible, consciously using probing questions regardless of interviewee stance or interview environment (suspect/witness). This finding indicated a separation between the level of skill required for the identification of appropriate questions and that required for the skilful application of appropriate questions. Study 5 developed this idea through a thematic analysis of the questioning sequences within a variety of investigative interviews and revealed that questioning patterns could be categorised according to the type of interview.

## **Interviews with suspects**

### *Do officers improve after training?*

There was support for the hypothesis in study 1, i.e. that the advanced suspect training course would demonstrate a positive training effect due to its overall design and the fact that the AI group were pre-selected to attend through ability. The 92 behaviours scored during the coding of the interviews evaluated for the study were clustered into nine groups for analysis, which represented the areas of the interview and the communication behaviours involved in investigative interviewing. Before training rapport, summarising, and conversation management were the weakest behaviours while questioning, listening and legal behaviours were the strongest. After training the AI group improved in all nine groups of behaviours examined to a skilled level.

Study 1 also recognised that the interview skills and behaviours assessed could be categorised into two groups – simple behaviours and complex behaviours. Before their training, the advanced interviewers had performed better in the simple behaviours. This was expected as the complex behaviours were those identified as the difference between a PEACE interview and an advanced interview. After their training, the advanced interviewers improved their performance of the simple behaviours and the complex behaviours to a skilled level. This showed that the overall improvement in interview performance seen in the advanced interviewers post-training had not been achieved merely by developing their performance of the simple behaviours. The conclusion

reached, based upon the results of study 1, was that the advanced interviewers significantly improved their interview performance post-training in simulated interviews of greater complexity.

The findings from study 1 concurred with the evaluation of the initial PEACE course (McGurk et al, 1993), which identified improvements in the interviewing ability of the participants after training across a range of interview behaviours. However, the positive training effect from the advanced suspect interview course contradicts the findings from previous research, which has not identified a positive training effect from interview training courses. George (1991) found that the interviewing ability of a group of police officers failed to improve after seven days' training. Warren et al (1999) found that a ten-day training course designed to improve the interview skills of child abuse investigators did not have a significant effect on the questioning ability of the students, but did improve their knowledge of the law and procedure. Lamb et al (2000) found no significant training effect from workshops and intensive instruction given to 21 experienced child abuse investigators, and Myklebust and Bjorklund (2006) found that the questioning ability of 100 Norwegian child abuse investigators failed to improve even after long-term training. The training courses examined by George (1991), Warren (1999), Lamb et al (2000) and Myklebust and Bjorklund (2006) were of varying lengths and designs and confirm that training design may well be a relevant factor in determining whether there is a positive training effect from an interview training course.

The design of both the advanced suspect course and original PEACE course follow the experiential learning cycle (Kolb, 1984) deemed to be consistent with adult learning needs (Knowles et al, 2005). For example, the courses included both theory and practice elements designed to embed new skills as part of an experiential learning cycle (Kolb, 1984). Therefore the success of the advanced suspect as demonstrated by the results of study 1 and the positive evaluation of the pilot PEACE course (McGurk et al, 1993) appear to provide support for the experiential learning cycle put forward by Kolb (1984). However, the positive results of the McGurk et al (1993) evaluation were not echoed by subsequent evaluations of the same design PEACE course (Clarke, 2005). Therefore it is

necessary to identify the key differences between the advanced suspect interview course and the original PEACE course.

Firstly, the advanced suspect course is three weeks long compared to the PEACE course. The concept that a three-week course is more likely to produce a stronger training effect than a one-week course of a similar design has strong face validity. In addition, there is a second, more subtle issue which is significant. The participants in the PEACE pilot course were selected for the training course in question, just like the AI group were selected for advanced training. McGurk himself remarked on the good communication skills of his participants 'both before and after the course' (1993, p23). Both groups were volunteers. The participants in subsequent PEACE courses which were evaluated were not selected as the national implementation decreed that every officer below the rank of Inspector would be trained (Clarke & Milne, 2001). This raises the issue of the motivation to learn. Wlodowski (1985) emphasised the importance of intrinsic motivation in learning. Both the AI group and the pilot PEACE course can be considered as motivated to learn as they volunteered for advanced training. In addition to the evidence provided by the later PEACE evaluations referred to by Clarke and Milne (2001) the studies referred to above (George, 1991; Warren et al, 1999; Lamb et al, 2000; Myklebust & Bjorklund, 2006) make no mention of selection as a factor in their studies, generally referring only to 'experienced' investigators. It is highly likely that the officers in these studies were not volunteers either. Therefore, although the findings of study 1 provide support for Kolb's (1984) theory in terms of the overall training design they also reinforce the importance of motivation as emphasised by Wlodowski (1985) and Knowles et al (2005).

The exact reasons that the advanced interviewers in this research were more skilled than their colleagues who were drawn from the same 'pool' and had the same basic training prior to selection for the advanced suspect course, is intriguing. As recognised in previous research it is a fact that some officers possess a higher degree of natural ability (Baldwin, 1993; Williamson, 1993; Stephenson & Moston, 1994). It was clear that the advanced interviewers reported in this thesis had better questioning and listening skills than the officers in the PEACE comparison assessment. These skills have featured in

previous research as skills that officers feel are important in specialist interviewing (Cherryman & Bull, 2001). Therefore, this series of studies has confirmed the findings of previous research that questioning and listening are vital to the skilled interviewer and are present in skilled interviewers. However, the respondents in Cherryman and Bull (2001) also identified rapport as an important skill and the advanced interviewers in this thesis were not strongly skilled in this area before training.

The question of whether the personalities of the advanced interviewers were responsible for their level of skill has not been answered by this research and is a complicated question. Only one previous study has previously examined the relationship between the personality characteristics of police officers and their interview performance. Sear and Stephenson (1997) used the 'Big-Five' personality factor structure (dominance, agreeableness, conscientiousness, neuroticism and openness) and found that only intellectual open-mindedness was significantly related to interview performance, but that this was a negative relationship. Sear and Stephenson actually described the participants in their study as tending towards 'cold, calculating and dominating' (1997, p32). Gudjonsson (2003) has previously questioned the validity of the methodology in the Sear and Stephenson (1997) study, citing the size of the study, the selective nature of the participants and possible unreliability of the personality measure. The approach of the AI group in the suspect studies was not consistent with this type of personality.

The findings from the previous research and the results from the first study in this thesis tells us that, although training design is very important, interviewing ability is not consistent among police officers and that a selection process is required for any specialist or advanced training.

*Are the skills apparent after advanced interview training transferable to the workplace?*

The real life interviews conducted by the advanced interviewers immediately after training were generally skilled which indicated good skills transference

from the training to real life interviews. This was contrary to previous research (Hoffman, 1983; Fecteau et al, 1995), which suggested that no more than 20% of skills transfer from training courses to the workplace. The level of skills transfer from the advanced suspect course was particularly credible bearing in mind the seriousness of the cases (59% of the first real life interviews were interviews with murder suspects) and the fact that the real life interviews took place under real life conditions. The notable exceptions to this pattern were the rapport and conversation management behaviours encompassed with the broader communication behaviours cluster. The advanced interviewers were less skilled in these areas in the first real life interviews. In addition, closure, which could not be assessed in the simulated interviews, was not skilfully conducted.

Eighteen months after training significant skill erosion was evident in the advanced interviewers' overall interviewing ability. The two major areas of the interview (engage and explain and account) were affected across both the simple and complex skills included within the behaviours. The weaker skills transference in rapport and conversation management had unsurprisingly developed into a major deterioration in these skills, although not back to pre-training levels. Closure also deteriorated. The skills erosion did not have a marked effect in legal behaviours, topic structure, questioning and listening. What factors could have influenced the skills erosion in certain behaviours?

One consideration could be that the advanced interview training programme did not include any ongoing supervision or refresher training. Previous research by Lamb et al (2000) found that intensive training followed by monthly one-day workshops, supplemented by individual feedback on interviews did significantly improve interviewer performance. Furthermore, a separate study (Lamb et al, 2002) found that when supervision was withdrawn, interviewers' performance deteriorated. This concept appears attractive until one considers that Lamb et al (2000, 2002) were using the application of appropriate questions within investigative interviews as their measure of performance. Questioning was not one of the behaviours that deteriorated significantly over time in the present study. Clarke and Milne (2001) also examined the effect of supervision on the interview performance of basic PEACE interviewers. They found that the

presence of a supervision policy was correlated with improved introductions, the presence of a visible interview structure and more frequent summaries, but not improved questioning.

The behaviours that showed the biggest deterioration 18 months after training were, in fact, the behaviours that were weakest before training. Therefore, the skills erosion seen in the real life interviews conducted by the advanced interviewers appears to follow the skills transference literature that predicts a gradual decline (Broad & Newstrom, 1995) regardless of training design. The lack of refresher training or structured monitoring element within the advanced interview training programme does suggest a flaw in the programme. Any refresher training would need to be focused on the behaviours that did show time related skills erosion in order to offset this effect.

#### *Limitations of research and suggestions for future research*

The fact that the suspect studies examined a combination of simulated and real life interviews could be considered a limitation of this thesis. However, ecological validity was paramount in answering the research question - does advanced interviewing work? Therefore, examining only either simulated or real life interviews would have been to the detriment of the study. This difficulty was mitigated by controlling the types of case used in the analysis. The post-training and both real life interviews were from serious crime cases. In addition, the simulated interviews were based on real cases and the interviews conducted under realistic conditions. While the final research design may not satisfy a purist approach the research question could not have been answered by the use of just simulated interviews conducted under laboratory conditions. The ecological validity of the studies is supported by the drop in performance of the AI group across the two real life interviews. This is consistent with skills transference literature which indicates a gradual erosion of skill following any training event (Broad & Newstrom, 1995).

It is also accepted that evaluation of any real life interview should ideally take place alongside consideration of the full case file. Examination of the complete



case papers would provide extra context to the performance of the interviewer by placing the choice of topics selected, for example, against the full range of subject matter available. However, the sheer volume of the case papers gathered during a modern day major crime investigation would also present a serious obstacle to the actual completion of any research project. Although it is true that there may be information within the papers that would be of benefit to the evaluation of an interview, it is also true that there would be a mass of completely irrelevant material within the same papers. Therefore, the potential benefit of having the case papers is disproportionate to the amount of material that would need to be assimilated. The study design accounted for this by concentrating on interviewer behaviour within the interviews, rather than an assessment of the relevance of the material covered, and omitting any assessment of outcome as a factor upon which any judgement was made. The use of raters who were experienced detectives also compensated for the decision not to examine the case papers for all 250 interviews evaluated.

The difficulties encountered in identifying real life interviews conducted by a sufficient number of the AI group after training is a further limitation of the suspect studies. It also proved impossible to accurately identify the number of interviews conducted by each advanced interviewer after training. These difficulties were not anticipated at the outset and necessitated adjustment of the research design. In particular the difficulties resulted in a smaller sample size for study 2 than study 1 and the use of time delays after training which were not ideal.

From the purist perspective the smaller sample size in study 2 and time delays used for the different real life interviews may affect the validity of the results. However, from a more pragmatic perspective the way in which officers used the skills that they had been taught forms part of the overall picture presented by the research. The sample sizes for study 2 still represented a high percentage of the total number of advanced interviewers trained within the force concerned (approximately 40%); and the time delay between training and the real life interviews was representative of the actual activity levels of the advanced interviewers.

A further limitation of the suspect studies is that they were conducted in one police force in southern England. Regional variations in the attitude of suspects and legal advisers, as well as the police officers themselves may have affected the results. The contrasting results from the individual evaluations of PEACE interview training courses may imply that the improvements found after the advanced suspect training in this research may be due to factors specific to *this* advanced course and may not be replicated elsewhere on other forces' advanced courses. However, unlike the PEACE course the advanced course has no national curriculum and therefore broadening the evaluation to encompass more advanced training courses would have introduced confounding variables such as a different selection regime or course structure.

Despite the limitations noted above the results present a detailed examination of the behaviour of skilled police interviewers in serious crime interviews and provide ample suggestions for future research. The limitations brought about by the sample sizes and examination of one police force could be remedied by a broader study that compares different selection methods and course structures in order to identify the optimum training design. Further information on the exact point at which skills erosion commences could be established by research that focuses just on the skills shown by this study to erode. Research could also be conducted on the design and effects of refresher training so that the positive training effect from the initial advanced course can be maintained or improved. More detailed research could also be conducted on the personality traits of interviewers. Overall, the results of the suspect studies are a valid piece of research that present the first ever analysis of advanced interviewing and provide a platform for further research.

## **Interviews with witnesses**

*Is omni-competence possible?*

The third study examined real life interviews with key witnesses in major crime investigations conducted by the AI group after supplementary ECI training. The enhanced cognitive interviews were not as skilled as the suspect interviews

conducted by the AI group. The phases of the ECI showed marked differences in performance. In particular, the rapport, varied retrieval, summarising and closure phases of the cognitive interview were very poorly performed, while the questioning phase was performed only to a satisfactory level. These results bore similarities to the suspect interview studies where rapport, summarising and closure behaviours had been weaker areas for all interviewers (both PEACE- and advanced trained), with the exception of the post-training condition, and questioning had been one of the stronger areas for the advanced interviewers in all conditions.

The witness study also compared 29 behaviours common to both witness and suspect interviews. These behaviours were distributed throughout the interviews and provided a unique opportunity to compare the same behaviour carried out by the same interviewers in two different types of interview. The behaviours were not directly associated with either interview model but were generic behaviours associated with skilled interviewing. Arguably, therefore, the advanced interviewers should have performed these behaviours to a similar standard in both interviews. This view is supported by the fact that 17 of these behaviours showed no real difference between the witness and suspect interviews. For example, the behaviours of topic structure, using clear questions and the appropriate pacing of questions were performed to a similar standard in both interviews. However, there were significant differences in 12 of the behaviours between the suspect and witness interviews. In 11 of these behaviours, the behaviour was performed better in the suspect interview. These behaviours were distributed throughout the interview. The strongest differences were in explaining the reasons for the interview, using open questions, using questions appropriately and summarising the witness' account. The only exception was the behaviour expressed as 'thanking the interviewee'. Unsurprisingly, this was performed better in the witness interviews.

Why did the advanced interviewers perform the same skill differently in suspect and witness interviews? The answer to this may lie in the order of the training courses. ECI training does not need to be extensive to be successful. George (1991) had found that as little as two days' cognitive interview training made an appreciable difference to the witness interviewing abilities of a group of police

officers. However, the officers in George's study had no prior interview training. This was not the case with the advanced interviewers. The advanced interview training programme adopted an approach that identified officers who showed potential to interview suspects and gave those officers an intensive training course for that role. If the officers were successful on the suspect interview course they were given supplementary training to interview victims and witnesses of major crimes. The AI group therefore undertook the ECI training after a significant amount of training in suspect interview techniques. It is clear from the results that this may not be the best approach.

Memon et al (1994) conducted a study that examined the training effect for the cognitive interview on experienced police officers. The cognitive interview training did not produce any appreciable benefit in terms of information obtained. Memon et al (1994) felt that the training effect was diminished due to the 'ingrained habits' of the officers and concluded that any training in the cognitive interview should be phased over a period of time with self monitoring and regular feedback from trainers.

The findings from the witness study represent further similarities with the findings from the Clarke and Milne study (2001). Both studies identify clear weaknesses in officers' ability to build rapport, summarise and close an interview. It was particularly noticeable that the advanced interviewers would not share information about themselves as a way of building rapport, as recommended in the ECI (Milne, 2004). This similarity reinforces, again, the consistent finding that police officers do not perform rapport building well, even though it is a critical part of a skilful interview and has been identified by police officers themselves as an important skill (Cherryman & Bull, 2001). This finding is in itself important; however there is an extra dimension within the witness study in the present research that strengthens its significance. Clarke and Milne (2001) evaluated two independent groups of police officers, one that conducted suspect interviews and the other that conducted witness interviews. Therefore, it is possible that the difference in the overall performance of the groups could have been due to chance. In contrast, the current research compared the performance of matched participants in both suspect and witness interviews across behaviours that were identified as common to both suspect and witness

interviews. The differences found in the way in which these common behaviours were performed and the fact that these findings are replicated by previous research is possibly the most significant finding of the research in this thesis. In terms of the research question, it suggests that the advanced interview training did not work as well as it could have done in the witness interviews. The advanced interviewers adopted an approach when interviewing witnesses that was similar to their approach when interviewing suspects. The findings from the witness study suggest an overshadowing effect caused by the initial advanced suspect interview training, which strengthens the view put forward in the previous research (George, 1991, Memon et al, 1994). It would be interesting to examine a similar group of interviewers and alter the order of training so that the witness skills were embedded first.

An alternative explanation for the weaker performance of the advanced interviewers in the witness interviews could be their own particular skill sets. In other words are certain officers inherently biased towards suspect or witness interviewing? It is possible that the positive selection of the participants in this series of studies through their selection for advanced suspect training may have been a confounding variable in the results of study three. In other words if police officers are naturally biased towards interviewing either suspects or witnesses then the order of training is less influential than the accurate identification of officers with the potential in the specific areas, followed by training which builds upon this potential.

#### *Limitations of research and suggestions for future research*

The limitations mentioned above with regard to the suspect interviews in terms of the decision not to examine full case papers and the fact that the study was based in one police force in southern England apply equally to the witness interviews, as do the balancing arguments. Also in common with the suspect studies is the fact that the most significant limitation of the witness study is the effect of the training design upon the research results. The advanced suspect interview course had an assessment at its conclusion. Therefore, the real life suspect interviews were conducted by officers who passed that final

assessment. The ECI training design did not include a final assessment and so the real life witness interviews were conducted by officers who had simply *participated* in the ECI training. It is arguable that, had there been a final assessed interview at the conclusion of the ECI course, a proportion of the advanced interviewers examined in the witness study would not have passed. Had this been the case the real life witness interviews assessed would have been of a higher standard and the difference in performance between the suspect and witness interviews may not have been so pronounced. While this issue is acknowledged in terms of the ability to generalise the results from the current research, the task of this thesis was to evaluate the advanced interview training programme as designed. The differing levels of performance from the advanced interviewers in the suspect and witness interviews are a tangible factor that reflects the real life implications of the training programme design.

Reasons that the suspect training appeared to be so dominant in the minds of the advanced interviewers are not known and this is an ideal area for further research. Research also needs to be conducted into other advanced training courses with a different format so that the different order effects can be studied. A small pilot study (Griffiths, Milne & Retford, 2006) has already examined the results of a three-week witness training course undertaken by officers who were not previously trained as advanced suspect interviewers. The preliminary results suggest that the officers used more open questions than the officers who participated in the current research and spent longer building rapport. More detailed research will assist in defining the benefits of different approaches.

### **Questioning as a skill**

Questioning as a skill was assessed as part of the overall interview evaluations in the first three studies. The AI group performed well in the questioning behaviours even in the pre-training condition and this indicated their potential compared to the scores of the PEACE-trained officers in the PEACE comparison assessment. Post-training the advanced interviewers showed

impressive questioning skill in both real life suspect interviews. Furthermore, questioning skill did not show the same levels of erosion seen in other complex behaviours as time progressed. Overall, the AI group showed strong questioning skill throughout the suspect studies. In the witness interviews the AI group avoided the use of inappropriate questions just as they had done in the suspect interviews. They also maintained turn taking, and paced their questions appropriately in both types of interview. However, the AI group did not use questions appropriately in the witness interviews in terms of the correctly applied use of open or closed questions. Indeed, it was the way in which the advanced interviewers employed appropriate questions across the different types of interview that was most significant in defining the difference between the skill levels of the advanced interviewers in suspect and witness interviews. A deeper examination of questioning was conducted in studies 4 and 5.

#### *Advanced interviewers' questioning strategies*

The think aloud procedure conducted in study 4 confirmed that the advanced interviewers made positive and distinct choices as to questioning strategy and subject choice in their suspect interviews. The study also showed that the AI group favoured a probing questioning style that was largely appropriate for the suspect interviews as it steered the suspect through the relevant subject matter of the interview in an organised and methodical manner. This controlling strategy, however, was also employed in the witness interviews where it was less appropriate. In fact the questioning strategies articulated by the AI group showed little difference between a suspect or witness interview. This controlling approach often exerted inappropriate levels of control on interviewees and affected the quality of the accounts obtained. This control manifested itself in an overuse of probing questions, which were used at the expense of open questions. These questions were not inappropriate questions *per se* (e.g. leading or multiple choice questions) but they were incorrect in that they controlled the interviewee to give more focused answers rather than expanding their account. The study also highlighted the complexity of skilful and appropriate questioning.

Numerous previous research studies have also examined the questioning abilities of police interviewers in both suspect and witness interviews. The questioning strategies expressed by the AI group lacked the inappropriate use of questions found by both George (1991) and McLean (1992) in their field studies of witness interviewing. Their studies found that the predominant question types in the witness interviews observed were counter-productive, in particular leading questions and closed yes/no questions. The AI group also displayed nothing of the accusatorial mindset found in the questioning style of detectives in London by Moston et al (1990, 1992). The question strategies of the AI group were also very different from the 'bland information gathering' described by Williamson (1992, p.297) and the ineffective questioning observed by Baldwin (1993). The findings from both Williamson (1992) and Baldwin (1993) resonate with the findings of the PEACE comparison assessment in the current research, and suggest that the general standard of police questioning at the basic level has not progressed much since the inception of PEACE. However, the AI group displayed a far more skilled structured approach to the questioning task.

The fact that the advanced interviewers found the questioning task more difficult in the witness interviews is reflected in the findings from numerous quantitative studies. Fisher et al (1987) found that American police officers' interviews with witnesses contained a high proportion of closed yes/no questions. Wright and Alison (2004) observed a higher proportion of closed compared to open questions in a sample of 19 witness interviews and Memon et al (1994) observed twice as many closed questions as open question used by police interviewers when interviewing witnesses.

The views of the AI group are echoed by the results of a study that used a similar methodology. Wright and Powell (2006) conducted in depth interviews with Australian child abuse investigators to examine their approach to questioning children in line with child interview protocols. The participants in the Wright and Powell study (2006) articulated how difficult it was to maintain an open questioning style during these interviews and also how difficult it was to distinguish between different types of appropriate question. The current study has added to the volume of research that suggests that skilled question use in



investigative interviews with witnesses is more complex than in interviews with suspects.

*Appropriate and inappropriate questioning strategies in investigative interviews*

The results of the final study in the thesis were presented as a series of question 'maps'. These maps displayed the sequencing of different types of questions in investigative interviews as a result of various questioning strategies. The patterns of questions in unskilled, skilled and unlawful suspect interviews were clearly different and individually recognisable. An unskilled questioning strategy was visually represented by a chaotic and unstructured pattern of questions that varied between appropriate and inappropriate question types. A skilled questioning strategy was represented by a rhythmic pattern that alternated between the three types of appropriate question. An unlawful interview was dominated by inappropriate question types, often with sequences of leading questions. A fourth map, of a witness interview was also presented. This commenced with sequences of open questions but quickly moved to sequences of probing questions, very much in the style of the witness interviews observed in study 3.

Previous studies (e.g. George, 1991; McLean, 1992, Memon et al, 1994; Clarke, 2005) that have been described elsewhere in this thesis have all relied on scoring the type and frequency of questions to demonstrate their findings. Study 5 went beyond these previous studies; not only by comparing the question use of advanced trained officers in both suspect and witness interviews but by portraying these question strategies visually.

This clearly showed that even skilled officers struggle to select the most appropriate question strategy for a given situation and tend to rely on one style with which they are comfortable. The ability to develop and use multiple question strategies adjusted to the individual interviewee would seem to be a key skill to an advanced interviewer. However, the use of questions is a complex area and further research is needed into question usage, not in terms

of identifying inappropriate questions but in developing interviewers' ability to skilfully use appropriate questions.

The GQM is an innovative tool which has numerous applications that can assist in developing interviewers' use of questions. In the training environment it has already been used successfully to train officers to understand their own and colleagues questioning patterns. Used as part of long term development plan an officer could monitor their own understanding and use of questions in varied interviewing environments. Wider use of the GQM would create a database of maps that could be used to identify the typical questioning pattern associated with certain types of cases, and, possibly identify the most commonly successful questioning strategies for a given situation. In addition the GQM could be used to assist the court process where there was a need to evaluate the type of questions employed in an interview. The GQM is significantly better than gate scoring types of questions and presenting the percentage of different types of questions used across a whole interview as a measure of the interview's appropriateness. Furthermore, as the GQM does not depend on language its benefits are not confined to English. Question maps constructed in different languages can be understood across language boundaries leading to greater understanding of cross cultural issues associated with interviewing and helping to distil the ethical ethos of investigative interviewing across the globe.

#### *Limitations of research and suggestions for future research*

The qualitative approach used to examine questioning in the final two studies is suitable for developing theory in an area but the results cannot be generalised. The in-depth interviews conducted in study 4 represented the thoughts of one small group of advanced interviewers. As such they are interesting but may be completely different from the thoughts of another group of advanced interviewers. This limitation is mitigated by the fact that the views of the advanced interviewers questioned in study 4 were consistent with the performance of the larger AI group in the empirical studies.

One particular limitation of the patterns of questions that were produced in study 5 is that the tool used to generate the patterns of questions (the GQM) utilised pragmatic definitions of the different question types (Ulijn & Verweij, 2000). This required the raters to define the questions in the context of the questions before and after the target question, which was more subjective than using classical, literal definitions (e.g. Hargie, 2004). Nevertheless, the inter-rater reliability procedure in study 5 showed satisfactory consistency between raters. Furthermore, pragmatic definitions hold higher ecological validity for field research and the overall approach of mapping question usage across time is superior to quantifying the type and frequency of different question types in representing how questions are used during an investigative interview.

The current research shows that interviewers with moderate ability can avoid the use of inappropriate questions but the skilful use of appropriate questions is a complex area.

Further research is needed to build the knowledge of how skilful questioning can be identified and copied to improve the general standard of interviewing ability. This research needs to start with establishing clear definitions of question types and then identifying appropriate and productive combinations of questions to improve investigative interviews while minimising the risk of unreliable information from interviewees. The use of the GQM in a wider study across different interview situations, even in different countries and languages, would significantly progress the understanding of questioning as a complex task.

### **Does advanced interviewing work? The conclusion**

A large number of research projects, published and unpublished, have examined investigative interviewing at the basic PEACE level. The results of these studies would indicate that there has been some improvement in police interviews since the implementation of PEACE (Clarke & Milne, 2001), although it is undoubtedly true that some of the improvements reported are due to the

extra controls imposed by PACE (1984). This thesis is the first research study actively to examine the new concept of advanced interviewing. Therefore, this thesis makes a significant contribution to knowledge by furthering the understanding of a new and important part of police work. The inclusion of both simulated and real life interviews conducted by the same officers before, during and after an extensive training programme provides a unique perspective. Furthermore, the thesis makes an important contribution to the knowledge around effective training in evaluating a training programme crucial to the investigation of major crime. The findings of study three in particular dispel the assumption of omni-competence as a dangerous myth.

As a broad concept, the selection and training of police officers that have been identified as having the potential to conduct better interviews with suspects and witnesses in major crime cases does work. There is no doubt that some of the advanced interviewers who participated in this series of studies were highly skilled communicators and were capable of interviewing to a proficient level. However, beyond the broad concept, some of the specific elements of advanced interviewing need to be revised. Firstly, there needs to be a systematic provision of ongoing tuition to prevent the erosion of complex skills due to the effects of time on the skills of the advanced interviewers. This training could take the form of formal workshops or informal mentoring. The important point is that the officers would realise that the end of their training course was not the end of their training but instead a gateway from initial advanced training to further development which was being monitored. Secondly, the layering of training where the suspect training appears to overshadow the ECI training must be stopped. It is questionable whether one advanced interviewer can be omni-competent in interviewing both suspects and witnesses and that question has been raised but not fully answered by this research. It does appear that the sequencing and duration of training is significant. The results from the analysis of the 29 behaviours common to both witness and suspect interviews are particularly illuminating. These results suggest that moving away from training officers in a particular model of interview in favour of generic training in skilled communication may improve matters. Only once a certain degree of competence has been achieved should an officer be given further training for specific interview situations, i.e. suspect

or witness interviews. Any such training should focus on the skilled use of appropriate questions as the key to gaining reliable information. One specific recommendation is that the training is divided into dealing with either cooperative or resistant interviewees to encourage officers away from particular approaches linked to the legal status of the interviewee.

The history of interviewing at the start of this thesis revealed that investigative psychology was central to the justified criticism of unprofessional interview practices in England and Wales. As a result, since the implementation of PEACE the ethos of investigative interviewing in England and Wales has now moved firmly beyond confession-driven, suspect-focused interrogations, into an era of investigative interviews that seek reliable information from both suspects and witnesses. The approach requires both the identification of officers with the potential to carry out this task, and the effective training of those officers. This research has evaluated one training programme that seeks to do just that and has highlighted the advantages and disadvantages of that particular programme. However, whatever the design of the training programmes, obtaining reliable information requires the skilled use of questions. This research has provided the first evidence of how the profile of question usage across an investigative interview can be linked to the overall skill of the interviewer. As the emphasis continues to move away from identifying problems in the interview process to developing solutions that improve the quality of interviewing, investigative psychology must remain at the heart of further research.

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# APPENDICES

## **APPENDIX A :**

### **CLUSTERS OF BEHAVIOURS SUSPECT STUDIES**

	Overall	Engage &	Legal	Rapport	Account	Topics	Summary	Questions	Listening	Conv.	Challenge	Closure	Comms	Complex	Simple
Engage															
Established name preference	X	X		X										X	
Involved interviewee	X	X		X										X	
Introduced self	X	X	X												X
Identified those present	X	X	X												X
Evidence of rapport building	X	X		X						x			X	X	
Legal															
Fully explained right to legal advice (FILA)	X	X	X												X
Explained tape procedure and C165 notice	X	X	X												X
Caution given	X	X	X												X
Explained caution	X	X	X												X
Sought reasons for declining legal advice	X	X	X												X
Identified significant statements	X	X	X												X
Reminded of right to FILA	X	X													X
Reminded of caution	X	X	X												X
Reasons															
Explained offence	X	X		X						X			X		X
Explained reasons for interview	X	X		X						X			X	X	
Explained search for truth	X	X		X						X			X	X	
Explained making notes	X	X		X						X			X		X
Explains interview is opportunity to give account	X	X		X						X			X	X	
Route map															
Well paced impactive route map	X	X		X										X	
Route map in logical sequence	X	X		X											X
Route map focusing on offence	X	X		X										X	
Encouraged consideration of questions and	X	X		X						X			X	X	

answers																							
Encouraged seeking clarification if required	X	X		X							X							X	X				
First Account																							
Recognised interviewee prior agenda	X				X					X													X
Used simple structured questions	X				X					X													X
Obtained first account to relevant detail	X				X																		X
CONT/...																							
	Overall	Engage &	Legal	Rapport	Account	Topics	Summary	Questions	Listening	Conv. mgmt	Challenge	Closure	Comms	Complex	Simple								
Opened account to cover relevant areas	X				X																		X
Encourages suspect to give their account	X				X					X				X	X								
Topic selection																							
Identified relevant topics from first account	X				X	X																	X
Clearly structured topics in sequence	X				X	X															X		
Topics appropriately sized	X				X	X															X		
Topic probing																							
Probed relevant topics to appropriate detail	X				X	X		X															X
Probed relevant areas to fine grain detail	X				X	X		X													X		
Been able to visualise from probing	X				X	X				X				X	X								
Used sequential questioning	X				X	X		X						X									X
Examined topics thoroughly and logically	X				X	X																	X
Explores motive	X				X	X															X		
Questions																							
Used productive open single questions	X							X						X									X
Questions clearly and easily understood	X							X						X									X
Questions in calm well paced manner	X							X						X	X								
Used closed questions where appropriate	X							X						X									X

Avoids multiple questions	X							X					X		X
Avoid leading questions	X							X					X		X
Avoids comments/statements	X							X					X		X
Questioned from previous answer	X							X					X	X	
Appropriate use of questions	X							X					X		X
Summaries															
Accurate/logical summary of first account	X				X		X								X
Obtained ownership	X				X		X							X	
Checked comprehension	X				X		X							X	
Summaries at end of topics	X				X		X								X
Obtained ownership	X				X		X							X	
Checked comprehension	X				X		X							X	
Logical link between topics	X				X		X							X	
CONT/...		Overall	Engage & Legal	Rapport	Account	Topics	Summary	Questions	Listening	Conv.	Challenge	Closure	Comms	Complex	Simple
Listening															
Encouraged interviewee	X								X				X	X	
Understood interview content	X								X				X		X
Recognised inconsistency	X								X					X	
Formulated questions from answers	X							X	X				X	X	
Demonstrated open mind	X								X				X		X
Conversation															
Maintained turn taking	X									X			X		X
Used silences, pauses and prompts	X									X			X	X	
Remained polite and in control	X									X			X		X
Used clear speech and grammar	X									X			X		X
Showed equality signs throughout	X									X			X	X	



interviewee																			
Avoided police jargon	X								X				X	X					
Flexibility																			
Applied model with logic	X																		X
Displayed self confidence	X																	X	
Challenge																			
Sought clarification where necessary	X			X						X									X
Made detailed challenge in correct phase	X			X						X								X	
Used inconsistencies in evidence	X			X						X									X
Used internal and external validity	X			X						X								X	
Well paced / impactive/ consultative/ challenges	X			X					X	X			X	X					
Use of special warnings	X	X		X						X									X
Resistance																			
Remained calm when faced with blocks / hostility or aggression	X																		X
Persistent in face of lies or vagueness	X																	X	
Managed behaviour of interviewee	X																	X	
Closure																			
Time management of tapes	X												X					X	
Polite, positive tape changes	X									X			X					X	
Polite, positive, closure	X									X			X					X	
CONT/....		Overall	Engage & Legal	Rapport	Account	Topics	Summary	Questions	Listening	Conv.	Challenge	Closure	Comms	Complex	Simple				
Summarised events and procedures	X											X						X	
Explained process and future agenda	X									X		X						X	
Thanked interviewee	X									X		X							X
Effectiveness																			
Used available time	X																	X	

efficiently															
Detailed knowledge of offence	X													X	
Examined all information produced in interviewee	X													X	
Obtained evidential product that will stand judicial scrutiny	X		X												X
Evidence of cognitive interview	X							X						X	
Total behaviours	8 6	2 3	1 1	1 3	2 7	9	7	1 4	6	1 9	6	6	3 1	4 3	4 3

# **APPENDIX B :**

## ***ADVANCED COURSE ASSESSMENT SHEET***

## ASSESSED INTERVIEW

**Name:**

**Warrant No.**

<b>PLANNING and PREPARATION:-</b>	<i>Minimal use of notes Gathered and analysed information Organised materials Organised environment</i>			
5	4	3	2	1

<b>ENGAGE:-</b>	<i>Consultative impression Established name preference and handshake Involved interviewee throughout</i>			
5	4	3	2	1

<b>LEGAL REQUIREMENTS:-</b>	<i>Fully explained the rights to legal advice Explained tape procedure and notice Fully explained the caution Identified significant statements (if any)</i>			
5	4	3	2	1

<b>FIRST ACCOUNT:-</b>	<i>Relevant first question Obtained first account to relevant detail</i>			
5	4	3	2	1

TOPIC SELECTION:-		<i>Identified relevant topics from first account</i> <i>Clearly structured topics in sequence</i> <i>Organized each topic</i>		
5	4	3	2	1

PROBING:-		<i>Probed relevant topics</i> <i>Examined topics thoroughly</i> <i>Obtained evidence in relevant areas</i>		
5	4	3	2	1

SUMMARISING AND LINKING:-		<i>Accurate/logical summary of first account</i> <i>Summaries at regular topic related intervals</i> <i>Checked comprehension</i>		
5	4	3	2	1

QUESTIONING:-		<i>Used productive open single questions in first account</i>  <i>Questions clearly and easily understood</i> <i>Questioned in calm well paced manner</i> <i>Avoided multiple or leading questions</i>		

5	4	3	2	1
LISTENING:-		<i>Used eye contact, nods and guggles</i>  <b>Managed talking turn effectively</b> <i>Avoided repetitive questioning</i>		

5	4	3	2	1
---	---	---	---	---

CHALLENGING:-		<i>Made detailed challenge in correct phase</i>		
		<i>Used inconsistencies of evidence</i>		
		<i>Challenged in a well paced impactive</i>		
5	4	3	2	1

5	4	3	2	1

**RESULTS**

**MARK SCORED** 
**REQUIRED SCORE** 
**OR CHALLENGE (IF REACHED)**

**COMMENTS/DEVELOPMENT**

**SIGNED:**

**TRAINER, NAME, RANK NO:**

**DATE:**

***THIS REPORT SHOULD BE PLACED IN THE OFFICERS PDR***

# **APPENDIX C :**

## **SUSPECT INTERVIEW RATING SCALE**

Interview length	Group	Mins
Interviewee number		
Interviewee		
Gender	Male	Female
Status	Adult	Youth
Other persons present		Explained role
Legal adv.	Y/N	Y/N
App adult	Y/N	Y/N
Soc.worker	Y/N	Y/N
Other	Y/N	Y/N
Initial interviewee stance	No comment/denied offence/partial admission/comprehensive account/confession	
Overall interview outcome	No comment/denied offence/partial admission/comprehensive account/confession	

To what extent did the interviewer include the following interview behaviours ? Circle the appropriate point on the scale.

5 represents the highest value or strongest display of a behaviour

1 represents the lowest value or weakest display of a behaviour

0 represents where the behaviour was absent because the statement is irrelevant to that interview e.g. 'made detailed challenge' where the interview did not include this element or it was not observed.

<b>Section 1. - Engage</b>							
11	Established name preference	5	4	3	2	1	0
12	Involved interviewee	5	4	3	2	1	0
13	Introduced self	5	4	3	2	1	0
14	Identification of all persons present	5	4	3	2	1	0
15	Evidence of rapport building	5	4	3	2	1	0
<b>Additional comments</b>							



<b>Section 2. - Legal Requirements</b>							
<b>21</b>	Provides date, time, location	<b>Y</b>					<b>N</b>
<b>22</b>	Fully Explained rights to legal advice	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>23</b>	Explained tape procedure and notice	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>24</b>	Caution given	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>25</b>	Fully explained the caution	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>26</b>	Sought reasons for declining legal advice	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>27</b>	Identified significant statements	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
After break							
<b>28</b>	Reminded of right to legal advice	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>29</b>	Reminded of caution	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							
<p><b>FILA - free/nothing to do with the police/person or phone/ can delay i/v/ongoing right/stop at any time</b></p> <p><b>Caution – honest/truthful/believe you</b></p> <p><b>Significant statements – Did you say that? Do you want to add anything?</b></p>							

<b>Section 3. - Reasons and Routines</b>							
<b>31</b>	Explained ground and reason for arrest	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>32</b>	Explained reasons for interview	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>33</b>	Mentioned search for truth	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>34</b>	Explained notes	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>35</b>	Explained exhibits	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>36</b>	Explains iv is opp. to give account	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 4 - RouteMap/Expectations</b>							
<b>41</b>	Well paced impactive route map	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>42</b>	Routemap in logical sequence	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>43</b>	Routemap focusing on offence	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>44</b>	Encouraged consideration of questions/answers	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>45</b>	Encouraged seeking clarification if required	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 5. -First Account</b>							
<b>51</b>	Recognised interviewee prior agenda	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>52</b>	Used simple structured questions	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>53</b>	Obtained first account to relevant detail	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>54</b>	Opened account to cover relevant areas	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>55</b>	Encourages suspect to give their account	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 6. -Topic Selection</b>							
<b>61</b>	Identified relevant topics from first account	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>62</b>	Clearly structured topics in sequence	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>63</b>	Topics appropriately sized	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 7. - Topic Probing</b>							
<b>71</b>	Probed relevant topics to appropriate detail	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>72</b>	Probed relevant areas to fine grain detail	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>73</b>	Been able to visualise from probing	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>74</b>	Used sequential questioning	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>75</b>	Examined topics thoroughly and logically	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>76</b>	Explores motive	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 8. – Questioning</b>							
<b>81</b>	Used productive open single questions	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>82</b>	Questions clearly and easily understood	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>83</b>	Questions in calm well paced manner	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>84</b>	Used closed questions where appropriate	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>85</b>	Avoids multiple questions	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>86</b>	Avoids leading questions	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>87</b>	Avoids comments/statements	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>88</b>	Able to question from previous answer	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>89</b>	Appropriate use of question	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 9. - Summarising and Linking</b>							
<b>91</b>	Accurate/logical summary of first account	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>92</b>	Obtained ownership	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>93</b>	Checked comprehension	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>94</b>	Summaries at end of topics	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>95</b>	Obtained ownership	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>96</b>	Checked comprehension	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>97</b>	Logical link between topics	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 10. - Listening</b>							
<b>102</b>	Shown encouragement	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>103</b>	Understood interview content	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>104</b>	Recognised inconsistency	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>105</b>	Formulated questions from answers	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>106</b>	Open mind demonstrated	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 11. -Conversation and Language</b>							
<b>111</b>	Maintained and encouraged turn taking	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>112</b>	Used silences, pauses and prompts	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>113</b>	Remained polite and in control	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>114</b>	Used clear speech and grammar	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>115</b>	Shown equality signs throughout	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>116</b>	Avoided police or legal jargon	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 12 - Flexibility</b>							
<b>121</b>	Applied model with logic to explore relevant areas	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>122</b>	Displays elf confidence	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 13. -Clarification /Challenge</b>							
<b>131</b>	Sought clarification where necessary	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>132</b>	Made detailed challenge in correct phase	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>133</b>	Used inconsistencies of evidence	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>134</b>	Used internal and external validity	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>135</b>	Well paced impactful consultative challenges	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>136</b>	Use of Special warnings	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>137</b>	Asked if committed offence	<b>Y</b>					<b>N</b>
<b>Additional comments</b>							

<b>Section 14. – Resistance</b>							
<b>141</b>	Remained calm when faced with blocks, hostility or aggression	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>142</b>	Persistent in face of lies or vagueness	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>143</b>	Managed behaviour of interviewee	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 15. – Closure</b>							
<b>151</b>	Used time management of tapes	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>152</b>	Polite, positive, tape changes	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>153</b>	Polite, positive, informative closure	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>154</b>	Summarised events and procedures	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>155</b>	Explained process and future agenda	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>156</b>	Thanked interviewee	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>157</b>	Invites suspect to clarify/add	<b>Y</b>					<b>N</b>
<b>158</b>	Records date and time	<b>Y</b>					<b>N</b>
<b>159</b>	Issues notice	<b>Y</b>					<b>N</b>
<b>Additional comments</b>							

<b>Section 16 - Effectiveness</b>							
<b>161</b>	Used available time efficiently	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>162</b>	Detailed knowledge of evidence	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>163</b>	Examined all information produced in interview	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>164</b>	Obtained evidential product that will withstand judicial scrutiny	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>165</b>	Evidence of CI	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>166</b>	Breach of S76/78 PACE	<b>Y</b>					<b>N</b>
<b>167</b>	Overall interview assessment	<b>5 – highly skilled</b> <b>4 – skilled</b> <b>3 – adequate</b> <b>2 – poor</b> <b>1- very poor</b>					
<b>Additional comments</b>							

Date..... Rater.....

## **APPENDIX D :**

### **COMPARISON OF PAIRED SAMPLES POST-TRAINING**



Comparison of paired samples *post –training* and *real life 1* including all time delays (n=48\*; mean 4.94 months, range 1-13 months SD = 4.01)

Area of interview	Post-training		Real life 1	
	<i>M</i>	SD	<i>M</i>	SD
Overall mean	4.18 <sup>a</sup>	0.316	3.93 <sup>b</sup>	0.477
Engage and Explain	4.15	0.363	4.02	0.413
Legal Behaviours	4.53	0.312	4.56	0.240
Rapport behaviours	3.96 <sup>a</sup>	0.433	3.68 <sup>b</sup>	0.578
Account	4.07 <sup>a</sup>	0.477	3.74 <sup>b</sup>	0.820
Topic structure	4.02	0.612	3.74	0.927
Summarising	3.89 <sup>a</sup>	0.705	3.25 <sup>b</sup>	1.170
Challenge *	3.45 <sup>b</sup>	0.288	4.39 <sup>a</sup>	0.505
Closure	4.19 <sup>a</sup>	0.638	3.00 <sup>b</sup>	0.882
Communication behaviours	4.22 <sup>a</sup>	0.32	3.91	0.458
Questioning	4.41 <sup>a</sup>	0.373	4.20 <sup>b</sup>	0.514
Listening	4.49	0.407	4.39	0.548
Simple behaviours	4.41 <sup>a</sup>	0.301	4.20 <sup>b</sup>	0.423
Complex behaviours	3.97 <sup>a</sup>	0.359	3.68 <sup>b</sup>	0.554

a significantly greater than b

\* n =5

Comparison of paired samples post-training and real life 2 including all time delays (n=39\*, mean 15.79 months, range 3-37 months SD = 8.46)

Area of interview	Post-training		Real life 2	
	<i>M</i>	SD	<i>M</i>	SD
Overall mean	4.19 <sup>a</sup>	0.29	3.83 <sup>b</sup>	0.442
Engage and Explain	4.18 <sup>a</sup>	0.341	3.86 <sup>b</sup>	0.525
Legal Behaviours	4.56	0.276	4.50	0.301
Rapport behaviours	3.99 <sup>a</sup>	0.426	3.52 <sup>b</sup>	0.776
Account	4.05 <sup>a</sup>	0.459	3.53 <sup>b</sup>	0.824
Topic structure	3.99	0.65	3.68	0.904
Summarising	3.88 <sup>a</sup>	0.667	2.94 <sup>b</sup>	1.270
Challenge *	4.08	0.789	4.06	0.808
Closure	4.16 <sup>a</sup>	0.65	2.66 <sup>b</sup>	0.945
Communication behaviours	4.25 <sup>a</sup>	0.306	3.85 <sup>b</sup>	0.394
Questioning	4.41 <sup>a</sup>	0.362	4.16 <sup>b</sup>	0.454
Listening	4.53	0.379	4.42	0.536
Simple behaviours	4.42 <sup>a</sup>	0.274	4.12 <sup>b</sup>	0.390
Complex behaviours	3.98 <sup>a</sup>	0.342	3.57 <sup>b</sup>	0.519

a significantly greater than b

\* n=3

## **APPENDIX E :**

### **STRUCTURE OF ENHANCED COGNITIVE INTERVIEW**

## **Structure of the Enhanced Cognitive Interview**

### **Phase 1: Rapport**

- Greet and personalise the interview

### **Phase 2: Explain the aims of the interview**

- Focused retrieval/Report everything/Transfer control

### **Phase 3: Initiate a free report**

- Context reinstatement/open ended question/pauses and no interruptions

### **Phase 4: Questioning**

- Report everything/interview compatible questioning

### **Phase 5: Varied and extensive retrieval**

- Change the temporal order/Change perspectives/Focus on all senses

### **Phase 6: Investigatively important questions**

- Cover key issues required by investigation

### **Phase 7: Summary**

- Use interviewee's words/inform interviewee it is okay to alter or add information

### **Phase 8: Closure**

- Gradual return to neutral topics/thank interviewee/invite questions/provide contact/demographic information

### **Phase 9: Evaluation**

Evaluate information obtained/evaluate interviewer performance

(Adapted from Milne, 2004)

(i) Rapport (phase 1) .The guide emphasise to interviewers the importance of the opening phase of the interview and relates the importance of an appropriate greeting that puts the interviewee at ease. The guide adds that each interviewer should be treated as an individual, shown by recognition of their own particular concerns. Specific advice is offered to officers who may be uniform about the effect this may have on the interviewee. Extensive advice is offered on building rapport by the interviewer sharing information about themselves and discussing neutral topics.

(ii) Explaining the aims of the interview (Phase 2).This part of the guide stipulates that it is important that the interviewer explains what is expected from the interviewee. This includes explaining the amount of concentration that will be required and requesting that the interviewee does not leave anything out of their account, no matter how trivial. These instructions are combined with a specific declaration that it is the interviewee who is in charge of the interview. This is contrary to what most interviewees would expect and must be explicitly explained.

(iii) Initiating a free report (Phase 3).This phase is the commencement of the information gathering phase of the interview. The guide offers detailed instruction on assisting the interviewee to mentally recreate the context of the incident that the interview relates to. It also offers a suggested wording for this process and suggested wording to initiate the report. The guide then describes the appropriate behaviour to be followed by the interviewer in order not to compromise the free recall of the interviewee. This includes not interrupting the interviewee and then advice on the use of active listening and echo probes to prolong the interviewee's account.

(iv) Questioning (Phase 4). This phase of the ECI is designed to expand the free recall of the interviewee by the use of the questions. It commences with an explanation to that effect to the interviewee and an instruction that it is acceptable to say that they do not now the answer to a question if that is the

case. The guide reinforces the negative effect of inappropriate question types (e.g. leading questions) and gives suggested wording for questions to ensure they are simple and straightforward. The guide recommends commencing a series of questions on a particular subject by 'activating the picture' (Milne, 2004, p45) in the mind of the interviewee and asking an open question to prompt further recall before following up with more specific questions if necessary.

(v) Varied and extensive retrieval (Phase 5). Phase 5 includes recall in a variety of temporal order and the change perspective instructions. The guide includes a warning that these instructions must be used carefully in order to prevent interviewees speculating and suggests that interviewees are instructed not to guess during this phase.

(vi) Investigatively important questions (Phase 6). This phase is a clear acknowledgement of the need to compromise when applying a theoretical interview model to real life. The use of the original cognitive interview did not include this phase as it was based on enhancing the recall of a person's memory of an incident, i.e. what the witness knew. However, the modern investigative process sometimes needs to know what a witness does not know. It frequently happens that a witness reports being at a specific location and recalls certain information, but does not mention a particular known and relevant fact, e.g. a car seen at the same location by CCTV. It is necessary in these circumstances to ask the interviewee a specific question about whether they saw the car in order that the issue is clarified for lawyers considering all the evidence in the case.

(vii) Summary (Phase 7). Interviewers are advised to summarise the interviewee's account using the interviewee's words to clarify their own understanding of the information gathered and to prompt further recall. The guide recommends that the interviewee is invited to interrupt the interviewer to add new information or clarify a point if necessary.

(viii) Closure (Phase 8). The importance of closing the interview in a positive manner is emphasised in this section. This includes thanking the interviewee

for the effort and the concentration that they have shown throughout the interview but not suggesting that the information given is good in that it is consistent with any particular view of the case under investigation. The guide suggests the interviewer should invite questions from the interviewee at this point and explain what will happen after the interview. Demographic information should also be taken at this point and not at the commencement of the interview as the short answer nature of this information contradicts the need to encourage expansive replies from the interviewee in the main body of the interview.

(ix) Evaluation (Phase 9). Consistent with the PEACE model the enhanced cognitive interview recommends evaluating the information obtained from the interview against the rest of the investigation. This review should then stimulate further enquiries if necessary.

# **APPENDIX F :**

## **WITNESS INTERVIEW RATING SCALE**



Interview length	Group	Mins
Interviewee number		
Interviewee		
Gender	Male	Female
Status	Adult	Youth
	Victim	Witness
Other persons present		Explained role
App adult	Y/N	Y/N
Soc.worker	Y/N	Y/N
Other	Y/N	Y/N
Interviewee	Co-operative/Resistant/vague	
Account obtained	Comprehensive/outline/contradictory	

To what extent did the interviewer include the following interview behaviours ? 5 represents the highest value or strongest display of a behaviour  
1 represents the lowest value or weakest display of a behaviour  
0 represents where the behaviour was absent because the statement is irrelevant to that interview e.g. 'use of memory jogs' or unobserved  
where the interview did not include this element or it was not observed e.g. 'established name preference'.

<b>Section 1. - Greet and personalise the interview</b>							
11	Established name preference	5	4	3	2	1	0
12	Introduced self	5	4	3	2	1	0
13	Identification of all persons present	5	4	3	2	1	0
14	Gives time/date/location	Y					N
15	Neutral open questions for rapport	5	4	3	2	1	0
16	Shares selfinfo. for rapport	5	4	3	2	1	0
17	Reassures witness	5	4	3	2	1	0
18	Invites questions from witness	5	4	3	2	1	0
19	Explains equipment	5	4	3	2	1	0
<b>Additional comments</b>							

<b>Section 2. – Explain the Aims of the Interview</b>							
<b>21</b>	Explained reasons for interview	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>22</b>	Explains interview format	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>23</b>	Focused retrieval	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>24</b>	Explain need for detail	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>25</b>	Report everything instruction	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>26</b>	Transfer control instruction	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							
Time elapsed since incident.....							

<b>Section 3. – initiating a free report</b>							
<b>31</b>	Mental reinstatement instruction	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>32</b>	Uses sketch plan	<b>Y</b>					<b>N</b>
<b>33</b>	Initiate free report	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>34</b>	Did not interrupt account	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>35</b>	Encourages interviewee to give their acc	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>OR</b>							
<b>Where interviewee is resistant or non-compliant</b>							
<b>35</b>	Obtained first account to relevant detail	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>36</b>	Opened account to cover relevant areas	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							
Time elapsed to first question.....length of free recall.....							

<b>Section 4. – Expansion of account</b>							
<b>40</b>	Further use of instructions	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>41</b>	Alright to say ‘ Don’t know’	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>42</b>	Alright to say ‘Don’t understand’	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>43</b>	Reiterate report everything	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>44</b>	Activated relevant images from recall/acc	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>45</b>	Witness compatible probing detail	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>46</b>	Clearly structured images/topics	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>47</b>	Use of Reverse order instruction	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>48</b>	Use of change perspective instruction	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>49</b>	Invited use of different senses	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>491</b>	Use of memory jogs	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>492</b>	Examined topics thoroughly and logically	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 5. – Questioning</b>							
<b>51</b>	Used productive open single questions	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>52</b>	Questions clearly and easily understood	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>53</b>	Questions in calm well paced manner	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>54</b>	Used closed questions where appropriate	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>55</b>	Avoids multiple questions	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>56</b>	Avoids leading questions	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>57</b>	Avoids forced choice questions	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>58</b>	Avoids comments/statements	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>59</b>	Able to question from previous answer	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>591</b>	Appropriate use of questions (witness compatible)	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 6 . - Summarising and Linking</b>							
<b>61</b>	Accurate/logical summary of account	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>62</b>	Logical link between topics	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>63</b>	Asks for new information	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 7. -Conversation and Language</b>							
<b>71</b>	Maintained and encouraged turn taking	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>72</b>	Used silences, pauses and prompts	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>73</b>	Remained polite	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>74</b>	Used clear speech and grammar	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>75</b>	Used witness own words	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>76</b>	Avoided police or legal jargon	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 8. – Resistance ( only where resistance encountered)</b>							
<b>81</b>	Remained calm when faced with blocks, hostility or aggression	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>82</b>	Able to mirror and marshmallow hostility	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>83</b>	Persistent in face of lies or vagueness	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>84</b>	Managed behaviour of interviewee	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 9. – Closure</b>							
<b>91</b>	Polite, positive, informative closure	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>92</b>	Used neutral topics for closure	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>93</b>	Summarised events and procedures	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>94</b>	Explained process and future agenda	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>95</b>	Invited questions from interviewee	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>96</b>	Thanked interviewee	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Additional comments</b>							

<b>Section 10. - Overall Effectiveness</b>							
<b>101</b>	Used available time efficiently	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>102</b>	Detailed knowledge of evidence	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>103</b>	Examined all information produced in i/v	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>104</b>	Key Investigation questions	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>105</b>	Obtained evidential product that will with stand judicial scrutiny	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>106</b>	<b>ADVOKATE</b>	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>107</b>	Used appropriate interview strategy	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>167</b>	Overall interview assessment	<b>5 – highly skilled</b> <b>4 – skilled</b> <b>3 – adequate</b> <b>2 – poor</b> <b>1- very poor</b>					
<b>Overall comments</b>							

Date.....Rater.....

## **APPENDIX G :**

### **BEHAVIOURS COMMON TO SUSPECT AND WITNESS INTERVIEWS**

		ECI phase	PEACE interview area
1.	Interviewer introduces self	Greet/Rapport	E & E
2.	Established name preference	Greet/Rapport	E & E
3.	Identifies other people present	Greet/Rapport	E & E
4.	Explains reasons for interview	Explanations	E & E
5.	Clearly structures topics in interview	Questioning	Account
6.	Examines topics thoroughly and logically	Questioning	Account
7.	Uses productive open, single questions	Questioning	Account
8.	Questions are clearly understood	Questioning	Account
9.	Questions are appropriately paced	Questioning	Account
10.	Uses closed questions where appropriate	Questioning	Account
11.	Avoids multiple questions	Questioning	Account
12.	Avoids leading questions	Questioning	Account
13.	Avoids comments and statements	Questioning	Account
14.	Questions from previous answer	Questioning	Account
15.	Appropriate use of questions	Questioning	Account
16.	Accurate and logical summary of account	Summary	Account
17.	Logical link between topics	Summary	Account
18.	Maintained and encouraged turn taking	all	all
19.	Uses silences, pauses and prompts	all	all
20.	Uses clear speech and grammar	all	all
21.	Avoids police jargon	all	all
22.	Manages behaviour of interviewee	all	all
23.	Polite and positive closure of interview	Closure	Closure
24.	Summarised events and procedures	Closure	Closure
25.	Examined all info. produced in interview	Evaluation	Evaluation
26.	Explained process and future agenda	Closure	Closure
27.	Thanked interviewee	Closure	Closure
28.	Used available time efficiently	Evaluation	Evaluation
29.	Detailed knowledge of offence	Evaluation	Evaluation

## **APPENDIX H :**

### **SUPPLEMENTARY QUESTIONNAIRE**





# **APPENDIX I :**

## **BEFORE CLIPS QUESTIONNAIRE**



# **APPENDIX J :**

## **AFTER CLIPS QUESTIONNAIRE**



# APPENDIX K

GQM

<b>PHASE</b>	
<b>TIME</b>	
<b>OPEN</b>	.....
<b>PROBING</b>	.....
<b>APP.CLOSED</b>	.....
<b>INAPP. CLOSED</b>	.....
<b>LEADING</b>	.....
<b>MULTIPLE</b>	.....
<b>FORCED CHOICE</b>	.....
<b>OPINION S/MENT</b>	.....
<b>Interviewer .....</b> <b>Interview.....</b> <b>Offence.....</b> <b>Length 1<sup>st</sup> acc.....</b> <b>Topic 1.....</b> <b>Topic 2.....</b> <b>Topic 2.....</b> <b>Topic 4.....</b> <b>Topic 5.....</b> <b>Topic 6.....</b> <b>Topic 7.....</b> <b>Topic 8.....</b> <b>Topic 9.....</b> <b>Topic 10.....</b> <b>Topic 11.....</b>	

## **APPENDIX L :**

### **TRANSCRIPT OF QUESTIONS FROM UNSKILLED INTERVIEW**



Q2. – *This car. Tell us all you know about the car?* (OPEN)

A. - It was a Peugeot 406

Q3. – *Can you remember when it got there?* (INAPPROPRIATE CLOSED)

A. - sometime in October

Q4. – *Do you know who it belonged to?’* (INAPPROPRIATE CLOSED)

A. – A friend of mine –Y- but he hadn’t passed his test. He got the car early ready for when he passed his test but it got towed away before he passed.

Q5. – *What else do you remember about the car, I’m not very good with cars, did it have like 2 doors?* (LEADING)

A. – No 5 doors including the boot. It was like a four door car really but five if you include the boot

Q6 – *Describe the condition it was in* (OPEN)

A. – It had 2 smashed windows, few dents. It had no tax. The radio didn’t work and I don’t know if the engine worked or not. Like I said it was towed away pretty soon after he got it.

Q7. – *Which month do you think it was towed away?* (PROBING)

A. In October because it was gone by November. We used to go and sit in it in October. That’s when we used to go and sit in it.

Q8. *So you think this incident happened in October not November?*  
(APPROPIATE CLOSED)

A. – Yes.

Q9. – *You said the car belonged to Bill – where does he live?* (PROBING)

A. – Don’t know the address but I can point it out.

Q10. – *Do you know how long he had had it?* (INAPPROPRIATE CLOSED)

A. Not sure exactly.

Q11. – *You said you thought this happened in October – why do you say that?*

(PROBING)

A. Because that's when we used to sit in the car, that's when I was at Tom's house a lot.

Q12. – *So what makes you think you were at Tom's?* (PROBING)

A. I just know that I used to go to B's at that time and then we'd go and sit in the car.

Q13. – *Tom, what can you tell us about him?* (OPEN)

A. – *gives some details about Tom*

Q14. – Do you know where he lives, what road and number?

(INAPPROPRIATE CLOSED)

A. – I can point it out, I just know my way around. I can't tell you the number. I'd be no good as a cabbie.

Q15. – *Do you know what time of day this was?* (INAPPROPRIATE CLOSED)

A. – Sometime after 4 o'clock

Q16. – *Before 4 – can you remember what you were doing?* (INAPPROPRIATE CLOSED)

A. Playing football.

Q17. *Who with?* (PROBING)

A. *names 2 friends.*

Q18. – *Think back to that day and think how come you got from football to the car?* (OPEN)

A. – It was raining, we were playing football and it started to rain.

Q19. – *So where were you were playing football?* (PROBING)

A. – A little roundabout bit near the car, we played against the wall. All the girls were in the car and it started raining so we jumped in the car.

Q20. –*When you jumped in the car what sort of thing did you do in the car, sitting in the car?* (PROBING)

A. – Talking, things like you do, things we planned for the next day.

Q21. -*Where did you sit in the car?* (PROBING)

A. – In the back.

Q22. –*Whereabouts in the back?* (PROBING)

A. – By the window, on the right side, drivers.

Q23. – *So who was sat next to you?* (PROBING)

A. – Tom then Jane was sat on the left hand side.

Q24. – *Who was in the driver's seat?* (PROBING)

A. - Jock.

Q25. *And who was sat in the front passenger seat?* (PROBING)

A. – Sam and Claire

Q26. *Both together* (INAPPROPRIATE CLOSED)

A. – Yeah, Sam in the seat and Claire with her back to the dashboard.