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Effective evaluation of forensic interviews: The Forensic Interview Trace (FIT)[®]

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Abstract

Forensic interviewing forms an integral part of a police/law enforcement officer's main duties and responsibilities. However, not every interviewer possesses suitable interview skills to be able to complete this effectively and despite the introduction of the PEACE model of interviewing, with the last 'E' focusing specifically on 'Evaluation', this stage of the interview model rarely gets the attention it deserves. This is concerning given the need for forensic interviews to be ethical, productive and admissible. The Forensic Interview Trace (FIT)[®] is a recently developed tool designed to record all aspects of a forensic interview including questioning, interviewee responses and interview/interviewee characteristics. The development of this tool is considered within the context of a forensic interview and in comparison to similar tools, namely the Griffiths Question Map (GQM). Whilst still in its infancy and requiring empirical testing and validation, it is anticipated that the FIT[®] will assist with the effective evaluations of forensic interviews in order to ensure compliance with relevant guidance and legislation, as well as ensuring that effective interview skills pertain to best practice.

Keywords: *Forensic interviews, police, evaluation, questioning, information gain*

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Introduction

The Forensic Interview

The current paper focuses on when and how interviewers evaluate their forensic interviews whilst introducing a new tool, the Forensic Interview Trace[®]. Forensic interviewing is a crucial part of the judicial process to progress any investigation, with the intention of gathering as much accurate and reliable information as possible (Oxburgh & Ost, 2011; Williamson, 2006). The PEACE model in England and Wales provides interviewers with an ethical foundation for interviewing any type of interviewee (Williamson, 2006). PEACE is the mnemonic acronym for the five stages of forensic interviewing; (**P**lanning and preparation, **E**ngage and explain, **A**ccount clarify and challenge, **C**losure, and **E**valuation (Central Planning and Training Unit [CPTU], 1992a, b; National Crime Faculty [NCF], 2000). It is now the most widely used and accepted method of forensic interviewing for victims, witnesses and suspects across the world including (but not limited to) Australia, parts of Canada, England and Wales, New Zealand and Norway. An adapted version of the various phases of the PEACE model of interviewing, as outlined by NCF (1996; 1998; 2000 [pp. 37-71]) and Centrex (2004, p.77-79) are detailed below:

Planning and preparation – This is a vital part of all investigative interviews (whether a victim, witness or suspect) and interviewing officers must first consider how the interview might contribute to the overall investigation. The interviewing officer/s should have a clear understanding of the purpose of the interview and should consider when and where it will take place. If there are two interviewing officers, they should be clear what each other's roles are within the interview, but they should also be aware of all known facts in the case and, if interviewing a suspect, they should have all available evidence against him/her (and have any exhibits available) and know at what point in the interview the evidence will be disclosed. Before commencing the interview, the interviewer should make any necessary arrangements for the attendance of other persons such as a legal advisor, a Registered Intermediary¹, Appropriate Adult², interpreter etc.

Engage and explain – This is the first main phase of the actual interview (see figure 1) and involves the opening of the interview and building rapport with the interviewee – this phase is crucial to the interview's overall success; however, anecdotal evidence suggests this phase is not given the attention it deserves. Interviewers should use appropriate language, avoid legal jargon, should be flexible in their approach, and try to create a relaxed atmosphere reassuring the interviewee if necessary. All individuals present in the interview room should be introduced and their roles explained. The reasons for the interview and the procedures that will be followed in the interview should be explained, including how long (approximately) the interview will last, together with a basic outline of the interview, including who will ask the most questions, who will be taking notes, and the introduction of any exhibits. Interviewees should be encouraged to say when they don't know or are unsure about something.

Account, clarify and challenge – The aim of this phase is to gain as much information as possible and in the interviewee's own words; this helps increase accuracy and consistency. Interviewer/s should obtain an initial free recall from the interviewee and then sub-divide

the account into sub-sections to probe for more detail or clarify any details provided. The interviewer may use several attempts to get the interviewee to recall their events; this may involve encouraging the interviewee to change their perspective before challenging them on all relevant factors using appropriate questioning techniques (e.g., open depth or open breadth questions [Tell..., Explain..., Describe...], followed by focussed prompts, also known as probing or 5WH questions [Who..., What..., When..., Where..., How...]). During the challenge part of this phase, the officer/s should introduce any relevant exhibits (if a suspect) and other evidence available.

Closure – This phase involves the interviewer/s summarising what has occurred during the interview to ensure that there is a mutual understanding about what has taken place. This is an ideal opportunity to verify that all aspects have been sufficiently covered (with the interviewee and the second interviewer if appropriate). The interviewer/s should also explain what will happen after the interview is completed. If this phase is conducted appropriately, it should facilitate a positive attitude towards the interviewee helping the police in the future.

Evaluation – This phase is vitally important for the interviewer and his/her manager/supervisor. It is not just about the evaluation of how much information was obtained, or whether a confession was obtained (if a suspect), rather, it should include the interviewer/s and appropriate supervisor/s evaluating performance including questions asked, information obtained, whether sufficient rapport was established, whether empathy was used throughout, and whether all aspects of the model were upheld. Adherence to policy and practice should also be reviewed.

Figure 1 shows the linear model that includes all processes before, during and after the PEACE interview.

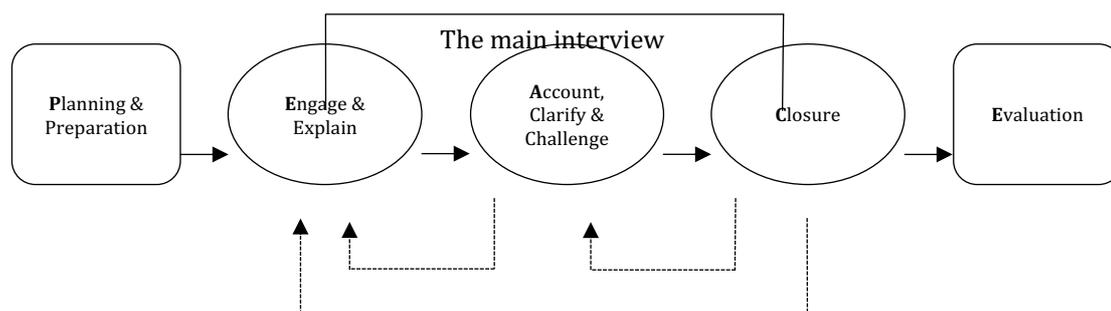


Figure 1. The PEACE model of interviewing (adapted from the National Crime Faculty [NCF], 1996, p.21).

Anecdotal evidence suggests (and empirical research confirms) that the 'Evaluation' stage of the PEACE model (the last 'E' in PEACE), rarely gets the attention it deserves or warrants (see Clarke & Milne, 2001; Clarke, Milne & Bull, 2011, Walsh, King & Griffiths, 2017 for a full discussion on the topic area). This is concerning on a number of levels. First, such evaluations ensure the interviewer is complying with the appropriate policies and practices, including legislative practices. Second, this stage allows for the interview to be examined within the context of its aims and objectives and for further areas of investigation to be identified. Third, in addition to the procedural aspects of the forensic interview, conducting effective evaluations allows the

interviewer to reflect upon their own practice and consider what (if any) improvements could be made in their future interviews (Walsh et al., 2017). This is becoming increasingly important given the often-limited refresher training and resources available to those conducting forensic interviews (Wright & Powell, 2006). Interviewers are required to be skilled in their practice, especially as they can be held accountable for their own performance. As such, interviews must be conducted ethically, fairly and in accordance with National laws and policies (e.g., making the interview/s legally admissible (e.g., 'bomb-proof'; see Oxburgh & Hynes, 2016). It is important to note that Police Officers tend to rate their own interview performance more highly than expert witnesses do (Powell, Wright & Hughes-Scholes, 2011) which may have serious implications for the outcome of the overall investigation.

The Importance of Conducting Evaluations of Forensic Interviews

Conducting interviews is a highly complex and dynamic process regardless of the type of interview conducted. Interviews of a forensic nature must consider a vast amount of issues when interviewing victims, witnesses and/or suspects (De Fruyt, Bockstaele, & De Greek, 2006). Maintaining effective interview skills pertaining to best practice, is, therefore, vital and can be achieved with continuous evaluation of the individuals' interview performance. Indeed, research has shown that the absence of feedback/evaluation is closely linked with the persistence of under-performing and a lack of learning (Kruger & Dunning, 1999). It has also been shown that training alone is insufficient to sustain levels of skill in investigative interviewing due to the lack subsequent reinforcement activities (e.g., supervisory monitoring and evaluation; Griffiths, 2008).

Anecdotally, police officers make reference to not having enough time or resources to evaluate their interview performance, especially if the investigation is high-profile in nature. Although this is not overly surprising given the limited funding and resources available to police forces *per se* in England and Wales, it is concerning (see Association of Police and Crime Commissioners, APCC, 2015). Information gained in such interviews often goes onto inform the subsequent stages of the overall investigation, thus, making this an important stage within the judicial process (Smets & Rispens, 2014). Although the interviewing of any type of interviewee forms an integral part of a police/law enforcement officer's main duties and responsibilities, not everyone possesses suitable interview skills to be able to complete this effectively (Bockstaele, 2002). In addition, what police officers believe they are doing in terms of questioning practice does not always reflect what is actually occurring (Oxburgh, Gabbert, Milne & Cherryman, 2016). As such, evaluating forensic interviews allows individuals to not only explore areas of best practice that are already being completed, but also and perhaps more importantly, identify those areas that may require further learning. This ensures that further interview performance can be enhanced and optimised (Smets & Rispens, 2014) and that the quality of forensic interviews is maintained and improved where necessary.

There are varying views as to what constitutes a 'good quality' or 'effective' interviews (Baldwin, 1992), given the different variables that can be accounted for. For example, the context of the interview; whether it be within a forensic context or that of a doctor-patient interaction. In addition, individual personalities and the impact of question type can also impact upon what constitutes a 'good quality' interview; individuals may respond to specific types of questions which others may class as of poorer quality (Shepherd & Griffiths, 2013). In addition, those attempting to make an evaluation of a 'good quality' forensic interview may discover that there are very few ground rules as interviewers will interview in their own way (although it is expected this will be in accordance with interview guidelines and legislation). Consequently, it can be difficult to assess

the 'quality' of any given interview. However, within a forensic interview context, initial research has highlighted that the interview is of 'good quality' if considerations have been given to, for example: (i) the appropriate planning and preparation being completed (ii) a knowledge and compliance with the law has been shown; (iii) appropriate questioning has been applied, and; (iv) the use of rapport and empathy (amongst other factors; McGurk, Carr, & McGurk, 1993; Milne & Bull, 1999; Stockdale, 1993). More recent research has also advocated that a 'good quality' interview should also include the use of a free narrative and refers to the amount of detail elicited from the interviewee (Westcott, Kynan & Few, 2006). Thus, methods of evaluating forensic interviews need to be able to accommodate for all of these factors (and more).

Current Methods in Evaluating Forensic Interviews

Currently, there is no standardised practice for evaluating forensic interviews in England and Wales, despite the PEACE model of interviewing being used for several decades. In fact, some organisations do not complete any evaluation of their interview performance, risking a decline in skillset or an increase in malpractice (Lamb, Sternberg, Orbach, Esplin, & Mitchell, 2002; Walsh et al., 2017). Of those that do monitor performance, the methods in which forensic interviews are evaluated differ widely.

Various research conducted into the evaluation of forensic interviews has established that interview quality is improved following the 'coaching' of police officers in interview competencies or supervision of forensic interview practices, thus emphasising the importance of interview supervision in ensuring the maintenance of best practice (Lamb et al., 2002; Powell & Wright, 2008; Smets, 2012). In addition to standard supervision with a mentor or superior, discussing interview performance amongst peers (known as 'interviewing') is another method which can assist in performance monitoring (Smets & Rispens, 2014). This can be undertaken in addition to individual evaluations of interviews, group and/or individual coaching. However, whilst interview performance is enhanced immediately after or during the interview evaluation, research has indicated that learned investigative interview skills drop significantly once each supervision session has ended (Lamb et al., 2002). This suggests the need for regular and ongoing supervision and support. Yet, there is still no standardised method or tool to assist those required (or keen) to maintain and develop their skillset through the evaluations of their own interviews, although some attempts have been made by Clarke and Milne (2001) using their Behaviourally Anchored Rating Scales (BARS). However, these authors found limited consistency amongst supervisors who used the BARS even when assessing the same interviews. More recently, anecdotal evidence suggests that some police forces and academic researchers now use the Griffiths Question Map (GQM; Griffiths, 2008), although the evaluation stage overall is still largely overlooked.

The Griffiths Question Map

The Griffiths Question Map (GQM) is a tool which maps the chronology and sequencing of questions asked across the timespan of an investigative interview (Griffiths, 2008). Using question types defined individually and categorised as appropriate and inappropriate within the psychological literature (Hargie & Dickson, 2004; Milne & Bull, 1999), the GQM provides the reviewer with a visual record of the interview. The following eight question types are utilised as part of the GQM (see Griffiths, 2008 for full details):

Appropriate: (i) open, (ii) probing, and (iii) appropriate closed

Inappropriate: (iv) inappropriate closed, (v) leading, (vi) multiple, (vii) forced choice, and (viii) opinion/statement

The GQM can be created and managed using an Excel spreadsheet and allocating one line for each question type. This allows for each question type to be plotted onto the appropriate line. The plots are subsequently joined together so that a visual map is formed of the question types used during the interview (see Figure 2 for an example). In addition, the reviewer can manually insert blocks of times or breaks taken for example.

This tool is efficient in that it is relatively easy to train individuals to categorise questions appropriately and utilise the GQM. Griffiths (2008) trained serving police officers in the use of the GQM and its effectiveness. He found that the level of agreement between police officers for all question types was 87.1%. Further research has also highlighted the usefulness of the GQM. Dodier and Denault (2017) used the GQM to objectively describe the way in which an interviewer questioned an adolescent during a police investigation. Furthermore, its graphical representation of the quality of an interview has also proven useful in court proceedings when evaluating evidence. For example, Griffiths (2008) outlines a case study whereby a trial Judge excluded an interview from the proceedings due to the erratic style of questions asked, illustrated graphically via the use of the GQM.

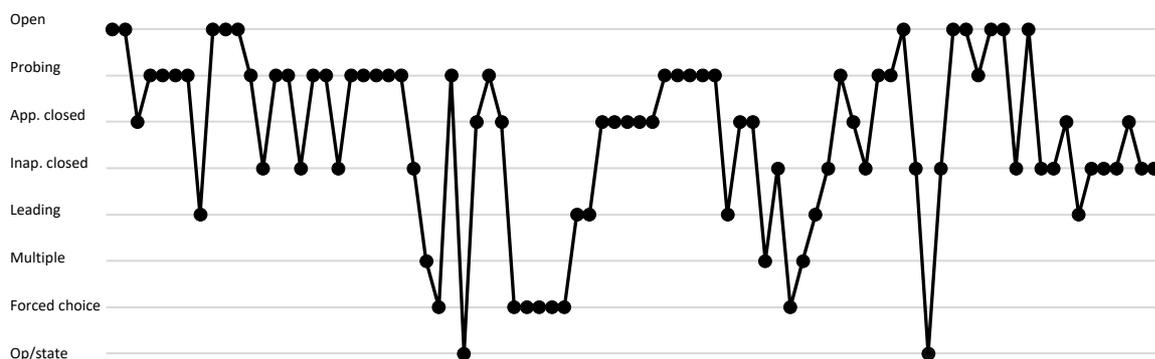


Figure 2. Example of a completed GQM (adapted from Griffiths, 2008, pp. 222-223)

Whilst there is no doubt that the GQM has assisted in the evaluation of interviews and provides a useful visual display of the types of questions asked during an interview, its use is somewhat limited. Conducting forensic interviews (or interviews of any nature) is cognitively demanding and involves more than just the questioning of an individual. Focusing solely on question types restricts the GQM's use in that it does not provide many other details (i.e. length or specific details of responses provided, use of rapport, empathy, impact of interviewee characteristics; Dodier & Denault, 2017). This could impact upon the forensic interview process which may be of specific interest to interviewing officers when evaluating their own interview performance, or to other professionals working as part of the criminal justice system (expert witnesses, legal professionals, members of the judiciary), or indeed to academic researchers. The evaluation of the quality of the forensic interview requires a tool that will encompass more than the questioning strategy.

The Forensic Interview Trace[®]

Background

The Forensic Interview Trace (FIT)[®] is a computer programme that has been specifically developed to: (i) record the structure, content and characteristics of a forensic interview involving victims, witnesses and suspects (or 'persons of interests'); (ii) visually represent the structure and content of forensic interviews, and (iii) assess the efficacy and quality of forensic interviews for the purposes of national and international judicial processes (including police and law enforcement agencies, non-governmental organisations (NGOs), and the private sector), and the continuation of professional development of interviewers.

Accessing the FIT[®]

The FIT[®] can be installed on institutional services and subsequently used on an individual, group or institutional basis with each user provided with secure log-in details. Whilst the FIT[®] is a secure tool, it will be the responsibility of each institution to ensure they comply with data protection laws (e.g., General Data Protection Regulations [GDPR]). Each user will only have access to their own individual interviews, with a hierarchy of secure access to supervisors and line-managers. Users can upload and store audio/video files of forensic interviews in addition to the upload and storage of documents relevant to the planning and preparation of such interviews. Given that it is not mandatory for all interviews to be recorded in various countries, interview transcripts can still be analysed by the user. Each user can record details of all demographic information relating to the interviewer and interviewee, plus interactions during the selected interview/s, including, but not limited to: (i) types of questions asked; (ii) information gained from the interviewee in response to the questions asked; (iii) other persons present etc; (iv) positive and negative interviewer behaviour (e.g., active and reflective listening, humane interaction, contempt, anger, disgust, maximisation etc), and; (v) interviewee characteristics (e.g., suggestibility, compliance etc.). In addition, the user can add notes or comments justifying particular questioning styles or other relevant material.

Once all of the information is uploaded and the interview is analysed by the user, the FIT[®] provides bespoke visual 'traces' and a summary of the entire interview (across time intervals; see figure 3 for example). Figure 3 shows a visual representation of the complete interview in bespoke time intervals. The type of question used by the interviewer is documented. In addition, the total number of unique items of investigation relevant information obtained (see Oxburgh & Ost, 2011) from the interviewee's response is recorded, as well as interviewer and interviewee characteristics which may play an important role during the investigative interview. This enables full evaluation and reflection of the interview and the interviewer/s' behaviour and skills for the purposes of continuing professional development. The FIT[®] is fully customisable to the needs of the specific clients regardless of background (e.g. police and law enforcement, NGOs, financial institutions, insurance companies etc.) and full reports of each interview can be downloaded and printed if required.

Open questions (breadth)												X	X			X		X	X
Open questions (depth)	X	X				X								X	X		X		
Probing/Focused (wh- questions)					X														
Encouragement/Facilitators																			
Echo statements																			
Closed questions			X	X			X		X	X									
Forced choice/Option posing																			
Multiple questions																			
Opinion statement																			
Leading questions																			
Clarification							X			X									
Person						2		1			1	1				3			
Action	2								1	1	1	1	1	1		3	1		1
Location																			
Item																			
Temporal										1	1	1							
Suggestability																			
Compliance	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Acquiescence																			
Interruption by Interviewer																			
Silence by Interviewer																			
Suggestion of Possible Scenarios																			
Summary																			
Communication Aid																			
Empathy																			
Time	00:26:30	00:26:42	00:27:00	00:27:12	00:27:25	00:27:49	00:28:57	00:29:24	00:29:39	00:29:43	00:30:21	00:30:52	00:31:17	00:32:34	00:32:47	00:33:25	00:34:23	00:34:46	00:35:10

Figure 3. Example (a) of visual trace produced by FIT[®]

The FIT[®], therefore, allows all aspects of a forensic interview to be incorporated into the analysis and reflection, ensuring that the whole of this dynamic process can be captured and evaluated upon.

Limitations of FIT[®]

The Forensic Interview Trace[®] has been developed to allow for all aspects of an interview to be incorporated into the evaluation. It is anticipated that this will facilitate the maintenance of effective interviewing skills. However, the tool requires empirical testing and validation. In addition, time and cost implications need to be considered - those using FIT[®] in their interview evaluations would require the appropriate time and workload measures to be able to use FIT effectively. Consequently, such implications must be interpreted with caution given the early stage that this tool is currently at.

Whilst still in its infancy, the FIT is currently being piloted and empirically assessed by several national and international organisations in evaluating forensic interviews, and its efficacy in assisting with the evaluation of investigative interviews is also being tested in the laboratory. Although there may indeed be time and cost implications, it is vital that all interviewers conduct evaluations of their forensic interviews; the FIT is being explored as a tool to allow this in a systematic and standardised approach thus making the task of evaluating forensic interviews less burdensome.

Conclusion

Forensic interviewing is a crucial part of any investigation and since the introduction of the PEACE model of interviewing, the onus is now on gathering reliable and accurate information. Although the interviewing of any type of interviewee (victims, witnesses, suspects) forms an integral part of a police/law enforcement officer's main duties and responsibilities, not every

interviewer possesses suitable interview skills to be able to complete this effectively (Bockstaele, 2002). The last 'E' of the PEACE model focuses on 'Evaluation', yet both anecdotal evidence and empirical research suggests it rarely gets the attention it deserves (see Clarke & Milne, 2001; Clark et al., 2011; Walsh et al., 2017). This is concerning given the impact that forensic interviews have on furthering the investigation. In addition, forensic interviews need to comply with local/current policies and legislative guidance, and, given that interviewers are regularly held accountable for their interview practice, such interviews must be of 'good quality' and legally 'bomb-proof' (Oxburgh & Hynes, 2016).

Currently there is no standardised practice for evaluating forensic interviews in England and Wales (and indeed in many other countries). Some organisations utilise standard supervision with a mentor or superior, others undertake individual evaluations of interviews or participate in group and/or individual coaching. However, whilst interview performance is enhanced immediately after or during the interview evaluation, research has indicated that learned investigative interview skills drop significantly once each supervision session has ended (Griffiths, 2008; Lamb et al., 2002). This suggests the need for regular and ongoing supervision and support.

The Griffiths question map (GQM) is one tool that has assisted in evaluating interviews to some extent (see Griffiths, 2008). Mapping the chronology and sequencing of questions across the timespan of an interview, it provides the reviewer with a visual record. However, given the dynamic and highly complex process of a forensic interview, focusing solely on question types only goes some way in effectively evaluating forensic interviews. Evaluations of forensic interviews consists of more than monitoring question types.

The Forensic Interview Trace (FIT)[®] is a secure computer programme that has been developed to specifically address this problem. All characteristics of a forensic interview can be recorded on the programme subsequently leading to a visual trace of the entirety of the forensic interview. This allows the reviewer to explore all aspects of their interview performance, whilst uploading notes and comments to justify specific questioning strategies or other decision-making processes. Whilst in its infancy and still requiring empirical testing and validation, it is anticipated that the FIT[®] will be able to effectively assist in maintaining the quality of the forensic interview, whilst upholding the necessary interview skills individuals require.

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