Applying key concepts of selected investigative interviewing techniques

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Context of forensic interviewing in SA

- Normally FPs operate in private sector

- Legal framework to take into consideration (E.g Consititution, CPA, Other statutory laws)

- Different types of interviewing techniques and interviewees (E.g suspects, witnesses, process owners, third parties, client)

- COVID-19

Context: Core of an interview

- Underlying humanistic psychology

- Both the interviewer and interviewee are active participants!

- Interviewer has great influence on interview (and outcome)

- Effect of COVID-19?

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Contextual underpinning: Practice v Theory

Practice:

"Informal"

Theory:

"Formal"

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Formal techniques: General trend

Guilt-presumptive	Investigative
Aim: Establish guilt (via confession)	Aim: Obtaining reliable information
E.g. Reid technique	E.g. Cognitive interviewing
E.g. BAI (Kinesic interview)	E.g. PEACE model
	E.g. Person-centred approach

Formal techniques: SA context

- Investigative techniques

- International authors support investigative techniques

- Context:
❑Private sector
❑Legal context
❑Type of interviewee
❑COVID-19

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Cognitive interviewing

- This technique is grounded in the theory of cognition

- Cognition – memory, perception, attention, speech and other psychological activities.

- A successful interview according to this method will be one where an interviewee relives a specific event; then communicates the information of the event to the interviewer

- New developments: Enhanced Cognitive Interview (ECI), Liverpool Interview Protocol (LIP), Self-administered Interview (SAI)

Key concepts: Kinesic interviewing technique

- Verbal and non-verbal cues to take into account to identify DECEPTION (BAI – Reid technique) or STRESS/DISCOMFORT/ANXIETY (Kinesic interviewing)

- Verbal cues: 1.Vocabulary

   2. Paralinguistic cues (Tone, sounds)

- Non-verbal cues: E.g body language

- May be valuable in interviewing

- Influenced by virtual interview and interviewer self

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Key concepts: PEACE model & Person-centred approach

- PEACE model – good structure

- Person-centred approach – good content, theoretical underpinnings

- If merged = could create valuable interviewing tool

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The Person-centred approach

- Psycho-therapeutic background (self-actualisation)

- Rapport NB!

- Influenced by 3 variables: 1. empathy
  2. congruency
  3. unconditional positive regard

- Basic structure (Beginning, Middle, End phase)

- Start with open-ended questions, move towards closed-ended questions

PEACE model

• PEACE is a suggestive acronym:

❏ P – Preparation and Planning

❏ E – Engage & Explain (Context)

❏ A – Account, Clarify & Challenge

❏ C – Closure of the interview

❏ E – Evaluation (of how the interview went according to the interviewer)
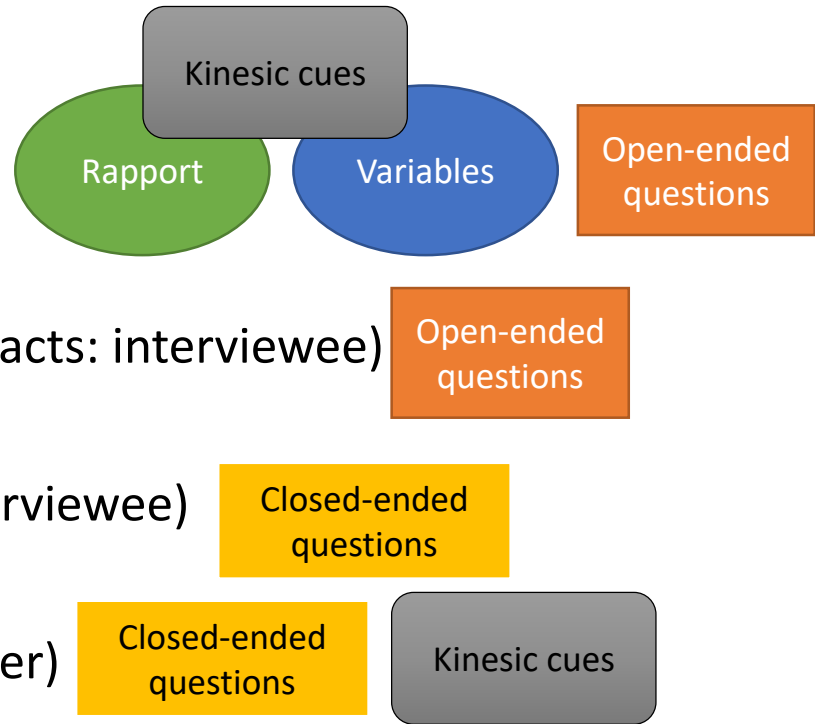
Merged (hybrid) technique

❑P – Preparation and Planning

❑E – Engage & Explain (Context)

❑A – Account (Responsibilities, facts: interviewee)

❑   Clarify (Facts supplied: interviewee)

❑   Challenge (Facts: interviewer)

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Merged (hybrid) technique (Continued)

❑C – Closure of the interview (state of interviewee, additional questions,
admission, written statement)

Variables

Open-ended questions

Kinesic cues

❑E – Evaluation (assess interview)

Virtual interview: Preparation & Planning

- Same as with any interview

- Assess facts you already know

- Keep records/evidence close

- Take into account: technological implications (Test microphone, camera, laptop/cell phone charged)

Virtual interview: Engage & Explain

- Volume of speaker

- Camera

- Room/environment

- Vice versa

- Test: kinesic cues

Virtual interview: Account, Clarify, Challenge

- Notebook

- Phone/communication (E.g whatsapp) with other interviewer

- Allow both interviewers time for questions

- Share screen: facts (Challenge)

- "You said this, facts suggest otherwise"

- Basics: Let interviewee speak. Don't talk on his/her behalf

Virtual interview: Closure

- Move towards open-ended questions

- Allow interviewee to elaborate before closing

- Big challenge … admission of guilt? (Written/sworn statement)

- The longer the time from admission to statement – greater risk

- Recording session might be very important (refer to last slide)

Virtual interview: Evaluation

- Interviewees: call each other afterwards

- Be critical: assess what went well, what needs improvement

General remarks & Conclusion

- Record a Zoom-session? *Legal implications (statutory law)

  *Admissibility, testify about recording

- Not ideal, if possible – physical interview

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Questions?