

Preface

In January 1998 in the High Court in London, England a man was awarded £ 200,000 compensation relating to his arrest and police interviews in 1987, and his subsequent years in prison. *The Daily Telegraph* (20 January 1998, p. 9) reported that “An innocent man . . . spent ‘five hellish years’ in jail after being beaten by a detective and forced to sign a confession. . . The court heard how (he) . . . was butted and punched by a detective and threatened with injection by a syringe.”

One of the major assumptions underlying justification for the use of coercive interrogation techniques are the pervasive beliefs (as noted by Leo 2008) that

“ . . . suspects almost never confess spontaneously but virtually always in response to police pressure” (p. 162) and that

Confessions, especially to serious crimes, are rarely made spontaneously. Rather they are actively elicited. . . typically after sustained psychological pressure. (p. 119)

Indeed, in 2002 Holmes (formerly of the Miami Police Department) stated in the preface of his book entitled ‘*Criminal interrogation: A modern format for interrogating criminal suspects based on the intellectual approach*’ that “When you finish reading this book, I hope you have one predominate thought, ‘You don’t obtain confessions by asking the suspect questions. You have to convince a suspect to confess by the use of persuasive interrogational arguments’” (p. x).

In contrast, in England in 1993 Williamson (a senior police officer, who subsequently was in charge of the ‘murder squad’ in London) stated that “Unethical behaviour by interrogators has undermined public confidence and left the police service with a serious skills deficit in its ability to obtain evidence through questioning” and that “it does not take much skill to beat a confession out of a suspect detained in police custody” (p. 107).

In England in the mid-1980s in light of

1. various decisions by the (national) Court of Appeal to quash previous convictions based on confessions that were ‘unreliable’ (e.g. because of police interviewing behaviour)
2. media and public concern about police interviewing

the Government brought in the *Police and Criminal Evidence Act* which mandated that from 1986 all interviews with suspects be recorded (e.g. on audio-tape).

Studies in several countries have found that some police officers believe that the main aim of the interview is to gain a confession. For example, several years ago in England Stephenson and Moston (1994) found that 80 % of officers said that getting a confession was the main purpose of their interviews with suspects. Prior to the start of their actual interviews with each suspect a large sample of police officers were asked if they were already sure that the suspect was guilty—70 % said ‘yes’.

This emphasis on trying to obtain confessions could probably explain why Moston, Stephenson, and Williamson (1992) found that in the majority of several hundred (taped) interviews the police spent little time, if any, trying to obtain the suspects’ accounts of events. Instead they soon (after their interviews/interrogations commenced) revealed all the ‘incriminating’ information they had and then accused the suspects of the offence. More recently in Taiwan in their survey of several hundred detectives/interviewers Tsan-Chang Lin and Chih-Hung Shih (2013) found that a substantial proportion (especially of those who had not received training) indicated that they usually commenced their interrogations/interviews by revealing “evidence of guilt”.

It is noteworthy that the belief that perpetrators will usually deny being involved in serious wrong-doing and will not willingly admit/confess has not benefitted from research on the views of offenders themselves. Relatively recent, innovative research involving offenders has found that only a minority enter the police interview/interrogation with their mind set on denial (see Des Lauriers-Varin and St-Yves 2006). For example, in Australia Kebbell et al. (2006) found that only a half of the convicted sex offenders with whom they held a research interview said that they had entered the police interview having already decided whether to deny or confess—20 % had planned to deny and 30 % had planned to confess. Of utmost importance was the additional finding that the other 50 % had entered the police interview not yet having decided whether to deny or confess.

Kebbell et al. (2006) noted that some guilty suspects who (prior to and/or at the beginning of the interview) may be considering whether to confess could subsequently decide not to simply because of the way they are being interviewed. This ‘psychological reactance’ has also been mentioned by Gudjonsson (2003) and by Holmberg and Christianson (2002) among others, but the frequency with which it occurs in the interviewing of suspects is deserving of much greater research attention.

Whether denial or admittance occurred was related by Holmberg and Christianson (2002) to the reported style of interviewing. They found a relationship between the interviewees’ reactions and denial/admittance, in that those who reported being frightened, stressed, insulted were less likely to have admitted. These researchers concluded that a “dominant interviewing style is associated with suspects denying crime” (p. 42). The ‘accusatory’ style found in interviews conducted in England the late 1980s by Moston et al. (1992) has some similarities with the ‘dominant’ style.

In 1992 the Home Office (part of the Government in England and Wales) published the pioneering research by Baldwin that it had commissioned. Prior to this very little research had been published on what goes on in police interviews. Baldwin (1992, 1993) found of the 600 audio or video recorded interviews conducted in the late 1980s that he analysed, “most were short and surprisingly amiable discussions in which it

often seemed that officers were rather tentative in putting allegations to a suspect. . . . Indeed in almost two-thirds of all cases. . . no serious challenge was made by the interviewers to what the suspect was saying” (p. 331). In only 20 of the 600 interviews Baldwin examined did suspects “change their story in the course of an interview. In only nine of these cases was the change of heart attributable to the persuasive skills of the interviewer, and even here only three involved offences of any seriousness. . . . The great majority of suspects stick to their starting position—whether admission, denial, or somewhere in between” (p. 333).

In the light of such pioneering research by Baldwin and others (see Milne and Bull, 1999) a major change in police interviewer training occurred in England and Wales. This change was based on the new **PEACE** approach (and its underlying philosophy) that came into being in 1992. **PEACE** contains much psychology (Milne and Bull 1999) and formally introduced the ‘investigative interviewing’ approach. The committee of police officers that drafted the new **PEACE** training courses had access to an unpublished overview of relevant psychological research. In 1990 the senior police officer Tom Williamson (who then had a Bachelor’s degree in psychology) had convened a ‘working group’ to discuss and then compile a substantial (unpublished) document on aspects of psychology that could be relevant to the interrogation/interviewing of suspects, witnesses and victims. This working group included a small number of psychologists including myself, Eric Shepherd, and Stephen Moston (who had the important role of compiling the document).

The **PEACE** approach is based on a number of basic principles which were chosen by the police. These include:

1. the purpose of investigative interviewing is to obtain accurate and reliable information from suspects, witnesses or victims in order to discover the truth about matters under investigation;
2. interviews should be approached with an open mind. Information obtained from the person who is being interviewed should always be tested against what the investigator already knows or what can reasonably be established.

PEACE is an acronym for the five phases that all interviews/interrogations must go through, these being

Firstly, P = planning and preparation

Secondly, E = engage and explain

Thirdly, A = account

Fourthly, C = closure

Finally, E = evaluation.

Over the last 20 years a number of countries and organisations have formally adopted the **PEACE** approach and others are considering doing so.

The first chapter within this book offers research based guidance for interviewing in connection with sex offences and it adopts an investigative interviewing perspective rather than an interrogational, confession-driven approach. True versus false confessions are the main focus of the second chapter. The third chapter presents a substantial analysis of how police (in the United States of America) actually do question juvenile suspects. The following chapter focuses on the importance of there

being a ‘working alliance’ between interviewer and suspect. The next chapter reviews the interview techniques used in investigations conducted by international criminal courts and tribunals, whereas the sixth provides a comprehensive review of developments (in Japan) regarding the interviewing of children. The seventh chapter presents new research on the extent to which communication skills are essential for effective criminal investigations. The next examines methods of training interview competencies. The ninth focuses on when in interviews to reveal information to suspects and the tenth contains a review of the different types of consistency demonstrated by liars and by truth tellers. The penultimate chapter focuses on the evolving topic of ‘human intelligence’ interviewing and on the challenges of developing an ethical, evidence-based approach similar to that underlying investigative interviewing. The final chapter innovatively reports on prosecutors’ recommendations for improving the interviewing of children in abuse investigations.

The chapter authors purposely were chosen to be from several different countries and at various stages of their careers. Importantly, the chapters all present important, new findings and contain a variety of innovative research methods.

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