GRADUATION THESIS
The issue of suggestibility in witness interviewing

June, 2014
Tjaša Petek
GRADUATION THESIS
The issue of suggestibility in witness interviewing

DIPLOMSKO DELO UNIVERZITETNEGA ŠTUDIJA
Problem sugestibilnosti pri intervjuvanju prič

June, 2014
Tjaša Petek
Mentor: izr. prof. dr. Igor Areh
Contents
1 Introduction ........................................................................................................................................ 10
  1.1 Aims and hypotheses .................................................................................................................. 11
  1.2 Limitations ................................................................................................................................ 11
  1.3 Methodology ............................................................................................................................... 12
  1.4 Structure of dissertation ............................................................................................................. 12
2 Brief historical background to suggestibility ................................................................................ 13
3 Some characteristics of suggestion and suggestibility .................................................................. 14
4 The classification of suggestibility ................................................................................................ 15
5 The definition of interrogative suggestibility ................................................................................ 17
  5.1 The individual differences approach to interrogative suggestibility ........................................ 19
    5.1.1 The development of Gudjonsson-Clark theoretical model .................................................. 19
    5.1.2 The Gudjonsson-Clark theoretical model .............................................................................. 20
    5.1.3 Features of interrogative suggestibility that distinguish it from other types of suggestibility......................................................................................................................... 22
  5.2 Misinformation effect ................................................................................................................ 23
    5.2.1.1 Exposure to contradictory post-event information .......................................................... 24
  5.3 Suggestibility and social factors ............................................................................................... 27
6 Factor analysis of the Gudjonsson Suggestibility Scales ............................................................... 29
  6.1 Gender ....................................................................................................................................... 30
  6.2 Ethnic background ..................................................................................................................... 31
  6.3 Age ............................................................................................................................................ 32
  6.4 Memory and intelligence .......................................................................................................... 33
  6.5 Self-esteem ............................................................................................................................... 35
  6.6 Anxiety ...................................................................................................................................... 36
  6.7 Impulsivity ................................................................................................................................. 37
  6.8 Suggestibility and instructional manipulation .......................................................................... 37
  6.9 Suggestibility and coping strategies ......................................................................................... 38
  6.10 Police interviewing and suggestibility .................................................................................... 39
  6.11 Suggestibility and eyewitness testimony ................................................................................ 39
7 Investigative interviewing techniques exercised in the UK in comparison to those used in Slovenia ...................................................................................................................................................... 40
  7.1 Interviewing techniques in the UK .......................................................................................... 40
  7.2 Training courses in the UK ....................................................................................................... 41
  7.3 Limitations of the PEACE interviewing technique .................................................................. 44
Summary

The interviewing of witnesses, victims and suspects normally forms an essential part of a police investigation into criminal activities. There are various factors that affect accuracy in the eyewitness testimonies, one of which are suggestive interviewing techniques (Williamson, 2007).

Suggestibility is a personality trait which is often referred to as a type of psychological vulnerability. Suggestibility can challenge the interviewee’s abilities to cope with the demands of the interview as well as the demands of following court procedures. It is due to these characteristics that suggestibility has an important impact on the outcome of the interview (Gudjonsson, 2010).

As shown through the work of Ridley and Gudjonsson (2013), there are several varieties of suggestibility and the effects of suggestive influence should be taken extremely seriously during investigations.

Our memories can be influenced and distorted in various ways because they are vulnerable and susceptible to decay, inner biases, social demands and expectations, leading questions, misleading information, conformity and mental disability. To support this, Bruck and Melnyk (2004) indicate that individual differences in the susceptibility to suggestibility make it harder to identify exactly where and when the effects of suggestibility are likely to manifest themselves. Reliable information about the types of people who are most likely to be tainted by suggestive interviewing has not been established yet and remains a subject for further research.

Key words: suggestibility, witness interviews, criminal investigation, individual differences
Problem sugestibilnosti pri intervjuvanju prič

Intervjuvanje prič, žrtev in osumljencev tvori temeljni del kazenskega postopka. Kakovost in neoporečnost intervjujev sta ključnega pomena pri zagotavljanju pravičnega preiskovalnega postopka, ki posledično omogoča uspešnost same preiskev. Kvalitetni intervjuji zahtevajo oceno verodostojnosti intervjuvancev, kar je ena izmed najzahtevnejših nalog s katerimi se sooča kazensko pravosodje (Gudjonsson, 2006).

Sugestivne tehnike intervjuvanja so eden izmed glavnih dejavnikov, ki vplivajo na doslednost pričanja očividcev (Williamson, 2007).

Sugestibilnost je osebnostna lastnost, pogosto opredeljena kot neke vrste psihološka ranljivost, ki ima moč reducirati sposobnost intervjuvanca, da bi se uspešno spoprijemal z zahtevami tako samega intervjuja kot tudi sledečih postopkov na sodišču. Prav zaradi teh lastnosti sugestibilnost kot taka pomembno vpliva na izid razgovora (Gudjonsson, 2010).

Da bi identificirali morebitne psihološke ranljivosti posamezne priče, morajo policisti pri svojem delu posegati po znanju psihologije (Gudjonsson, 2010). Sodobna forenzična psihologija ponuja obito eksperimentalno preverjenga znanja, ki ga v tujini s pridom izkoriščajo za doseganje večje učinkovitosti tako preiskovalnega dela kot dela pravosodnih organov in s tem, vsaj načeloma, zagotavljajo boljšo zaščito nedolžnih osumljenih oseb.

Forenzični psihologi združujejo znanje in tehnike iz področja psihologije, psihiatrije in drugih vedenjskih ved, ki jim pomagajo sestaviti podrobnejši profil vsakega posameznika vpletenega v preiskovalni postopek (Areh, 2011). Te prakse se poslužujejo predvsem Angleži, ki so po številnih pravnih zmotah v začetku dvajsetega stoletja prevzeli vodilno vlogo pri izboljšanju tehnik intervjuvanja v preiskovalnem postopku. Skrivnost njihovega uspeha na omenjenem področju je prav v zavedanju, da morajo policisti pri svojem delu sodelovati z akademiki in strokovnjaki iz različnih področij. Predvsem kadar gre za intervjuvanje ranljivih prič oziroma prič s posebnimi
zahtevami je sodelovanje z akademiki ključnega pomena za ugotavljanje najbolj ustreznih metod spraševanja (Gudjonsson, 2010).

Ravno nasprotno pa forenzična psihologija v Sloveniji ne sodi med razvite znanosti in je večinoma omejena na delo kliničnih psihologov, ki običajno presojajo o obstoju duševnih motenj, prištevnosti, dodeljevanju otrok staršem pri razvezah ipd. Opazimo lahko nekajdesetletni zaostanek za bolje razviti evropskimi državami, ki je najbolj očiten v preiskovalni in sodni praksi, kjer je moč zaznati kritično pomanjkanje psihološkega znanja (Areh, 2011).

Cilj tega dela je prepoznati ključne dejavnike, ki sprožajo sugestibilnost v preiskovalnih intervjujih prič in opredeliti najbolj ustrezne metode intervjuvanja s katerimi se je moč izogniti sugestijam.

S tem namenom sem se osredotočila na tehnike intervjuvanja, ki prevladujejo v Angliji s posebnim poudarkom na metodah, ki jih uporabljajo policisti pri zaslišanju sugestivnih prič. Poleg tega sem preučila nekatere osebnostne lastnosti in njihovo povezanost z sugestibilnostjo ter na ta način poskušala ugotoviti katere so tiste lastnosti, ki še posebaj pripomorejo k večji dovzetnosti do sugestij v kazenskem postopku.

Skozi diplomsko delo sem poskušala odgovoriti na tri hipoteze, ki sem jih s pomočjo pridobljenih podatkov uspela potrditi. Rezultati in ugotovitve mojega dela so predstavljeni v obliki odgovorov na zastavljene hipoteze.

**Hipoteza 1**: Osebnostne lastnosti, kot so samozavest, inteligencija in spomin določajo stopnjo posameznike dovzetnosti za sugestibilnost.


Glede na starost so se mlajši otroci izkazali kot bolj dovzetni za sugestije v primerjavi s starejšimi. Poleg tega so raziskave pokazale, da se mladostniki s pritiskom preiskave ne spopadajo tako uspešno kot odrasli in tako hitreje podvržejo sugestijam. Večina študij pri preučevanju povezave med sugestibilnostjo in spolom,
ni našla značilnih razlik v dozvzetnosti za sugestije med moškimi in ženskami. Nadaljnje raziskave so pokazale, da se spola razlikuje v opravilih in predmetih, na katere so pozorni. Moški tako kot ženske posvečajo več pozornosti opravilom in podrobnostim, ki so jim blizu, zato jim je načeloma težje sugerirati informacije o le teh. Nenazadnje, študije ugotavljajo negativno povezanost med samozavestjo in sugestibilnostjo, kar dokazuje da občutki nemoči in nezmožnosti še posebej pripomorejo k večji sugestibilnosti.

**Hipoteza 2:** Stopnja sugestibilnosti v predkazenskem preiskovalnem postopku pomembno vpliva na količino napačnih informacij pridobljenih od prič.


**Hipoteza 3:** Tehnike, ki jih policija uporablja pri intervjuvanju prič so v Angliji naprednejše kot v Sloveniji.

Na podlagi informacij pridobljenih v intervjuju s Stephenom Retfordom, zaposlenim na policijski enoti v Manchestru, ki je strokovnjak iz področja preiskovalnih intervjujev, ugotavljam da se Anglija dandanes lahko pohvali z enim izmed najboljših pristopov k preiskovalnem intervjuvanju. Angleška praksa je mednarodno priznana, zato so mnoge razvite države začele posegati po njihovih metodah. Uspeh Angležev izhaja iz združevanja kazenskega pravosodja in akademske stroke, česar v slovenski praksi zagotovo najbolj primankuje. Poleg tega je Anglija v zadnjem desetletju uredila potrebne pristojnosti, ki zagotavljajo temelje za dobro prakso. Na primer, prevara in zavajanje v preiskovalnem postopku, ki se ju pogosto poslužujejo Američani, v Angliji nista dovoljena. Ena izmed predlaganih idej za izboljšanje kakovosti kazenskih preiskav v Sloveniji je tako sprememba zakonodaje in z njo povezanih pristojnosti. S.Retford (osebni intervju, 22.5.2014)

S stukturiranim pristopom k preiskavi in k intervjuvanju se Anglija tako ponaša z najboljšo prakso v intervjuvanju prič. Policisti pri zaslišanju prič uporabljajo kognitivni model intervjuvanja, ki je priznan kot najbolj učinkovit mehanizem za
obujanje spomina. V primerjavi s standardnim intervijem, kognitivni intervju zagotavlja višji odstotek (približno 40%) točnih informacij ter pomaga doseči celovitost, temeljitost in verodostojnost v preiskovalnem postopku (Howitt, 2009).

Nadalje ugotavljam, da je kognitivni intervju priznano orodje za pridobivanje natančnih informacij od prič, ki so še posebej nagnjene k sugestibilnosti in se v praksi s pridom uporabljajo. Policisti v Angliji se predobro zavedajo problematike sugestibilnosti pri intervjuvanju, zato je njihovo delo močno povezano z Gudjonssonovimi lestvicami sugestibilnosti, ki so vgrajene v strokovno usposabljanje policistov. Glede na podatke sta risanje skic in miselno vračanje v situacijo dva izmed bolj uborabnih pripomočkov pri intervjuvanju sugestivnih prič. Drugo priljubljeno orodje, ki se pogosto uporablja, je kognitivni intervju v obliki vprašalnika ali tako imenovani Self-Administrative Interview (SAI). S.Retford (osebni intervju, 22.5.2014)


Ključne besede: sugestibilnost, intervjuvanje prič, preiskovalni postopek, osebnostne razlike
1 Introduction

The interviewing of witnesses, victims and suspects generally forms an essential part of criminal investigation. The quality and fairness of those interviews are crucial to guarantee justice within the process and from a successful investigation. Quality interviews demand evaluation and determination of the credibility of those being questioned, which is one of the most challenging tasks facing criminal justice system (Gudjonsson, 2006).

The credibility of interviewees during police interviews may be influenced by psychological vulnerabilities such as susceptibility to suggestibility. Psychological vulnerabilities are important because they can reduce people’s ability to cope with the demands of the interview as well as their capacity to provide salient, detailed, accurate, and coherent information. To identify possible psychological vulnerabilities of a witness, police officers have to apply the knowledge of psychology to their work (Gudjonsson, 2010).

Modern forensic psychologists gather the knowledge and techniques from psychology, psychiatry, and other behavioural sciences to answer the questions about individuals involved in investigation processes. Application of experimentally gathered knowledge, which is generally used abroad, enables higher efficiency of an investigative work and helps other professionals who work in the field of criminal justice (Areh, 2011). After numerous miscarriages of justice in the early 1990s, England has taken the lead in improving the police interviewing techniques. The secret behind their success is, particularly, in recognising the necessity to collaborate with academics and different specialists from medical background to discover appropriate ways of interviewing particular vulnerable interviewees (Gudjonsson, 2010).

On the contrary, forensic psychology in Slovenia is not among well-known and developed sciences. It is mostly limited to the work of clinical psychologists who usually estimate the level of sanity, help allocating a child in divorce cases, etc. A lack of knowledge can be noticed in this field and it seems as we are several decades behind well-developed European countries. This deficit is not as significant in academic environment as it is in the field of criminal justice, which raises even further concerns (Areh, 2011).
This paper will aim to examine police interviewing techniques in the UK and the methods used when questioning witnesses with particular psychological vulnerability, namely suggestibility. In an interview with specialist investigative interview advisor from Greater Manchester police, I will try to gather some first-hand information about police work in the UK. Furthermore, I will try to use this knowledge to suggest how the police forces in Slovenia could apply the practice exercised in the UK to diminish the deficit in forensic knowledge and improve the quality of investigative interviewing. I will also look at personal characteristics and its relation to suggestibility, with special focus on identifying those that trigger suggestibility in criminal investigation process.

1.1 Aims and hypotheses

The aim of this dissertation is thus to recognise the key factors that trigger suggestibility in police interviews of witnesses and identify the best techniques of interviewing that can be used in order to avoid suggestions. The following hypotheses will be tested accordingly:

- **Hypothesis 1**: Personal characteristics, such as the level of self-esteem, intelligence and memory, determine one’s susceptibility to suggestibility
- **Hypothesis 2**: A degree of suggestion presented in the pre-trial investigation process greatly affects the amount of misinformation obtained from the witnesses
- **Hypothesis 3**: Investigative interviewing techniques in the UK are better developed than in Slovenia.

1.2 Limitations

Detailed interviewing is essential to obtain an in-depth review of investigative interviewing techniques used in police work. As detailed interviewing requires greater amount of time than questionnaires, my research is limited to one comprehensive interview. As a consequence, the outcome of the interview might simply be broad generalisation resulting from inductive reasoning rather than reflection of an actual situation.
1.3 Methodology

My dissertation will consist of theoretical and empirical part. In theoretical part, a descriptive method will be used to describe facts, relations and processes related to the concept of suggestibility. Both, leading and misleading question approach as well as misinformation studies will be explored in order to identify the factors that increase the level of suggestibility. I will analyse the past research on individual differences, as measured by Gudjonsson Suggestibility Scale, to determine whether or not certain personal characteristics are being of potential relevance to witnesses’ capacity to provide accurate, reliable and complete information.

A method of interview will be used to obtain a further insight into the work of police in the UK and techniques used in witness interviewing. Subsequent thematic analysis will be used to examine the findings. Based on the results, interviewing process and the techniques used in the UK will be compared to the ones in Slovenia.

1.4 Structure of dissertation

In the first chapter a brief historical background to suggestibility will be presented to explain how and when the concept first appeared. In the next two chapters I will introduce fundamental concepts which are essential for further understanding of this work - suggestion and suggestibility. The classification of suggestibility will be narrowed down to interrogative suggestibility, which will be the focus of chapter five. Within this chapter individual differences approach and experimental approach to interrogative suggestibility will be examined to determine the features that initiate higher levels of interrogative suggestibility among those involved in criminal investigation process. Special characteristics of interrogative suggestibility will be considered in order to differentiate the concept from other types of suggestibility. Further, in chapter Factor analysis of the Gudjonsson Suggestibility Scale, I will analyse the past research on individual differences to ascertain whether or not certain personal characteristics are being of potential relevance to witnesses’ susceptibility to interrogative suggestibility. The last chapter will include interview with specialist investigative interview advisor from Greater Manchester police and the analysis of its findings. Furthermore, literature will be reviewed in order to identify interviewing techniques used in Slovenia. The established facts will be
compared to identify whose methods are more efficient and suggest how those could be applied to other practices to possibly improve the work of police.

2 Brief historical background to suggestibility

Coffin (1941) believed that Noitz was one of the first theorists to recognise the phenomena of suggestion. Noitz believed that every idea might become an action, what he considered to be the fundamental psychological law at work. According to this belief, “the suggested action is transformed into action because the idea of the action has reached the respondent’s consciousness”. Gudjonsson suggests this proves that the early concept of suggestion was originally developed as a way of explaining hypnotic phenomena and began to play a significant role when first researchers, such as Bertrand and Braid began to recognise psychological influences to hypnosis. Since at the time hypnosis was characterised by heightened suggestibility scientists began to believe that people who had been successfully hypnotized are also largely susceptible to suggestions (Gudjonsson, 2003a).

According to Edmonston (1989) an important aspect of the relationship between hypnotism and suggestibility is that suggestion has more influence when under hypnosis than when in ‘waking state’. Similarly Orne (1977, as cited in Gheorghiu, 1989) describes hypnosis as “the state in which suggestion can be used to give rise to distortions in perception and memory.” Sheehan (1989) points out the issue of hypnosis and suggestibility is precisely relevant to suggestibility in the legal context. In accordance to him under particular circumstances hypnosis increases the likelihood of the recall of misleading information, creation of pseudo memories and acceptance of the persuasive messages contained in leading questions. Conversely to Sheehan’s beliefs, Orbach et al. (2012) reported the case of a child who provided crucial information when interviewed under hypnosis and no suggestive questions were used.

As the authors like aforementioned Bertrand and Braid began to recognize psychological influences to hypnosis and the early concept of suggestion was introduced to explain the phenomena, the interest in experimental psychology as well as individual differences increased. Due to the increased interest, many tests of suggestibility were developed at the turn of nineteenth century. The majority of these tests measured the influence of suggestion upon the sensory system (visual,
tactile, auditory, olfactory etc.). Traditionally the subject was being presented with a real sensory stimulus which was later excluded without informing the subject, whose reactions were monitored. The subject was considered suggestible if he or she reported the presence of the stimulus when it was omitted (Gudjonsson, 2003a).

As the subject was unaware that he is being influenced, the suggestions in all of these tests were presented indirectly. This classification could be drawn from Gheorghiou’s (1989) differentiation between direct and indirect suggestion procedures, a distinction he attributes to Sidis (1898). He implies that in direct procedures the intention of the influence is explicit and the subject is aware of what is expected of him whereas the indirect procedure is, on the contrary, more subtle and implicit. The subject in this procedure is not informed of the actual purpose of the test nor is he aware of the experimenter’s attempt to influence his response.

3 Some characteristics of suggestion and suggestibility

The simplest definition of suggestibility is the one of Sidis (1898) who describes it as “a peculiar state of mind which is favourable to suggestions”.

Although the concepts of suggestion and suggestibility are linked, they are distinct, with the latter generally resulting from the former. Therefore, in order to clearly understand the idea of suggestibility, one has to draw an important distinction between the two concepts.

Gudjonsson (2003a) believes that considering suggestion as a stimulus which can potentially ‘trigger’ or ‘elicit’ a response helps to separate it conceptually form the concept of suggestibility. Suggestion thus provides an individual with a particular message to respond to. This message can be either considered as a hint, a cue or an idea. Consequently, if suggestion refers to the properites held in a stimulus, suggestibility refers to the tendency of the individual to respond in a particular way to this stimulus. Hence, suggestibility is associated with caracheristics of the person who is being provoked to respond. Hilgard (1991) shares the view of Gudjonsson indicating that suggestion refers to a type of ‘influential communication’ while suggestibility is related to individual differences between those responding to suggestion under comparable circumstances. This distinction has been previously made in the definition of Sidis (1898) which has been highlighted above.
In summary, suggestion has the potential to provoke a moment or state of suggestibility. Suggestibility can be triggered by suggestions that arise from hypnosis, social influence or incorrect information. Whether the suggestions provokes a state of suggestibility or not depends on the following conditions:

1. the susceptibility of a person
2. the nature and characteristics of the suggestion as well as the person offering it
3. the context in which the suggestion occurs (Gudjonsson, 2003a).

4 The classification of suggestibility

Numerous researchers in the past century have been trying to develop a unitary concept of suggestibility. After reviewing the work of various authors one can conclude there are several different types of suggestibility. Gheorghiu (1989a) believes suggestion procedures have normally been used to influence three disparate processes—motor, sensory and memory processes. Eysenck (1943), whose early and influential work was focused on the nature of suggestibility, suggested there are three independent types of the phenomenon, each influencing one of the aforementioned processes—primary, secondary and tertiary suggestibility.

Primary suggestibility is commonly associated with motor processes. Ideo-motor tests were designed to measure primary suggestibility by examining whether thinking about or imagining one’s body moving can cause the movement to occur. The research has shown that primary suggestibility correlates significantly with hypnotisability and neuroticism therefore it is probably of little relevance to interrogative suggestibility.

Secondary suggestibility seems to cover more diverse and complex phenomena, which is mainly related to perceptual judgements and sensory processes. Eysenck (1947) associates secondary suggestibility with indirect suggestion and ‘gullibility’. In his opinion, people who are over-trusting and easily persuaded (to put it simply, ‘gullible’) to believe something tend to be more suggestible. Secondary suggestibility may thus be relevant to interrogative context due to its association with ‘gullibility’ (Gudjonsson, 1984).
Table 1: Eysenck & Furneaux (1945), Primary and Secondary Suggestibility (Source: Ridley, 2013)

<table>
<thead>
<tr>
<th>Eysenck &amp; Furneaux (1945), Primary and Secondary Suggestibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eysenck and Furneaux raised the question of whether suggestibility is a single mental trait or a number of separate 'suggestibilities' (p.485). They carried out a study amongst 60 neurotic patients in an army hospital. A battery of 12 different tests was administrated in order to understand the relationship between them and whether they would support the notions of primary and secondary suggestibility. Examples of tests given and the type of suggestibility it was hypothesised that they related to:</td>
</tr>
<tr>
<td><strong>Picture report</strong> (secondary): A picture was studied for 30 seconds, followed by 14 questions about it, of which five contained incorrect details. Suggestibility was measured by the number of suggested details accepted.</td>
</tr>
<tr>
<td><strong>Ink Blot Suggestion Test</strong> (secondary): Typical responses to Rorschach ink blots were suggested as well as implausible responses. Suggestibility was measured by the number of implausible suggestions accepted.</td>
</tr>
<tr>
<td><strong>Body Sway Test</strong> (primary): Participants closed their eyes and it was suggested they were falling forward. The amount of sway was measured via a thread attached to the participant's clothing. 'Complete falls are arbitrarily scored as 12 inches' (p.487).</td>
</tr>
<tr>
<td><strong>Odour Suggestion Test</strong> (secondary): Participants were asked to identify the scents presented in different bottles. The three final bottles presented contained water. Suggestibility was measured by the number of these placebo bottles that had an odour attributed to them.</td>
</tr>
<tr>
<td><strong>Hypnosis</strong> (primary): Attempted induction was via 'fixation of a bright object, a constant low sound, and verbal suggestion' (p.488). Various suggestions were made to participants such as tiredness and hallucinations. A total hypnosis score was derived from responses to the suggestions.</td>
</tr>
</tbody>
</table>

Analysis supported the two types of suggestibility, although more so for primary than for secondary suggestibility. The best tests of primary suggestibility were the body sway test and hypnosis, while the ink blot and odour tests were the best tests of secondary suggestibility.

Later studies, such as Evans (1967, 1989) have supported the existence of primary suggestibility whereas the concept of secondary suggestibility has not been...
accredited yet. Moreover, Eysenck (1947) suggested a third or ‘tertiary’ type of suggestibility which seems to be somehow similar to interrogative suggestibility. This type of suggestibility involves a ‘prestige figure’ who is utilising its ‘impressive character’ to influence others with persuasive communication. McDougall (1908) also recognised the idea of ‘prestige’ suggestion as one of the suggestibility conditions. Although Evans (1967) questioned his methodology, more recent research in the area of suggestibility in legal contexts supports Eysenck’s concept of tertiary suggestibility and acknowledges its association with interrogative suggestibility (Eysenck, 1989; Sheehan, 1989).

5 The definition of interrogative suggestibility

The idea of interrogative suggestibility was first introduced by Binet (1900). Binet wanted to investigate suggestibility that did not result from hypnotism. He was one of the first authors to introduce an individual differences approach, recognising that an individual who is susceptible to suggestion in one task may not show the same levels of suggestibility during another. To measure interrogative suggestibility, Binet established ‘interrogatory’ procedure which involved asking leading questions regarding the picture that subjects have seen beforehand. He used this procedure in a series of studies in which he manipulated, and measured interrogative suggestibility in school children. The results proved that the way questions are phrased can impact the response and create errors of fact (Binet, 1900).

Later studies by Loftus and her colleagues (Lotfus, Miller & Burns, 1978) also emphasised the importance of leading questions and its influence on interrogative suggestibility. Powers, Andriks, and Loftus (1979) defined interrogative suggestibility as “the extent to which they (people) come to accept a piece of post-event information and incorporate it into their recollection (p.339)”. Gudjonsson (2003a) finds this definition as very unclear and points out that even if the information may be accepted by the individual it has not been proven that individuals automatically integrate the suggested information into their recollection.

Gudjonsson and Clark (1986) provide a more focused definition of interrogative suggestibility: “The extent to which, within a closed social interaction, people come to accept messages communicated during formal questioning, as the result of which their subsequent behavioural response is affected (p.84)”.

17
According to Gudjonsson (2003a) this definition includes five consistent components which form an essential part of the interrogation process:

1. a social interaction
2. a questioning procedure
3. a suggestive stimulus
4. acceptance of the stimulus
5. a behavioural response, such as verbal reply to the question asked.

The first component refers to the nature of social interaction concerned, which is one of the most important factors that distinguish interrogative suggestibility from the other types of suggestibility. A police interview is a closed social interaction and privacy is the fundamental psychological factor for a successful interrogation. To ensure privacy, police interview generally involves the interviewer and the interviewee. Since there is no one to hold the interviewer accountable at his work, coercive interviewing techniques can be used to gain essential information from the interviewee. These techniques might induce suggestibility, especially among vulnerable individuals who are more prone to suggestions.

After Binet’s pioneering studies, the research tended to focus on two separate factors that influence the concept of suggestibility within interrogation context. Two core theoretical approaches to interrogative suggestibility have been established accordingly. An individual differences approach has been adopted by Gudjonsson (2003a) and others, while Loftus and her colleagues (Lotfus et al., 1978) followed an experimental approach.

Lotfus used experimental studies in the USA to show how simple it is, under certain circumstances, to deceive people into remembering erroneous details about an event they have witnessed. Experimental approach has mainly been interested in the conditions under which leading questions are likely to affect verbal accounts of witnesses. The authors concluded that interrogative suggestibility is mediated by a central cognitive mechanism, a lack of ‘discrepancy detention’ which is the ability to detect/identify inconsistency between the witnessed information and the post event information (e.g. leading question) (Gudjonsson, 2003a).

Individual differences approach supports the Prideaux’s (1919) idea of suggestibility as a general trait or characteristic of the individual. The emphasis of this approach is on explaining individual differences in interrogative suggestibility, which makes it specifically applicable to police interrogation.
According to Ridely (2013), what is common to both approaches is the fact that they appraise suggestibility from the point of view of its impact on the accuracy of information acquired during the criminal investigation.

5.1 The individual differences approach to interrogative suggestibility

5.1.1 The development of Gudjonsson-Clark theoretical model

As Gudjonsson (2003a) suggests there are two distinct types of suggestibility significant to police work that are fairly independent of each other. The first type emphasises the influence of leading or suggestive questions on testimony and it has been studied in the pioneering work of authors like Binet (1900) and Stern (1939). The second type, which has not been formally or systematically studied before Gudjonsson, highlights the importance of negative feedback as a form of pressure during interrogation process. It examines the extent to which the negative feedback or challenge can be used in order to ‘shift’ unwanted but perhaps accurate answers.

Gudjonsson recognised the lack of a suitable instrument for measuring both ‘leading questions’ and ‘negative feedback’ aspects of interrogative suggestibility. For this reason he created a standardised psychological test for measuring interrogative suggestibility, called Gudjonsson Suggestibility Scale 1 - GSS1 (Gudjonsson, 1983, 1984a). Gudjonsson Suggestibility Scale 1 formed the basis for the theoretical model of Gudjonsson and Clark (1986), which was followed by the publication of a parallel form, known as the Gudjonsson Suggestibility Scale 2 - GSS2 (Gudjonsson, 1987). In addition, the Gudjonsson Compliance Scale was formed to measure the tendency of people to go along with requests made by others, especially those in authority, in order to please them or in an attempt to avoid conflict (Gudjonsson, 1989).

Gudjonsson Suggestibility Scale (GSS) is set within an immediate against delayed-recall paradigm. It measures the extent to which an individual tends to give in to various types of (mis)leading questions (Yield) and the extent to which an individual can be made to change his previous answers when negative feedback on initial performance is given (Shift) (Gudjonsson, 2003a). The Gudjonsson Suggestibility Scale consists of twenty questions which are based on the content of the story. The subjects are told that they are going to be asked questions about the story and are
given instruction to answer them as accurately as possible. The entire procedure for the Gudjonsson Suggestibility Scale is shown in Appendix 1. An example of an actual questionnaire can be seen in the Appendix 2.

Gudjonsson emphasises the use of his Suggestibility Scale as both, clinical tool to measure individual susceptibility to suggestion as well as research instrument to help our further understating of the nature and mechanism of interrogative suggestibility (Gudjonsson, 1984).

A broad recognition of The Scales proves their application to forensic practice. The Scales were first accepted in the Court of Appeal in the United Kingdom in 1991 and recognised by the House of Lords in December 2001 in the case of Donald Pendleton (Gudjonsson, 2003a, b; Gudjonsson, 2010). They are quoted in numerous UK appeal judgements and have also been accepted in the court cases in the United States and elsewhere (Gudjonsson, 2003a).

5.1.2 The Gudjonsson-Clark theoretical model

The emphasis of The Gudjonsson-Clark theoretical model is on susceptibility to giving misleading or false information if the individual is asked leading questions or feels pressured in an interview. Interrogative pressure in this context takes the form of negative feedback. The basic assumption of the model is that interrogative suggestibility depends on the coping strategies that people employ when they are faced with two main characteristic of the interview situation: uncertainty and heightened expectations (Gudjonsson, 2003a).

According to Gudjonsson and Clark (1986) the interviewee adopts a ‘general cognitive strategy’ which determinates whether the range of response will be suggestible or resistant. The one that helps to resist suggestions enables the subjects to see the situation objectively and critically, therefore they will not answer the question unless absolutely certain of the facts. On the contrary, the strategy that is responsive to suggestion involves an unrealistic assessment of the situation. As a result, subject is unwilling to admit the unreliability of its memory when uncertain.

Being asked questions by the police, the interviewee has to deal with uncertainty and interpersonal trust on one hand and certain expectations on the other. To be able to effectively deal with these obstacles, he undergoes cognitive processing where he engages in one or more strategies of general coping. An avoidant coping strategy will
result in a suggestible response, consisting of a Yield response (yielding to the suggestive questions) and/or a Shift response (shifting one's answers under interrogative pressure) (Gudjonsson, 2003a).

Figure 1: A theoretical model of interrogative suggestibility (source: Gudjonsson, 2003a)
To sum up, Gudjonsson (2003a) recognises the following three elements as fundamental preconditions for the process of interrogative suggestibility:

1. Uncertainty

The interviewee is not sure about the correct answer to the question being asked and may therefore accept the leading information as a correct response. The interviewees may sometimes accept a suggestion although knowing that it is wrong because they are eager to please the interrogator. Gudjonsson indicates that in this case they are showing acquiescence rather than suggestibility.

2. Interpersonal trust

Interpersonal trust may depend on the level of interviewee’s ability to perceive the deception. It refers to the interviewee’s beliefs that the questioning does not involve any deception and that the interrogator’s intentions are honest. The interviewee’s suspiciousness is likely to reduce his/her susceptibility to suggestions regardless the level of uncertainty presented.

3. Expectation

The interviewee is convinced that s/he is expected to know the answer and is therefore unwilling to admit his/her uncertainty and lack of knowledge. During an interview these preconditions can be manipulated in order to influence the answers given (Gudjonsson, 2013). Gudjonsson & Clark’s model (1986) suggests that the interviewees’ susceptibility to suggestions can be defined by the coping strategies they are able to adopt and the cognitive assessment of the interrogative situation.

5.1.3 Features of interrogative suggestibility that distinguish it from other types of suggestibility

Gudjonsson and Clark (1986) used their definition of interrogative suggestibility as the framework for theoretical model which provides an additional explanation of the process and outcome of the police interview.
Their theoretical model illustrates four main characteristics of interrogative suggestibility that separates it from other types of suggestibility:

1. interrogative suggestibility includes questioning procedure within a closed social interaction
2. the questions asked are related to past experiences, events and recollections, whereas other types of suggestibility are concerned with the motor and sensory experiences of the immediate situation
3. interrogative suggestibility includes a great element of uncertainty which relates to individual’s cognitive processing capacity
4. questioning in the police interview normally involves a high level of stress with significant consequences for the witness, victim and suspect.

Schooler and Loftus (1986) suggested that the model could be enhanced by considering “discrepancy detection”. According to Schooler and Loftus (1986) “Recollections are most likely to change if a person does not immediately detect discrepancies between post-event suggestions and memory of the original event (pp.107-108)”. This helps to explain the process whereby people accept and integrate inconsistent information into their memories (Tousignant, Hall, & Loftus, 1986).

5.2 Misinformation effect

Loftus was the first to confirm suspicions of other psychologists (e.g. Alfred Binet and Hugo Munsterberg) that the majority of errors in eyewitness testimony originate from suggestive investigative interviews. With a series of studies on eyewitness suggestibility in 1970s Loftus and her colleagues ushered in a new area of psychological research on memory (Chrobak & Zaragoza, 2013). Loftus studies focused on memory for complex, fast-moving and forensically applicable events which were shown in film clips or slide shows (Banaji & Crowder, 1989).

Loftus et al. (1978) recognised the concept of misinformation effect which is ‘one of the most influential discoveries in experimental psychology’. Their work raised serious concerns about the reliability of memory and eyewitness testimony.

The effects of misinformation demonstrate the unexpected ease with which misleading post-event suggestion can contaminate eyewitness memory.
In some instances misleading information introduced after an eyewitness event could lead people to report objects and events they had never seen or experienced (Zaragoza, Belli & Payment, 2006).

In a typical experiment introduced by Loftus, participants are shown a series of slides illustrating ‘a complex and forensically relevant event’, such as a traffic accident or theft. After viewing the slides, participants are questioned about the event they witnessed. The post-event questioning involves leading or misleading information, usually presented in the form of presumptions or leading questions. In the end participants are tested on their memory for the witnessed event. Misinformation effect can be explained as the extent to which mislead participants are likely to report misleading suggestion rather than the events they in fact witnessed (when compared to control participants that were not misled).

In one of her early demonstrations of the effects of leading questions, Loftus (1975, as cited in Zaragoza et al., 2006) showed that participants could be led to report entire objects that did not appear in the originally presented event. Furthermore, the same study revealed that misinformation was more likely to affect later testimony when the false information was introduced as a presumption, rather than the direct focus of the question.

The misinformation effect has significant implications for legal systems that depend on eyewitness evidence in the jurisdiction. Accordingly, Loftus proved that findings from scientific research on memory and suggestibility can and should be employed at courts.

5.2.1.1 Exposure to contradictory post-event information

In 1978, Loftus, Miller, and Burns published a study indicating that eyewitness testimony could be influenced even easier than previously thought. They used almost identical experimental procedure to the one in the studies reported earlier with the only difference being that the misleading post-event information directly contradicted certain feature of the originally witnessed event. The results showed that only 41% of the mislead participants correctly chose the slide that was portraying the item that originally appeared. The finding that participants would report suggested rather than originally presented information even when the later directly contradicts the former, raised questions about the ‘fate’ of the original
memory. Loftus and colleagues were interested whether the misled participants were in fact able to retrieve the originally witnessed details. They wanted to examine whether participants simply failed to report the originally witnessed details because misinformation happened more recently or for some other similar reason. Therefore additional studies by Loftus and colleagues required participants who selected the misinformation to give a second guess. These studies showed that even when participants could access the original information their possibility of selecting the original item was not greater than a chance. On the basis of these studies Loftus et al. proposed that misleading post-event suggestion can permanently replace the originally seen item from memory. Consequently, exposure to contradictory post-event misinformation could not only supplement eyewitness testimony but could also change them (Zaragoza et al., 2006).

On the contrary, McCloskey and Zaragoza (1985) argued that traditionally misinformation effect presented by Loftus did not provide definite evidence that the original memory had been damaged by misleading post-event information. They noted that participants' memory in the typical misinformation experiment as well as in a real world eyewitness testimony situation is deficient even without being exposed to misinformation. Empirical evidence for their observations can be found in data from Loftus et al. (1978), where recognition of critical items for the participants who did not receive the misinformation was below the ceiling.

In order to evaluate whether exposure to misinformation erased or damaged originally witnessed details, McCloskey and Zaragoza (1985) developed a Modified Test procedure. In contrast to the standard test that offered participants a forced-choice between the originally seen and the suggested item, on the Modified test participants had to choose between the originally seen item and a new item. The results of this test showed that when the suggested misinformation was not an option on the test, participants were able to remember the original event detail as good as participants who had not been misled. These findings supported McCloskey and Zaragoza’s (1985) arguments that exposure to misinformation neither erases nor damages access to original event details. Rather, the authors concluded that the misinformation effect is most likely the consequence of gap filling. Thus, misled participants who failed to encode original information use the misleading post-event suggestion to fill a gap in their memory.

Similarly, the GSS1 and GSS2 also provide impartial measures of 'confabulation', which is related to difficulties in memory processing where people use fictional
recollections to replace the gaps in their memory (Tests, Scales, and Assessments…, 2014).

In this regard, confidence in memory was negatively related to susceptibility to suggestive questioning (Yield 1) but was associated with interrogative pressure (Shift). Furthermore, empirical evidence proved that contradictory misinformation is most likely to affect/influence individual’s memory when his recollections for the originally witnessed details are weak or non-existent. For example, Tousignant et al. (1986) suggest that misinformation effects are normally limited to details that are not central to the story line and typically poorly remembered. Moreover, Loftus (Loftus et al. 1978) showed that misinformation effects increase according to the delay between the witnessed event and exposure to misinformation. This is most likely to occur because memory for the originally witnessed item becomes weaker over time.

Early studies of the misinformation effect resulted in two additional findings that are particularly applicable to the interrogation process. First, social factors, such as the credibility of the post-event source turned out to be an important variable (see Dodd & Bradshaw, 1980, Smith & Ellsworth, 1987; Underwood & Pezdek, 1998). More subtle social cues, such as the perceived power and social attractiveness, seem to influence the extent of the misinformation effect (see Vornik, Sharman, & Garry, 2003). As police officers and interrogators are generally perceived as credible personalities with social power, it is evident how influential the misinformation can be when presented by them.

Similarly, McCloskey and Zaragoza (1985) noted that post-event information presented by an authoritative experimenter as truth, may lead some misled participants to report the suggested detail on the test even if they can remember the original one. These findings resemble Baron’s (Baron et al., 1998) arguments that people are more willing to comply with demands from authoritative person. In conclusion, the presence of authority makes people more susceptible to accept the suggested information therefore interrogation process creates perfect environment for deception.
5.3 Suggestibility and social factors

It has been noted through the work of Ridley (2013) that suggestibility is either related to a certain social interaction, memory or both. According to Ridley, compliance and conformity are the two crucial examples of social influence. Social influence refers to the ways people influence the beliefs, feelings and behaviours of others. Whereas suggestibility is defined as “the tendency of the individual to respond in a particular way,” therefore one can conclude that the concepts are closely connected (Gudjonsson, 2003a, p.336).

Both conformity and compliance are comparable to suggestibility in a way they help to explain why some people report incorrect information they have been exposed to. It is therefore crucial to closely examine the relationship between all three concepts in order to ascertain how compliance and conformity may impact suggestibility.

Gudjonsson (2003a) defines compliance as “the tendency of the individual to go along with propositions, requests or instructions, for some immediate instrumental gain”. According to him compliance unlike suggestibility is not related to person’s belief system. In other words, individuals do not accept the information suggested because they would perceive it as truthful but because of their disposition to yield to the will of others. Similarly, Fabrigar and Norris (2012) define compliance as the change in individual’s behaviour caused as a response to a request made by another person. On the contrary in conformity there is no overt obligation to act in a certain way. Members of the group do not actively attempt to influence others; therefore conformity is generally considered as passive form of influence.

Conformity thus refers to when people adapt their behaviours, attitudes, feelings or beliefs in order to match the norms of a group. The reason they adjust their behaviours according to the group is due to their ‘psychological need for acceptance by others’. Unlike compliance, which often involves influence of the authoritative figure, a person who conforms is influenced by his peers (Gross and McIlveen, 1998).

Baron et al. (2006) identify several factors that affect people’s willingness to comply with wishes of others, one of which is the presence of authority. They believe people value authority therefore they are more willing to comply with demands from someone who is (or appears to be) a legal authority. Moreover Travis and Wade (2000) explain why people obey even when it is not in their interest or that would require them to disregard their own values. They suggest that people are willing to
obey under such conditions because they transfer the responsibility for their actions to the authority which allows them to free themselves of accountability for their own actions.

Similarly, Gudjonsson (2003a) believes that compliance results from individual’s willingness to please or because one wants to avoid the conflict with an authority figure. As compliance involves an authority figure therefore it is especially applicable to interrogative suggestibility as the interrogators are commonly perceived as having the social power and status of an authority figure. These finding are a clear example of how easily the interrogators can influence accounts of their interviewees especially if inappropriate questioning method is used.

According to Gudjonsson (2012) both suggestibility and compliance are likely to be mediated by factors such as low intelligence, low self-esteem, poor memory, anxiety and a history of misfortune. These factors weaken person’s ability to handle the uncertainty and expectations involved in the questioning.

Although conformity and compliance can be used to explain the same occurrence as suggestibility, and all three are closely linked, suggestibility differs significantly from other two concepts. The person concerned considers suggestible responses as truthful whereas with conformity and compliance there is not always private acceptance that the suggested information is correct (Ridley, 2013).

Furthermore, various social theories have been established to help explain why some people may be less suggestible than others. Three theories prevail in the academic circles: cognitive dissonance, reactance and belief perseverance. Whereas reactance and belief perseverance are more applicable to the work with suspects, cognitive dissonance is particularly useful to explain possible witness behaviour during the interview process.

Festinger (1957) developed the theory of cognitive dissonance to provide an explanation for the discomfort people can sense ‘when their attitudes and behaviours do not match each other’. According to Festinger, cognitive dissonance is a product of someone’s ‘behaviour being at odds with his attitude’. An individual might try to adapt their attitude in order to justify their behaviour resulting in decreased cognitive dissonance. Similarly, cognitive dissonance may be caused in the case of a police interview, if leading questions are being asked about a detail the person is unsure of. A witness might rationalise that the police officer must know the truth and consequently decide that it is reasonable to accept the suggestions. It is this way
they try to avoid the discomfort that comes with cognitive dissonance. On the other hand, Ridley (2013) points out the person may as well reject the suggested information to keep their behaviour in order with what they remember of the information in question.

6 Factor analysis of the Gudjonsson Suggestibility Scales

This part of my enquiry aims to provide insight into the possible effects of psychological vulnerabilities arising from individual differences. Individual differences as measured by the GSS will be examined to identify the mechanisms behind suggestibility.

The term ‘individual differences’ refers to personality or cognitive variables that differ from one person to another. Schooler and Loftus (1986) were one of the first authors to highlight the importance of individual differences for the understanding of suggestibility. They suggested that experimentalist could enhance their models of suggestibility by exploring how individual differences in personality and cognitive abilities influence the impact of leading questions.

It is suggested that subjects involved in the investigation process often lack the knowledge about the vulnerabilities of victims and witnesses. Ridley and Gudjonsson (2013) recognise various reasons that make the research in individual differences of great importance in legal context and should thus be paid more attention to. Firstly, police and legal professionals need to be familiar with the factors that might increase the suggestibility of witnesses as well as suspects. A careful preparation for the interviews should therefore allow interviewing officers to gain some insight into the vulnerabilities of an interviewee. Secondly, a further understanding of individual differences in addition to its effects on suggestibility and testimony in general is crucial for psychologists who may be asked to assess an individual’s suggestibility for legal purposes. Finally, from a theoretical perspective, as pointed out by Schooler and Loftus (1986) and Eisen, Winograd, and Qin (2002), the study of individual differences can help us to understand the mechanisms underlying suggestibility.

Before we look further at the mechanisms behind suggestibility an important distinction between immediate and delayed suggestibility needs to be made.
Immediate suggestibility is a result of social pressure and refers to acceptance of misleading information contained in a leading question. Delayed suggestibility is caused by exposure to misleading information that is incorrectly reported in a subsequent test. As a consequence, the subjects are confused between what they actually witnessed and what was suggested later on (Schooler & Loftus, 1993). Immediate suggestibility is observed in the Yield and Shift measures of the Gudjonsson Suggestibility Scales (Gudjonsson: GSS1, 1983, 1984; GSS2, 1987a; as cited in Ridley & Gudjonsson, 2013, p. 86), as well as in studies using leading and misleading approach/methods whereas delayed suggestibility is examined in the ‘standard’ or ‘classic’ misinformation studies.

6.1 Gender

Several studies (see Gudjonsson, 2003a, p.379) have examined the correlation between suggestibility and gender; however most of them found no significant difference in accuracy between genders. Powers et al. (1979), on the other hand, found that females were significantly more suggestible than males. Moreover, the study showed that sex differences in accuracy were related to the type of questions being asked. Females were significantly more accurate/precise than males on questions dealing with female-oriented details (e.g. women’s clothing), whereas males were more accurate regarding male-oriented details (e.g. the thief’s appearance and offence’s surroundings).
Table 2: Memory and suggestibility mean and standard deviation (SD) scores for normal males and females (Source: Gudjonsson, 1984)

<table>
<thead>
<tr>
<th>Measure</th>
<th>Males (N = 56)</th>
<th>Females (N = 58)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>X</td>
<td>SD</td>
</tr>
<tr>
<td>Free memory recall</td>
<td>22.9</td>
<td>5.9</td>
</tr>
<tr>
<td>Suggestibility</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yield (Trial 1)</td>
<td>4.2</td>
<td>2.6</td>
</tr>
<tr>
<td>Yield (Trial 2)</td>
<td>5.2</td>
<td>3.1</td>
</tr>
<tr>
<td>Shift</td>
<td>2.8</td>
<td>2.7</td>
</tr>
<tr>
<td>Total Suggestibility</td>
<td>7.0</td>
<td>4.2</td>
</tr>
<tr>
<td>(i.e. Yield + Shift)</td>
<td>(6-36)*</td>
<td>(0-12)</td>
</tr>
</tbody>
</table>

*Range of scores in parentheses.

Based on the findings, authors came to the conclusion that each sex pays more attention to those items which are of most interest to their own gender. Furthermore, after reviewing the literature, Bruck and Melnyck (2004) recommended that “gender should be included as a factor in the analysis of suggestibility studies only if there is primary theoretical motivation for its inclusion (p.986).”

6.2 Ethnic background

The only study that has examined differences in suggestibility among people from different ethnic background is the one by Gudjonsson, Rutter and Clare (1995, as cited in Gudjonsson, 2003a). The study showed that Afro-Caribbean police detainees scored significantly higher than their Caucasian equivalents on all the GSS 2 suggestibility measures when there was no difference in IQ scores between both groups.
6.3 Age

Studies (see Gudjonsson 2003a, p.380) showed that younger children scored higher than older children on both Yield 1 and Shift. This indicates that younger children are more suggestible than older ones, in terms of giving in to both leading questions and interrogative pressure. However, children of the age of twelve or older act similarly to adults in terms of memory and susceptibility to leading questions. Nevertheless, adolescents do not cope as well with interrogative pressure as adults which links this type of suggestibility with a social rather than an intellectual and memory process. Thus Gudjonsson (2003a) concluded that interrogative pressure can be considered as important factor in the police interviewing of children and juveniles.

Table 3: Intercorelations between memory, age and suggestibility (Source: Gudjonsson, 1984)

<table>
<thead>
<tr>
<th>Type of Sample</th>
<th>Memory</th>
<th>Age</th>
<th>Shift</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Normal females (N = 58)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yield 1</td>
<td>-0.47***</td>
<td>0.03</td>
<td>0.15</td>
</tr>
<tr>
<td>Yield 2</td>
<td>-0.42**</td>
<td>0.08</td>
<td>0.42**</td>
</tr>
<tr>
<td>Shift</td>
<td>-0.20</td>
<td>0.02</td>
<td></td>
</tr>
<tr>
<td>Total Suggestibility</td>
<td>-0.56**</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Normal males (N = 56)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yield 1</td>
<td>-0.45**</td>
<td>0.13</td>
<td>0.24</td>
</tr>
<tr>
<td>Yield 2</td>
<td>-0.43**</td>
<td>0.04</td>
<td>0.40**</td>
</tr>
<tr>
<td>Shift</td>
<td>-0.41**</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>Total Suggestibility</td>
<td>-0.55***</td>
<td>0.05</td>
<td></td>
</tr>
<tr>
<td>3. Forensic patients (N = 40)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yield 1</td>
<td>-0.01</td>
<td>0.19</td>
<td>0.26</td>
</tr>
<tr>
<td>Yield 2</td>
<td>0.14</td>
<td>0.23</td>
<td>0.61***</td>
</tr>
<tr>
<td>Shift</td>
<td>0.02</td>
<td>0.19</td>
<td></td>
</tr>
<tr>
<td>Total Suggestibility</td>
<td>0.015</td>
<td>0.25</td>
<td></td>
</tr>
<tr>
<td>4. Children (N = 41)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yield 1</td>
<td>-0.36*</td>
<td>-0.14</td>
<td>0.18</td>
</tr>
<tr>
<td>Yield 2</td>
<td>-0.31*</td>
<td>-0.03</td>
<td>0.47**</td>
</tr>
<tr>
<td>Shift</td>
<td>-0.09</td>
<td>-0.04</td>
<td></td>
</tr>
<tr>
<td>Total Suggestibility</td>
<td>-0.39</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Two-tailed tests.

* $P < 0.05$; ** $P < 0.01$; *** $P < 0.01$. 

32
6.4 Memory and intelligence

The relationship between suggestibility and memory has been discussed in the work of authors like Bartlett (1932) who was possibly the most influential author in the field of fallibility of memory in the twentieth century. A great amount of the debate over the past 25 years has focused on whether suggestibility is related to memory at all although the possible influence of memory on suggestibility has been recognised in some of the early work on suggestibility. From what it is known about memory one can conclude that under certain conditions incorrect information can become implanted in memory for an event. On the basis of numerous studies, Bartlett suggests that memory is principally a ‘reconstructive’ process. One of his studies where participants were asked to recall a story showed that they tended to make four types of mistakes:

1. omission (specifically of details that were outside the readers’ own cultural experience)
2. rationalisation
3. transformation of detail (especially from the unusual to commonplace)
4. changing the order of events (giving priority to details to which the reader related).

Taking into the account the observations above, Bartlett (1932) proposed that memory is schematic. He believes people tend to reconstruct memories for events in the light of relevant available schema. ‘Schema refers to an active organisation of past reactions, or of past experiences’. According to Brewer & Treyens (1981) the activation of schemas can improve memory accuracy for ‘schema-relevant’ details however it can also persuade participants to falsely recollect information that seems probable but was never presented.

Gudjonsson and Clark (1986) were one of the first authors to recognise the important role of memory recollections in the police interview, where the questions asked are mostly regarding past events and experiences. Any interference in the memory process thus makes it harder for the interviewer to gather valid information from the respondent.
The relationship between intelligence, memory and suggestibility has been reviewed by Gudjonsson (2003a) who concluded that immediate suggestibility positively correlates with low IQ as well as poor memory. Boon & Baxter (2000) also recognise individual’s intelligence as one of the factors that determine whether the person is suggestible to interrogative situations. People with an average or above level of intelligence and cognitive ability will presumably be able to assess whether certain information is misleading.

Evidence found in Gudjonsson’s review (2003a) supports Gudjonsson and Clark’s (1986) theory that cognitive factors, such as memory, are more closely linked to susceptibility to suggestive questioning (Yield 1) than to susceptibility to interrogative pressure (Shift). On the contrary, interrogative pressure (Shift) appears to be more affected by anxiety as well as poor coping strategies (Gudjonsson, 2003a). Further studies (see Ridley & Gudjonsson, 2013, p.96) showed that interrogative pressure is particularly influenced by sleep deprivation as well as alcohol or substance withdrawal.

Alcohol or substance withdrawal is a type of mental disorder where brain becomes accustomed to use of alcohol or some other drugs in such a way that symptoms may result even when the substance is reduced or discontinued (Healthwise Staff, 2011).

Studies of delayed suggestibility, on the other hand, demonstrate a more complicate relationship between memory and suggestibility. Schooler and Loftus (1993) argued that a positive relationship between the two is possible because individuals with good memory are also more likely to remember misleading post-event information. Alternatively, if memory of the event is poor, the more recent misleading information will be more accessible in memory. Thus, either good or poor memory could result in high levels of suggestibility.

Gudjonsson and MacKeith (1982) developed the concept of ‘Memory Distrust Syndrome’ (MDS) to explain ‘internalised’ false confessions which have been found especially common in murder cases. MDS is defined as “a condition where people develop profound distrust of their memory recollections, as a result of which they are particularly susceptible to relying on external cues and suggestions.” The concept of MDS was initially introduced to account for false confessions; however it is also applicable to explain the behaviour of other interviewees involved in the interrogation process. Although MDS is not limited to people with generally poor memory, this may increase susceptibility, especially if accompanied with amnesia,
alcohol intoxication or interview techniques that weaken individual’s confidence in their recollections (Gudjonsson, 2003a). Moreover, even when the interviewees have a fairly clear recollection of the events, the way they are being interviewed and manipulated by the police can undermine confidence in their memory. Likewise an experimental study by van Bergan, Jelicic and Merckelbach (2008, as cited in Ridley & Gudjonsson, 2013) confirmed the correlation between memory distrust and false confessions as well as the harmful influence of ‘confidence-undermining questioning techniques’.

6.5 Self-esteem

According to Ridley (2013) self-esteem can become weakened in victims of crime, especially crimes of violence and violation. The fact that people with low self-esteem might not cope well with requirements of witness interviews indicates the potential importance of self-esteem in mediating suggestibility. Studies have found a negative correlation between self-esteem and suggestibility, which proves that feelings of powerlessness as well as incompetence are particularly effective in encouraging suggestibility. These findings are consistent with the Gudjonsson and Clark model of interrogative suggestibility.

Gudjonsson and Clark’s (1986) model identifies suggestibility as a complex phenomenon set in social interaction, therefore the behaviour of the interviewer is an important consideration when exploring different aspects of suggestibility. Accordingly, some studies (see Ridley & Gujdonsson, 2013, p.91) have investigated self-esteem and suggestibility in association with interviewer demeanour. Abrupt interview manner appeared to affect participants with low self-esteem which resulted in higher levels of suggestibility for that group. Moreover, the group with abrupt interviewer was significantly more suggestible on Yield 1 and Total Suggestibility measures, comparing to the one with friendly interviewer.

In summary, the results of above studies show that behaviour of interviewer affects self-esteem, what is more interrogation techniques that reduce self-esteem and confidence, lead to greater suggestibility. Research by Baxter et al. (2003) and Bain et al. (2004) have proved that a positive interviewer demeanour, on the other hand, should reduce suggestibility caused by leading questions especially for those with low self-esteem.
6.6 Anxiety

There are two different types of anxiety referred in the literature. Trait anxiety refers to a general level of anxiety whereas state anxiety reflects person’s level of anxiety at a given moment in time and varies depending on the situation (Ridley & Gudjonsson, 2013).

A number of studies have examined anxiety using the Spielberger State-Trait Anxiety Inventory (STAI). In one of them, Gudjonsson (1988) found that Interrogative Suggestibility is strongly and positively related to state anxiety. This indicates that the way anxious subjects feel at the time of the interrogation, is more important than their more generalised susceptibility to anxiety. When measured before interrogation, state anxiety scored highly on the Yield 2 and Shift measures. After the interrogation, a significant and considerably stronger relationship was found between state anxiety as well as all suggestibility measures. These finding proves that state anxiety is most strongly associated with how subjects react to interrogative pressure rather than to leading questions alone.

Overall, the evidence shows that, for immediate suggestibility, high anxiety is related to greater number of suggestible responses, especially when followed by negative feedback (Ridley & Gudjonsson, 2013).

Ridley and her colleagues performed a series of studies to investigate whether anxiety was associated with delayed suggestibility. Delayed suggestibility is strongly related to individual’s tendency to report misleading information rather than originally witnessed details. Participants in these studies were therefore exposed to misleading details in order to test their level of suggestibility. In one of the studies (Ridley, Clifford, & Keogh, 2002; as cited in Ridley & Gudjonsson, 2013, p.89), children with higher anxiety scores tended to give fewer suggestible responses. This finding proves a negative relationship between anxiety and delayed suggestibility. Further study by Ridley and Clifford (2006, as cited in Ridley & Gudjonsson, 2013, p.89) also showed correlation between higher levels of state anxiety and lower levels of suggestibility. Conversely, a positive relationship between trait anxiety and suggestibility was found. This reveals a complex relationship between suggestibility and state as well as trait anxiety that should be further examined in future studies.

To summarise, studies of delayed suggestibility have shown that higher levels of anxiety are associated with lower levels of suggestibility. In studies of immediate
suggestibility, on the other hand, anxiety was associated with higher levels of suggestibility. Ridley and Gudjonsson (2013) recognise this as a strong support for the idea that different mechanisms underpin of immediate and delayed suggestibility. Some authors (see Ridley & Gudjonsson, 2013, p.90) suggest that reduced suggestibility in delayed paradigm can be explained by a theory of processing efficiency. According to this theory anxious individuals worry which limits their cognitive processing capacity. However, if the question is not too cognitively demanding, those high in state anxiety are afraid of failure and will thus likely to put greater effort in performing well than those with lower anxiety levels. In contrast, in the case of immediate suggestibility, leading questions, especially after negative feedback, increase worry in those high in state anxiety, to the extent that it limits their processing resources and results in increased suggestibility (Ridley & Gudjonsson, 2013).

6.7 Impulsivity

The findings of Gudjonsson (1984d, as cited in Gudjonsson, 2003a, p.388) suggest that impulsivity and poor ego control are related to a tendency to give in to the interrogative pressure.

6.8 Suggestibility and instructional manipulation

The expectation component/element of the Gudjonsson-Clark (1986) model identifies that the type of instruction given prior to interrogation can, to a certain extent, affect suggestibility. For example, telling subjects that they should be able to answer all the questions asked raises their expectation about performance and may result in higher susceptibility to suggestions. On the contrary, telling subjects that they are not expected to know all the answers to the questions asked makes them more careful to avoid guessing the answers (Gudjonsson, 2003a).

Four studies into the effects of instructional manipulation on suggestibility have provided evidence that this influence actually exists. In first study Gudjonsson & Hilton (1989, as cited in Gudjonsson, 2003a, p.391) administrated Yield 1 part of the GSS 1 to three groups of medical students, where each of them received different instructions. One group was told that they should be able to give definite answers to
all the questions asked whereas the other group was expected not to be able to do so. The last group was given the standard GSS 1 instructions, where no particular expectation about performance was mentioned. The results indicated that it might be rather easier to lower than to raise suggestibility by giving instructions to manipulate expectations about performance. Findings of Hansdottir et al. (1990, as cited in Gudjonsson, 2003a, p.391) were consistent with those of Gudjonsson and Hilton (1989) and support the theoretical model of Gudjonsson and Clark. In a more recent study, Boon and Baxter (2000, as cited in Gudjonsson, 2003a, p.392) examined a way of minimising interrogative suggestibility by warning participants about the presence of misinformation prior to the interrogation phase. The warning had significant effect on Yield 1 and Yield 2 whereas the Shift scores were not affected. This shows that the warned group was less susceptible to leading questions than the group where no warning was given.

6.9 Suggestibility and coping strategies

The Gudjonsson-Clark (1986) model indicates that interrogative suggestibility is significantly related to the coping strategies people can employ when faced with uncertainty and expectations in interrogation situation. This view is strongly supported by the findings from Gudjonsson’s (1988) study which examined the impact of coping on suggestibility among thirty normal subjects. The descriptions of their coping strategies were categorised in three groups, according to the ‘methods of coping’ (described by Billings and Moos, 1981; Moos and Billings, 1982, as cited in Gudjonsson, 2003a, p.395):

1. ‘active-cognitive’ methods (i.e. the subjects try actively to control their thoughts and assessment of the situation);
2. ‘active-behavioural’ methods (i.e. behavioural attempts by the subjects to deal directly and critically with the situation);
3. ‘avoidance coping’ (i.e. the subjects avoid a critical assessment of the situation).

As expected, the study found a highly significant relationship between suggestibility and coping strategies. Subjects who reported having employed ‘avoidance coping’ methods scored much higher on suggestibility measures (i.e. Yield 1, Yield 2 and Shift) than the subjects who had been able to use the active-cognitive and active-behavioural techniques. This indicates that coping strategies that not involve a
critical analysis of the situation and rather rely on external cues when giving an answer result in higher level of suggestibility. (Gudjonsson, 2003a, p.395)

6.10 Police interviewing and suggestibility

A study by Tully and Cahill (1984, as cited in Gudjonsson, 2003a, p.403) suggests that the GSS 1 can, to a certain extent, predict the reliability of information given by witness when interviewed by the police. Gudjonsson (2003a) worked out the correlations between the suggestibility and numbers of accurate as well as erroneous recollections as found by Tully and Cahill. The study showed negative correlation between suggestibility and the number of items of accurate information provided by the subjects. Moreover, positive correlation between suggestibility and the amount of erroneous information given was found. These results indicate that subjects with higher levels of suggestibility gave less accurate information, and made more errors when interviewed as witnesses by the police one week later.

6.11 Suggestibility and eyewitness testimony

Munsterberg (1908), who has been recognised as ‘the father of eyewitness testimony research’ (e.g. Wrightsman, 2001), points out that the trust in reliability of memory is extremely general. The jury rarely suspects memory illusions to happen and are mostly led by the idea that ‘a false statement is the product of intentional falsehood.’ By pointing that out, Munsterberg indicates that one should always take into account the possibility of memory distortions when working with witnesses.

Similarly Loftus (1979) identifies that although the eyewitness testimony can be extremely believable and thus have the ability to greatly influence the decisions reached by a jury, one should bear in mind it is not always reliable. Loftus attributes the errors of the eyewitness testimony to “the natural memory process that occurs whenever human beings acquire, retain and attempt to retrieve information.”

In contrast, later pioneering study by Gudjonsson and Gunn (1982) shows that individuals with minor learning disability who are generally highly suggestible and prone to confabulations may well be able to give consistent evidence related to basic facts. However, Gudjonsson suggests that a detailed psychological assessment of the
learning disable person’s strengths and limitations may often be crucial in order to help the jury with evaluating the reliability of one’s testimony. Furthermore, Gudjonsson (1984) proposes that knowing the types of suggestive questions that individuals are particularly susceptible to and the extent, to which such questions can mislead them, may help determining the reliability of witness testimony.

7 Investigative interviewing techniques exercised in the UK in comparison to those used in Slovenia

To review current knowledge about psychological vulnerabilities and its application to police interviewing in the UK, the researcher was talking to Stephen Retford, who works as a full time specialist investigative interviewing advisor within Major Incident Team at Greater Manchester Police. Stephen offered me a further insight into the police interviewing techniques exercised in the UK and methods they use to avoid suggestibility during the investigation process. A full interview is available in Appendix 4.

7.1 Interviewing techniques in the UK

In the past, the police officers in the UK were not trained properly, which caused numerous miscarriages of justice. Luckily practitioners realised something needs to be changed and developed a brand new model of interviewing, named PEACE model of investigation. PEACE stands for:

P-preparation and planning
E-engage and explain
A-account, clarification and challenge
C-closure
E-evaluation

PEACE is a structured approach to investigation and interviewing which provides two models of interview that every police officer in the UK is trained in - cognitive interview as well as conversation management. Cognitive interview was developed in 1980s and introduced to the British police in early 1990s. It is primarily used for witnesses and victims whereas conversation management is manly used for suspects
and criminals. On some occasions interviewers blend the two models. If suspect is completely compliant and talking to the police, they might use the cognitive interview with them. Equally, they might use conversation management with slightly reluctant or hostile witnesses.

Interviewing with PEACE model aims to achieve integrity, thoroughness and truthfulness in the investigation process. If a certain technique does not respect aforementioned principles, police officers would extremely oppose its usage. The police seeks the information that is truthful, accurate and accountable. Accordingly, prior to an interview, a witness is encouraged to be comfortable to admit that s/he is not sure about certain event. They are specifically asked not to fill in the gaps with the information they assume that police wants to know. Any type of persuasion to tell a story in a certain way or inducing the interviewee to give information that police officer wants to hear is strictly against the policy. However, police officers are allowed to urge a reluctant suspect or witness to reconsider answering the questions. In this case police officer would suggest that giving some answers might eliminate the person interviewed from suspicion in that particular enquiry. S.Retford (personal interview, 22.5.2014)

7.2 Training courses in the UK

As Gross (1918) suggests, investigators must be properly trained and prepared for unexpected situations. They should not rely on their experience thinking they will be able to cope with the situation once faced with one.

Unfortunately, research conducted by Areh and Umek (2009), showed that police officers in Slovenia often feel that they lack appropriate education or training, especially when being promoted to a higher position. Senior officers in particular, should continually be trained and their work supervised to ensure constant improvement on their professional level as well as within the organisation as a whole.

To ensure all time onward development within police forces in the UK, training school organises continual professional development (CPD) days. On these days guest speakers and practitioners are invited to talk about different topics relevant to the investigation process.
Unlike in Slovenia, everybody in Greater Manchester Police and other units around the UK are trained to interview. Police officers in the UK have to follow national levels of accreditation, called Professionalising the Investigation Process (PIP) levels.

Table 4: Professionalising Investigation Programme (PIP) levels of investigation based on investigative activities (Source: http://www.college.police.uk/en/10093.htm)

<table>
<thead>
<tr>
<th>Investigative level</th>
<th>Example role</th>
<th>Typical investigation activity</th>
<th>Courses</th>
</tr>
</thead>
<tbody>
<tr>
<td>PIP 1</td>
<td>Patrol constable / Police Staff / Supervisors</td>
<td>Investigation of volume crime</td>
<td>Initial Police Learning and Development Programme</td>
</tr>
<tr>
<td>PIP 2</td>
<td>Dedicated investigator, eg CID officer</td>
<td>Substantive investigation into more serious/complex offences including road traffic deaths</td>
<td>Initial Crime Investigation Development Programme (ICIIDP)</td>
</tr>
<tr>
<td>PIP 3</td>
<td>Senior investigating officer</td>
<td>Lead investigator in cases of murder, stranger rape or kidnap. Category A, B and C.</td>
<td>Senior Investigators Development Programme (SIODP - PIP3)</td>
</tr>
<tr>
<td>PIP 4</td>
<td>Senior investigating officer / Officer in overall command (OIOC)</td>
<td>Critical, complex, protracted and/or linked serious crime. Category A+</td>
<td>PIP 4 (Heads of Crime, Detective Chief Supts, ACC)</td>
</tr>
</tbody>
</table>

These levels are accredited by the College of Policing, a national body which assures that every police officer is trained to these levels.
Student officers who just joined as the police officers undergo basic course for starters. After the course they are then able to plan the interview, execute the interview and re-evaluate the interview afterwards. If someone is specializing in interviewing witnesses they undergo an additional training, called advanced course. On these courses the emphasis is on vulnerable and intimidated witnesses, people with special requirements, children, and people with disability. Police officers thus develop their interview techniques according to the role they have within the unit.

Depending on the course you do, training in PEACE model lasts 7 days to 3 weeks. Brand new police officers, who have very little knowledge about interviewing, go through 7 days of cognitive witness training, to learn how to use cognitive model and 7 days suspect training in conversational management. They are shown the questioning style, how to prepare for it and how to get the environment right for the interview. Once they learn the basic skills they go out as full time police officers. If they want to develop and become more competent in interviewing, they will come back to the training school and get an advanced level of training.

Higher level of training is required when working with intimidating witnesses whereas to interview a vulnerable witness, police officer would need the highest level of training, namely advanced level. Intimidating witnesses are witnesses who were being bullied or threatened not to go to court while vulnerable witnesses are those with psychological disabilities or special requirements and thus fall under the top advanced witness category. S.Retford (personal interview, 22.5.2014)

As suggested by Gross (1918) criminalists should use principles of other disciplines and apply them to their work. When working with witnesses, the use of psychology principal is crucial since psychology is the only discipline who can give us knowledge and insight to understand the deeds of mankind. Accordingly, in the UK specialist psychologists and people with medical background are brought to the training course as guest speakers to talk about difficulties one can encounter during the interview. This way police officers get the idea of how to spot certain signs which may not always be evident. Very important part of the course is practical interviewing. At the first stage of it, interviewees would role play and interview one another whereas for the final assessment, they bring in the actors who work with the script. S.Retford (personal interview, 22.5.2014)
Conversely, in Slovenia evident lack of knowledge of forensic psychology can be noticed in the field of criminal justice. Psychologists in Slovenia mainly perform as expert witnesses on courts where they are asked to identify possible mental disorders of those involved in the criminal process. Recently the help of psychologists has been more often searched for in the work of police. Sadly, psychologists in Slovenia are not competent enough to provide the same level of applicable knowledge than real forensic psychologists. The one responsible for this deficit is the country itself, which does not offer opportunities to gain suitable education that would enable transmitting experimentally gathered knowledge from abroad to our own practice (Areh, 2011).

The PEACE model of interview is regarded internationally as very good practice and that is why a great number of people come to UK to learn their techniques. Countries like Iceland, Australia, New Zealand, all the European forces and even the Far East are looking towards the UK to adopt their methods of investigation interviewing. All the academics on the world, from psychology side and forensic linguistics, look to the UK and the methods they use there as the best ethnical methods to use. The reason the UK has the best practice (in interviewing) is because they joined law enforcement and academia which is definitely something that Slovenian police practice lacks the most. In addition, UK now has a jurisdiction that sets ground for a good practice. For example, trickery and deceive practiced by the Americans who use the Reid techniques, are not allowed in the UK. S.Retford (personal interview, 22.5.2014)

Thus on the quest for improvements, America and other countries with bad practice should first change their jurisdiction. Slovenia however, will not only have to change the jurisdiction that governs the work of police but also enable opportunities for proper education in the field of forensic psychology.

7.3 Limitations of the PEACE interviewing technique

The UK is nowadays recognised as having one of the best approaches to investigative interviewing, nevertheless examples of poor practice in the work of police can still be found. Poor practice is primarily a result of time constraints police officers are facing on daily basis. In the world of serious crime investigators have as much time as they need to plan and prepare the interview which allows them to obtain better
quality information without additional questioning. In a real life situation, on the other hand, most of the police officers who work with every day volume crime offences do not have sufficient time to conduct a good interview simply due to the nature of their work. S.Retford (personal interview, 22.5.2014)

Research (see Dando, Wilcock & Milne, 2008) showed that police officers frequently feel pressured by their senior officers to be quick at their work and move from one task to another. Mostly the problem lies in using the wrong terminology which suggests that officers need to be very quick in what they do.

Time limitations particularly concerns cognitive interview which, if done accurately, usually takes longer than standard interviewing techniques. Consequently, police officers are under impression that the cognitive interview will demand a great amount of their time therefore they tend to rush it. Nevertheless, if done carefully and professionally in addition to correct planning, the cognitive interview does not need to take much longer than the normal one. As long as the structure is right, a good cognitive interview can only take 20 minutes and is proven to produce a higher percentage (approximately 40 %) of accurate information compared to a standard interview (Howitt, 2009).

Training centres are well aware of time limitations and constantly remind police officers on courses, not to be pushed to work quickly but to be thorough and do a good job. They also try to refresh trained officers by reinforcing the cognitive model as well as by highlighting the importance of interviewing properly. Although all the interviews that have been made are reviewed by a specialist interviewing advisor, examples of bad practice can still be found.

Poor interviews due to the lack of time thus remain an issue in the British police practice; however the problem is known and trying to be addressed in a best possible way. S.Retford (personal interview, 22.5.2014)

7.4 **Cognitive interview and its applications to investigation**

Stephen believes that a cognitive interview is very effective and useful and is without a doubt the best practice. It is a perfect tool to fit their operational needs that is why his unit uses it whenever they conduct an interview. In order to select appropriate tool of cognitive interview, police officers would evaluate the person
they are questioning. It is important to have awareness of how to interview to be able to distinguish which technique to use with a particular individual. The most commonly used tool is probably contextual reinstatement because of its great effectiveness and the way it helps to bring out the memory. Along with drawing sketches and diagrams, giving the witness your contact details and ask them to contact you if they remember something after the actual interview proved to be another helpful technique.

According to Stephen, research showed that cognitive interview is regarded as the most affective interviewing mechanism for accessing memory. In spite of its effectiveness, cognitive interview does not work for every particular person, for example it is not suitable for people with autism. It is extremely important that interviewers are aware of its applicability to certain type of witnesses when looking for a suitable questioning technique. If a certain technique is not suitable for particular type of witnesses, police officers would collaborate with specialist to find appropriate one. For example, the emphasis in the UK at the moment is on developing the best questioning style for people who suffer from autism.

Cognitive interview is the best known mechanism to get in accurate details but on occasions it also produces misinformation. This is why it is important to give cognitive instructions, such as ‘if you are not sure, say you are not sure, if you don’t know, say you don’t know.’ Misinformation is often a product of a witness who wants to help the police and they would put certain information or memories together and get memories mixed up in their head. Memory is like a puzzle where you put pieces together to get a bigger picture and sometimes the pieces can go together wrong, which does not mean that the witness is deliberately lying, but genuinely thinks something is something when it is not. It frequently happens in practice that witnesses during an interview feels like they are obliged to answer the question even if they might not know the answers because police officers are recognised as an authority character. To avoid imposing themselves and appear as threatening to the interviewee, a rule prevails among officers to take their equipment off and interview in plain clothes whenever possible. The best way to avoid gaining false information is to be gentle, courteous and nice to the witness so that the memory works better.

Cognitive interview thus can bring out the misinformation but it is important for witnesses to feel comfortable to say everything even if they are not sure about it.
With the help of police officers they can later bring out the memories they were not able to recall at the beginning.

The study called BBC Eyewitness, which Stephen itself was involved in, was done in collaboration with BBC, Greater Manchester police and Oldham University to show how to use cognitive interview properly and avoid the misinformation effect. S. Retford (personal interview, 22.5.2014)

7.3 Working with highly suggestible witnesses

As many witnesses have certain requirements, police has to adapt their interviewing style to each individual. When they need to interview a witness with disability or psychological problems, police officers network with psychologists and psychiatrists as well as other specialists with medical background. These specialists advise and help police officers to choose the best interviewing technique for a certain individual with special requirements. For example, if they work with someone who is suggestible they would allow this person to take the time and recover their memory of certain events by doing slow interviews with them - e.g. one interview per week. When interviewing special witnesses of this type, an interview would be audio as well as visually recorded to give an insight of the questioning techniques used and to show whether the interviewer was acting appropriately. Occasionally a psychologist and another officer who is involved in the case would monitor the interview from the room next door in order to ensure the most effective interview.

Police officers in the UK are very conscious of the suggestibility issue in interviewing. The work of police is strongly allied with Gudjonsson Suggestibility scales which have been built into their training courses. Officers on basic courses are warned to be careful with suggestible witnesses, and as they progress to advanced level they receive a further insight into this issue. People with higher level of suggestibility may appear as completely normal individuals, but are eager to please and tend to comply with what the interviewer is seeking to get from them, therefore the questioning and investigative style has to be very careful and extremely gentle. Thus investigators try to avoid leading questions or forced choice questions and tend to use open questions like TED – tell, explain, describe or five WH questions – who, why, what, when, where, how. Interviewers would always start with these questions and only change to closed questions if they cannot obtain any information otherwise. In this case they
will use closed questions but immediately open it out with one of the TED questions. As suggestible people seize on something and add to it, one has to be careful not to put thoughts in their head. Investigators have to work with what the person tells them so that the memory is constantly coming from the person itself. They have to tease out the memory from the interviewee a bit at the time by isolating relevant topics during a free recall.

Two of the tools within cognitive interview that work very well for suggestive witnesses are contextual reinstatement and drawing sketches. Another popular tool to use is Self-Administrative Interview (SAI), which is a cognitive interview in a questionnaire format. Self-administrative interview allows the witness to capture the information that they are able to tell, it strengthens the memory and stops its contamination.

8 Conclusion

8.1 Answers to hypotheses

Hypothesis 1: Personal characteristics, such as the level of self-esteem, intelligence and memory, determine one’s susceptibility to suggestibility.

According to data obtained by reviewing previous research on individual differences, certain personal characteristics influence one’s susceptibility to suggestibility. Accordingly, poor ego control and impulsivity were found to correlate with higher level of suggestibility (Gudjonsson, 1984d; as cited in Gudjonsson, 2003a, p.388). High anxiety, poor memory and low IQ are also related to greater number of suggestible responses for immediate suggestibility. On the other hand, negative relationship between anxiety and delayed suggestibility was found which signifies a complex relationship between the two which should be further examined in future studies. In terms of age, younger children are proven to be more suggestible than older ones. Moreover, research showed that adolescents do not cope as well with interrogative pressure as adults, which makes them more vulnerable for suggestions (Gudjonsson, 2003a). Most of the studies that examined the correlation between suggestibility and gender have found no significant difference in accuracy between males or females. The ones found were related to the type of questions being asked from what authors concluded that each sex pays more attention to those items which
are of most interest to their own gender (Powers et al., 1979). A negative correlation between self-esteem and suggestibility has been found, which proves that feelings of powerlessness as well as incompetence are particularly effective in encouraging suggestibility (Ridley, 2013).

**Hypothesis 2:** A degree of suggestion presented in the pre-trial investigation process greatly affects the amount of misinformation obtained from the witnesses.

Findings of Loftus et al. (1978) confirmed suspicions that the majority of errors in eyewitness testimony originate from suggestive investigative interviews.

Authors recognised the concept of misinformation effect which demonstrates the unexpected ease with which misleading post-event suggestion can contaminate eyewitness memory. In some instances misleading information introduced after an eyewitness event could lead people to report objects and events they had never seen or experienced (Zaragoza, Belli & Payment, 2006).

**Hypothesis 3:** Investigative interviewing techniques in the UK are better developed than in Slovenia.

Further to the information gathered in the interview with one of their experts, I can conclude that the UK is nowadays internationally recognised as having one of the best approaches to investigative interviewing therefore many developed countries tend to adopt their methods. The reason for their success in interviewing is due to joining law enforcement and academia which is definitely something that Slovenian police practice lacks the most. In addition, UK now has a jurisdiction that sets ground for a good practice. For example, trickery and deceive practiced by the Americans who use the Reid techniques, are not allowed. To improve the quality of criminal investigation practice in Slovenia, changing the jurisdiction might be another idea to take under consideration.

**8.2 Conclusion**

Shepherd (1991) describes interviewing as a process of conversational exchange that requires training, practice and a careful approach to ensure that the encounter between interviewer and interviewee is productive.

With its structured approach to investigation and interviewing, the UK is nowadays considered as having the best practice in witness interviewing. When interviewing
witnesses, police officers use cognitive model of interview which is regarded as the most affective interviewing mechanism for accessing memory. Compared to a standard interview, cognitive interview is proven to produce higher percentage (approximately 40%) of accurate information what is more it helps to achieve integrity, thoroughness and truthfulness in the investigation process (Howitt, 2009).

Regardless of its effectiveness, few limitations to cognitive interview can be found. First, it is important to understand that cognitive interview cannot be of use for every particular person, for example it is not suitable for people with autism. Furthermore, cognitive interview is more time consuming than standard interviewing techniques which is why it might be rushed by the police officers who do not have enough time on their hands. Consequently, poor interviews as a result of time constrains remain an issue in the British police practice. However, if done carefully and professionally and if it has been planned right, the cognitive interview does not need to take much longer than the normal one.

With regards to suggestible witnesses, cognitive interview is commonly used and proves to be efficient tool for gathering accurate information from them. Police officers in the UK are very conscious of the suggestibility issue in interviewing. The work of police is strongly allied with Gudjonsson Suggestibility scales which have been built into their training courses. Two of the tools within cognitive interview that work very well for suggestive witnesses are contextual reinstatement and drawing sketches. Another popular tool to use is Self-Administrative Interview (SAI), which is a cognitive interview in a questionnaire format.

Alongside suitable questioning style, good preparation and planning prior to an interview and evaluation of the interviewee are crucial in order to avoid suggestibility. Recognising that a witness may have a disability or special psychological condition is a very important part of the investigation. Proper psychological assessment of the witness can prevent serious damage that a particular witness could cause if taken to the court. Police officers in the UK are aware of the fact that a testimony of an unreliable witness cannot only jeopardise the case but also the credibility of the police. On the other hand, police officers in Slovenia are often ignorant of the damage that unreliable witness can cause to the investigation process. This can be blamed on the lack of cooperation between the Police and psychologist in the country. Furthermore, even when joining forces, psychologists in Slovenia are not competent to properly assist police officers with psychological assessment of the witness due to their evident lack of knowledge in modern forensic
psychology. To step in time with modern investigation techniques and improve the quality of criminal investigation practice in Slovenia, police forces should follow the example of the UK and join forces with specialists from various backgrounds. As forensic psychology is not one of the study programs available in Slovenian universities, it is almost impossible to transmit experimentally gathered knowledge from abroad to our own practice. Therefore, to be able to follow the example of the UK practice, Slovenian government should invest money to secure proper education in the field of forensic psychology or find a way to support and sponsor our psychologists who decided to look for it abroad.
REFERENCES


Healthwise Staff. (13.10.2011). Substance Abuse and Addiction Health Center. [webmd.com](http://www.webmd.com)


APPENDIX I

Procedure for the Gudjonsson Suggestibility Scales

The GSS 1 and GSS 2 consist of a short story plus 20 questions, 15 of which are leading. The two Scales are parallel forms of the same kind of test, but differ in that the GSS 1 includes a crime-related narrative, whereas the GSS 2 has a more neutral family-related content.

The story is read out by the person administering the test. Participants are then asked to recall everything they can remember about the story and this is repeated 50 minutes later. Following this, they are asked the 20 questions. Participants are then given negative feedback and the questions are repeated. (i.e. they are informed that they have made a number of errors and that it is therefore necessary to go through all the questions again, and that this time they should try to provide more accurate answers).

The Scales provide the following measures:

- immediate free recall (range of scores 0-40);
- delayed free recall (range of scores 0-40; normally 50-minute interval);
- confabulation on immediate recall (confabulated answers are incorrect responses that have not been suggested);
- confabulation on delayed recall;
- yield 1 (extent to which people give in to leading questions prior to negative feedback; range of scores 0-15);
- yield 2 (extent to which people give in to leading questions after negative feedback; range of scores 0-15);
- shift (how many times during the 20 questions people change their answers; range of scores 0-20);
- total Suggestibility (Yield 1 and Shift added together; range of scores 0-35).
APPENDIX II

1. Did the woman have a husband called Simon? (NS)
2. Did the woman have one or two children? (S)
3. Did the woman’s glasses break in the struggle? (S)
4. Was the woman’s name Anna Wilkinson? (S)
5. Was the woman interviewed by a detective sergeant? (NS)
6. Were the assailants black or white? (S)
7. Was the woman taken to the central police station? (S)
8. Did the woman’s handbag get damaged in the struggle? (S)
9. Was the woman on holiday in Spain? (NS)
10. Were the assailants convicted six weeks after their arrest? (S)
11. Did the woman’s husband support her during the police interview? (S)
12. Did the woman hit one of the assailants with her fist or handbag? (S)
13. Was the woman from South Croydon? (NS)
14. Did one of the assailants shout at the woman? (S)
15. Were the assailants tall or short? (S)
16. Did the woman’s screams frighten the assailants? (S)
17. Was the police officer’s name Delgado? (NS)
18. Did the police give the woman a lift back to her hotel? (S)
19. Were the assailants armed with knives or guns? (S)
20. Did the woman’s clothes get torn in the struggle? (S)

S = Suggestive questions
NS = Non-suggestive questions

‘Yield’ answers

<table>
<thead>
<tr>
<th>Question</th>
<th>Yield</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Not scored</td>
</tr>
<tr>
<td>2.</td>
<td>One/Two/Yes</td>
</tr>
<tr>
<td>3.</td>
<td>Yes</td>
</tr>
<tr>
<td>4.</td>
<td>Yes</td>
</tr>
<tr>
<td>5.</td>
<td>Not scored</td>
</tr>
<tr>
<td>6.</td>
<td>Black/White/Yes</td>
</tr>
<tr>
<td>7.</td>
<td>Yes</td>
</tr>
<tr>
<td>8.</td>
<td>Yes</td>
</tr>
<tr>
<td>9.</td>
<td>Not Scored</td>
</tr>
<tr>
<td>10.</td>
<td>Yes</td>
</tr>
<tr>
<td>11.</td>
<td>Yes</td>
</tr>
<tr>
<td>12.</td>
<td>Fist/Handbag/Yes</td>
</tr>
<tr>
<td>13.</td>
<td>Not scored</td>
</tr>
<tr>
<td>14.</td>
<td>Tall/Short/Yes</td>
</tr>
<tr>
<td>15.</td>
<td>Yes</td>
</tr>
<tr>
<td>16.</td>
<td>Not scored</td>
</tr>
<tr>
<td>17.</td>
<td>Yes</td>
</tr>
<tr>
<td>18.</td>
<td>Knives/Guns/Yes</td>
</tr>
<tr>
<td>19.</td>
<td>Yes</td>
</tr>
<tr>
<td>20.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Summary of administration

1. S is required to listen to the story.
2. S gives free recall.
4. S is asked the 20 interrogation questions (gives Yield 1).
5. S is given critical feedback.
6. The 20 questions are repeated (giving Shift and Yield 2).

*This only applies if there is a delay (e.g. 50 min, a day, a week) between the presentation of the story and the interrogation.
APPENDIX III

INTERVIEW WITH STEPHEN RETFORD FROM GREATER MANCHESTER POLICE ON WITNESS INTERVIEWS

01. Can you please introduce yourself and tell us what is your force of employment, how long have you been in service and what are your police duties?

My name is Stephen Retford and I work as a full time specialist investigative interviewing advisor within Major incident team at Greater Manchester Police. I have been a police serving officer for 32 years, 29 of which I was working as a detective. When I retired in 2006 I had been a lead trainer on the crime and specialist training unit by the Force training school. I had been there for four years and during this time I was actively involved in all the interview training, development and research with academics from around the country as well as with colleagues from across the Law enforcement community in the UK. Because of this involvement I was approached and asked by the Greater Manchester police to stay on at a civilian capacity and that is the role I have done since. Through all my time at Greater Manchester Police I worked with various departments of general investigation e.g. divisional detectives, special squats, serious crime squats, surveillance units, counter terrorism units etc. In my full time capacity as a specialist interviewer I have been working as an advisor because of my experience in interviewing and investigation. Currently, I am one of the three full time member general advisors in Greater Manchester police along with another twenty officers who do it part time. Within my role I get involved with all the major incidents in terms of investigation and interviewing of suspects and witnesses as well as the categorisation of them. Sometimes you would have witnesses who have disabilities or certain requirements, psychological problems. In terms of this I work with colleagues and specialists, medical people, on how to best interview this type of witnesses or suspects. I work on homicides, the whole range of serious crime; as well as within the area of volume crime on a local basis. I am helping local operational teams with pre-plan preparation in terms of drug supply, legal drugs, human trafficking for sexual exploitation, etc. I also interview and advise other police officer on how to interview (e.g. I would have a team of interviewers and I will sit down with them and work out the best strategies of how to interview the witnesses complying with all the legal requirements).
2. **How many witness interviews do you conduct every week and for what types of crime? Do you interview on daily basis?**

I do interviews on daily basis or, because of the work I do, I would also go with someone and interview with him, or I would monitor the interview or help someone to plan it.

3. **How big is the group of interviewers that work with witnesses?**

It mostly depends from case to case. When we do pre-plan operations to bring down and arrest organised criminal groups, we would have all of their interviewers in place. We would plan it really well with the help of dedicated interview teams and advanced level interviewers.

4. **What techniques do you use when interviewing witnesses? What is the factor that decides which technique will be used with certain witness?**

In the UK and Wales we use PEACE model of investigation. PEACE stands for:
- P - preparation and planning
- E - engage and explain
- A - account, clarification and challenge
- C - closure
- E - evaluation

PEACE is a structured approach to investigation and interviewing and provides us two interview models - cognitive interview and conversation management. Cognitive interview is a product of professor Ron Fisher and Ed Geiselman from America, developed in 1980s and introduced into the British police in early 1990s. Every police unit in the UK uses cognitive interview and every police officer is trained in using the cognitive interview. Cognitive interview is primarily used for witnesses and victims whereas conversation management is mainly used for suspects and criminals. On some occasions we blend the two models - if we would have a suspect who is completely compliant and talking to the police, we might use the cognitive interview with them, if they are happy to speak to the police. Equally, with some witnesses we might use conversation management if they are a little reluctant to tell us things - you often get hostile, reluctant witnesses. PEACE model of investigation thus contains two models of interview that every police officer in the UK is trained in.

5. **What kind of training do police officers need to complete?**

Everybody in Greater Manchester police and other units around UK are trained to interview. In UK, we have national levels of accreditation that we have to endear to and these are called Professionalising the Investigation Process (PIP) levels. These levels are accredited by
the Collage of Policing, a national body which assures that every police officer will be trained to these levels. This is the course and level that I helped to write number of years ago in order to get a good consistency approach. Every police officer that joins the force will have to undergo certain training on investigative interviewing on national level. Because it is a national curriculum, a certain type of police officer in different places around UK should have the same level of training and the same level of ability in interviewing. Student officers who just joined as the police officers undergo basic course for starters. At the end of this course, every police officer is able to plan an interview, execute an interview and re-evaluate the interview afterwards - we teach them how to do this with set procedures. If someone is specialising in interviewing witnesses they undergo an additional training.

The classes that we run for that are called advanced courses. We run multi-agency courses, where we look at vulnerable and intimidated witnesses, people with special requirements, children, and people with disability. Basically, police officers develop their interview techniques according to the role they have within the unit. You can compare it with a degree - first you do bachelor then masters and later PhD.

6. **How long is the training process?**

The duration of training in PEACE model depends on which course you do. The witness training course for brand new police officers who know nothing about interviewing is seven days long. They get seven days of cognitive witness training to learn how to use the cognitive model and seven days suspect training in conversational management. We break the interview down and show them the questioning style, how are they going to prepare for it and how to get the environment right for the interview. We teach them all these basic skills and they would then go out as full time police officers and when they want to develop and become more competent in interviewing they will come back to the training school and they would get an enhanced level of interview training, namely advanced level of training. This training would teach them how to interview children, people with disabilities, elderly people, etc. These additional courses are courses of two weeks duration and on occasions three weeks for advanced suspect courses. The courses are very intense on legal processes and things like that. If police works with vulnerable witnesses the officer interviewing them has to have a higher level of training so that they know how to properly interview this witness. Vulnerable witnesses are the top advanced category and therefore require an interviewer with the highest level of training. The category below that are intimidating witnesses. In case of intimidating witnesses which are witnesses who were being bullied or threatened not to go to court, the interviewer would need a next level of training but does not necessarily need to have done an advanced level of training. A normal detective can interview this type of witnesses but you would never have a student officer interviewing them.
Could you specifically describe what kind of skills did they teach you at this training and what kind of methods did they use?

Specialist psychologist, people with medical background come to the course, we have guest speakers who come on to the course and they talk about the difficulties you will encounter during interviewing to give them an idea of how to spot certain signs because they are not always evident. We also do practical interviewing on the course, which is a very important part. At the first stage we would interview one another and role play. For the final assessment we bring actors who work with a script and are extremely realistic.

7. Do you think the training your team members undertake meets your operational needs?

I think they do, definitely.

8. Do you feel the training have equipped them/you with the necessary skills to interview witnesses effectively? Do you think 2 days is enough time for a new recruit to acquire/develop skills necessary to conduct a good interview?

Yes, I think it has. Moreover, after the training itself we have days when we will bring guest speakers in and invite practitioners along to talk about different topics. We call it continual professional development (CPD) days. These days ensure us onward development at all times.

- Does and if, how the PEACE interviewing model help to improve your work?
- Do you think UK has better investigative techniques than other European countries?

UK had their share of miscarriages of justice in the past because in that time we were not trained properly. What we have in UK now is regarded internationally as very good practice. Iceland and the European forces are both looking at the UK, even far East, Australia and New Zealand - they all look towards the UK to adopt our methods of investigation interviewing. The reason is because of the way the police forces in UK are now involved with the academics. I think that joining law enforcement and academia has been the best thing that ever happened in this country. I come from the time when we were not trained properly and I have been present all the way through developing this new approach. I have been all around the world teaching how to interview. Even the Americans are softening towards the way because they use the Reid techniques and they are flawed and use trickery and deceive that are not allowed in the UK. I think that first thing Americans need to do is to change the laws. The UK now has a jurisdiction that sets ground for a good practice. Canadian law enforcement was mainly trained by the American methods. That is changing as Canadians are now adopting the PEACE approach to interview because it stands scrutiny. All the academics on the world from the psychology side and forensic linguistics look to the UK and the methods we use here as the best ethnical methods to use. The PEACE models of interview, namely cognitive
interview and conversational management are world known as a good practice and that is why now a lot of people come to UK to learn from them.

- **Who were you taking for an example/learning from when developing these new techniques?**

PEACE model has been brand new in the UK - the cognitive interview came over from America with Professor Ron Fisher and Ed Geiselman. We started fresh because prior to PEACE model coming in we did not have anything. You had police officers learning from one another which means if somebody was a bad practice he was learned bad practice from his mentor.

- **What type of questions do you most often use in interviews?**

We normally use open questions like TED questions - tell, explain, describe or five WH questions - who, why, when, where, what, how. With the why questions we are very careful about sexual offenses.

It does happen that you have to use closed questions as well. However, we would always start with the TED questions, then we would go to the five WH questions and if you think of a shape of a funnel of how it narrows to an egg, like a timer, and if you need to ask a specific closed question to get acknowledgement of something then you would ask it, but you would be careful how you have asked it. You will try an open question first, if it is not coming then you would use a closed question but you would immediately open it out with a tell me question or explain/describe question.

9. **Do you think that a certain amount of persuasion is necessary for affective interrogation?**

What is your opinion on the UK jurisdiction, does it set good ground for preventing the use of manipulation and persuasion techniques in interviews?

You have to be careful with the word persuasion. A distinction between encouraging someone to come forward as a witness when they might have been reluctant is one thing, persuasion to tell a story in a certain way is a major no. Because that would be wrong, it would be inducing them to give the information that you want to hear, so it might not been truthful, it might be twisted in to a certain way. Interviewing in the UK with the PEACE model is all about integrity, thoroughness and truthfulness. If you are not going to get that in an interview then we would be really against using these kind of techniques. We call it negotiation rather than persuasion - for example what we would do is, if we have a suspect who is reluctant to speak, we would say that he does not need to answer the questions, it is his choice, however we would urge him to reconsider that position. We tell him that if he answers these questions that may eliminate him from suspicion in this enquiry, but we do not know until we get some answers.
10. How do you prepare for your interviews?
   - Are you trying to get an insight into the possible vulnerabilities of an interview? How?

When we need to interview a witness with disabilities or certain requirements or psychological problems, I would work with specialists and colleagues with medical background on how to best interview this type of witnesses. For example, if we work with someone who is suggestible - we would allow this person the time to tell us and recover his memory of certain events as preparation and planning. We would do slow interviews with this person - one interview per week.

11. Do you apply principles of other disciplines to your work - if so, which disciplines?

We network with specialist psychologists and psychiatrists, who are doing research - police officers in this case, assist with this research, I do that quite a bit. I would work with people from medical profession, mainly psychologists from different UK universities such as Dundee University or Liverpool University. For example at the moment we are working on people who suffer from autism to examine what is the best way to interview them. Many witnesses have certain requirements and we need to get people in to assist us. We call in our academic and specialist friends who come from medical background and we consult with them to find the best approach that we can use to interview a certain person with special requirements. For example elderly people are very prominent - people with dementia, Alzheimer - in cases like that a specialist would help us plan the best interviewing technique.

12. If an interviewee turns out to have some sort of vulnerability, what approach would you use to successfully cope with the situation?

Because suggestive people may appear as a completely normal but being incredibly suggestible to investigation, your questioning style and your investigative style has to be very gentle and very careful so that you can take them through. When working with highly suggestive witnesses we would call in a psychologist to help us assess the level of suggestibility. I am very familiar with the problem of suggestibility in interviewing, I personally know Gisli Gudjonsson who designed the Gudjonsson suggestibility scale. We are very aligned with that, we built the scales into our training courses. Officers who come on basic courses are told be careful with suggestible witnesses, and as they go on to more advanced courses they receive a further insight into this issue. By good questioning style and good preparation and planning prior to an interview and evaluation of the person you are going to be speaking to, we are then able to make sure that our investigation and interview of that person is proper, so that there is no suggestibility. We are very careful about leading questions or forced choice questions; we make sure that we ask what we call TED questions - tell, explain, describe or five WH questions - who, why, what, when, where, how. We are very careful about our questioning style, because people with suggestibility would simply
comply to what you are seeking to get from them and that is why we are incredibly careful about that. When interviewing special witnesses like that, we would audio record or/and visually record it as well, so that anyone can look at it and see that the police officer and the interviewer are acting properly and the questioning was good. We are incredibly conscious of the suggestibility issue. The interview usually takes place in a furnished room, which looks like a lounge so it gives a comfortable atmosphere. There would be cameras in the room and in the next room they might as well have a psychologist who would monitor the interview along with another officer who is involved in the case so that they can look and make sure that they get the most effective interview possible.

An example from practice - we were starting to notice that the things the victim is saying are not right, that this person because of unknown reason adds more information to their story to make it more serious. We called in a specialist psychologist to come help us and do an evaluation of this person. Psychologist did several days of interview with this person and made a report afterwards. It’s been found that the person does have a psychological condition that causes her to tell additional untruths. We realize this was an important step because if we wouldn’t make a proper inquiry and recognize the psychological condition this person has; taking her to court would cause serious damage to the case as well as to the credibility of police. We want to make sure that information we get are truthful, accurate and accountable. At the beginning of the interview we stress to the witnesses that if they are not sure about something it is okay to say you are not sure about it and if you can’t remember something it is okay to say you can’t remember, but don’t try to fill the gaps in if you don’t have the memory of that event. The person in this case was clearly filling the gaps in with the information she thought the police wanted to know.

13. Do you think your officers/you are given enough time to conduct the cognitive interview?

- Have you ever felt pressured to interview witnesses more quickly than you would like? If so, what kind of pressure have you experienced?
- Are time constrains something you are often facing with your work? If so, is that, in your opinion, the only limitation of the cognitive interview?

Cognitive interview takes a little bit more time than normal interviewing techniques but it does not need to if it is done carefully and professionally and if it has been planned right. An officer can do a relatively prompt interview as long as the structure is right, but unfortunately, on occasions they do find interviews that have been done poorly. My job is to review all the interviews that have been made and if I find one that has been done poorly, I will call in the officers and advise them that they should not do this again. We do review all the interviews that have been made, however it still does happen sometimes that an interview is done poorly because the lack of time.
14. A research (Dando et al., 2008) has showed that police officers feel pressured to complete a witness interview comes directly from officers in charge who want quick positive results.

- Do you think your team members feel that kind of pressure?
- How do you avoid that?

Police officers do feel pressured by their senior officers to go and to another job, and be quick. I think the issue is in using the wrong terminology such as ‘go take a quick statement’ which suggests that officers need to be very quick in what they do. And when you are quick about something you are not necessarily thorough. Not doing the job properly means that another officer needs to go back and do it again which is more time consuming than taking time to do the job properly the first time. We are well aware of this issue, and we constantly remind police officers on courses - to not be pushed to work quickly but be thorough and do a good job. As much as we try to avoid this issue, it still happens sometimes. We try to refresh trained officers; we are doing that in the force at the moment. We are reinforcing the cognitive model and the importance of interviewing people properly to get a good product first time round so that you do not need to have a colleague to go and speak to somebody again, because it spoils it. I think this is an issue in the UK police practice but it is something that is known and trying to be addressed which is an on-going thing.

15. Is the cognitive interview a good/suitable technique for interviewing witnesses, especially if they turn out to be highly suggestible? Is there room for improvements?

- What do you think about its usefulness and effectiveness?

I think cognitive interview is very effective and useful and is without a doubt the best practice. Research showed it is regarded as the most affective interviewing mechanism for accessing memory. However, it might not work for every particular person - for example cognitive interview doesn’t work on people with autism. In this case you have to modify your questioning style to try find out things. These are the things we are currently working on and trying to develop in the UK. We are currently working with doctors from Liverpool University to develop the best questioning style that can be used to interview people who suffer from autism.

- How useful do you find the individual techniques of the CI and which one do you most often use?
- Are any of the techniques particularly useful for the work with highly suggestive witnesses?

With highly suggestible witnesses you need to be careful because they are eager to please. They would seize on something and then add to it. Two of the tools within cognitive interview
that we use and work very well for suggestive witnesses are contextual reinstatement and drawing sketches. Another tool we use is Self-Administrative Interview - SAI. It is the product of Doctor Lauren Hope and Fiona Gabbert, who are very close friends of ours. They, along with Doctor Ron Fisher, devised the Self Administrative Interview which is a cognitive interview in questionnaire format. The questionnaire is brilliant, it works and it can be used for multiple witnesses. It allows the witness to capture the information that they can tell, it stops contamination of memory and it cements the memory.

- **Is there any that particularly needs to be avoided when working with those type of witnesses?**

You got to be careful not to put thoughts in their head. You work with what they tell you. So when they free recall you would pull the topics out and isolate them. For example you say ‘okay you mentioned this happened, tell me everything that you remember about that event. Tell me everything you remember, even the things you are not sure of, just tell us you are not sure of, but tell me everything.’ This way it is all coming from them all the time, memory is coming from the person, so you tease the memory out of them a bit at the time. You identify topics or point of interest in person’s narrative that they are telling you.

- **Does asking them to tell everything they can remember bring out the misinformation, especially when the person is highly suggestible?**

There is always some misinformation coming in when using cognitive interview. The study called BBC Eyewitness, which I was involved in, was done in collaboration with BBC, Greater Manchester police and Oldham University to show how to use cognitive interview properly and avoid that. Cognitive interview is the best known mechanism to get in accurate details but on occasions you would get misinformation. This is why it is important to give cognitive instructions, such as ‘if you are not sure, say you are not sure, if you don’t know, say you don’t know.’ Usually it is because a witness wants to help the police and they would put certain information or memories together and get memories mixed up in their head. BBC Eyewitness shows why witnesses do that and why they obviously believe they are telling the truth. You see, memory is like a puzzle where you put pieces together to get a bigger picture and sometimes the pieces can go together wrong, which doesn’t mean that the witness is deliberately lying to you because they can genuinely think something is something when it is not. We find that a lot in our work. Cognitive interview thus can bring out the misinformation but it is important for witnesses to feel comfortable to say everything even if they are not sure about it. With the help of police officers they can later bring out the memories they were not able to recall at the beginning. Sometimes we would even take the witness back to the crime scene, because contextual reinstatement helps them enhance their memory and placing them back to the scene might help trigger the memory for a certain event. If we do
that we film it. Obviously we would not take victims of serious crimes back to the crime scene, because it would be too traumatic for them.

- **Do you think that witnesses want to be helpful and especially with police officers who are perceived as an authority character they feel like they need to answer the question even if they might not know the answer?**

Yes, that does often happen in practice. To avoid this we ask the police officers who are doing the interview to take their equipment off, especially if it is uniformed officer. We have a rule to interview in plain clothes whenever that is possible, so that you are nonthreatening to the interviewee and you are not imposing yourself. You need to be gentle, courteous and nice to the witness so that the memory works better. This is the best way to avoid gaining false information and cognitive interview is accepted throughout the world as probably the best method.

- **In your opinion, do you normally spend more time working with highly suggestive witnesses? Is the more patience required?**

I do think working with suggestible witnesses and other witnesses with special psychological conditions requires greater amount of time.

- **As children are normally highly suggestible - do you use special interviewing techniques when working with children?**

We use cognitive interview when working with children as well, unless children have autism or something like that, in this case you might have to be more direct and more flexible with your questioning.

- **When working with children witnesses, what kind of approach do you use? Do you have any specializations? Is there a social worker or psychologist present? Do you receive any special training on working with children and vulnerable witnesses?**
- **Do you video/voice record interviews with children and highly suggestive/mentally challenged people?**

In the vast majority of cases there is no psychologist present when working with children or vulnerable people because we are trained on how to interview them properly. We visually record it as well as audio record it so the interview can be looked at later on. We will only bring the psychologists in if we need them.
16. How often do you use the cognitive interview and each of its components?

On the regular basis, whenever we are involved in an interview, we use it. Which components you will use depends on what you are dealing with in the interview; it is pretty much directed by the type of person you are speaking to. We would evaluate the person to see what they need and bring the appropriate tool out. It’s about having the awareness of how to interview and you might try one technique with one person and something else with someone else. You will always try to use contextual reinstatement to try and help the person, drawing sketches and diagrams is another good thing to try helping the memory. Contextual reinstatement is probably the most common tool that is used because of its great effectiveness. Another effective technique is to give them your contact number/email, and give them a pen or piece of paper and say when you go home today, because we activated your memory, you will still be thinking about this, if you remember something later, write it down and get back to us.

17. How well does the cognitive interview meet operational needs on a scale from 1 to 5 where 1 is not at all and 5 is extremely well?

On the vast majority I would say 5. I think it is a perfect tool to fit what we need.

18. How much time do you have to conduct interviews?

We would take as long as we need.

19. How often do you have as much time as you believe is necessary to conduct a good interview?

In my world, in serious crime we have time, my colleagues who are on every day running from job to job, they are the ones who lack time, unfortunately. That is why it still happens that an interview was done poorly because of the lack of time. That is daily thing we are trying to improve.

20. Compared to a standard interview, how long does a cognitive interview take to conduct?

Cognitive interview usually takes a little bit longer than a standard interview, because if you are doing it right it will take a little bit longer, but it doesn’t need to be hours and hours long. This is something police officers get wrong – they think they will be there for hours. A good cognitive interview to get basic facts and good facts can take 20 minutes. It is about capturing the story a person can tell you. Yes it can take longer, but it does not have to if it is done right.
21. **Compared to a standard interview how much correct information does the cognitive interview produce from a witness?**

In the main, a lot. With the great presence of CCTV in society in the UK, we can on certain occasions compare the story of the witness with the filmed events to see if the story that witness is telling fits those events. This helps us to evaluate the credibility of the witness.

22. **Compared to a standard interview how much incorrect information does the cognitive interview produce from a witness?**

In the main, the information that is accurate is definitely a higher percentage. If you do the cognitive interview right, you will get more correct information than incorrect information. You do get inaccuracy sometimes, but the vast majority of the information you get is good and accurate.

23. **To determine an individual’s intellectual functioning, a standard IQ test, such as Wechsler Intelligence Scale or Stanford Binet IQ test are usually used (Dando, Wilcock & Milne, 2008).**

   - **Do you use any of these tests when working with witnesses?**
   - **Do you use any other methods to determine intellectual functioning of the witness? If so which, and can you describe it?**

We are not trained in using IQ test to evaluate someone’s level of intelligence that is where we would bring in a specialist. If we think a person has got educational needs, we would speak to their teachers who might well be trained in dealing with children with certain needs, we would get an indication from teachers and we would also speak to their parents and then if necessary we would bring a specialist in. We have a really good network of specialist and we keep records of every specialist we work with and a particular area he or she is specialized in.

24. **Do you think police officers in UK tend to rely on their experience solely rather than taking into account psychological findings from this field? What is your experience?**

I started in a time when we were very set in our ways and as I got more and more exposed in the early 90s when PEACE model really became prevalent, I saw it is great and it works and I wished I would have this a number of years ago when I started as a student officer. And I am one of the people that showed you can learn these new ways. Because the PEACE approach works so well we are very keen to develop these new techniques in the UK. Our detectives are taught right. If we see a police officer that can’t do it and can’t change, we will not allow him to interview. I do not think that is an issue in the UK because we have been teaching
proper techniques for so long now and we don’t have officers coming from another area with bad habits. You’ve got officers who are staring now and have been taught the modern techniques therefore they have no bad habits. I think it is good when you get a student officer who knows nothing about interviewing because it’s like a blank canvas and you can paint it very nice.