

INTERVIEWER BEHAVIOUR IN FRAUD INTERVIEWS

PEACE in fraud interviews: assumptions and detection of guilt and the impact on interviewer behaviour.

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Abstract

A survey was conducted in the UK to identify the beliefs and attitudes of Department for Work and Pensions (DWP) and police fraud investigators towards the PEACE model of interviewing with particular focus on assumptions of guilt, interviewer characteristics and detecting deception. There was support for the usefulness of the PEACE model for fraud interviews, although assumptions of guilt prior to these interviews were widespread. This finding was coupled with stereotypical beliefs about cues to deception, despite a general view that open mindedness and good listening skills were key features of a good interviewer. It was concluded that the way in which fraud investigations are carried out challenges the expectation that the interviewer will not assume guilt prior to the interview but does not necessarily challenge the expectation that the interviewer will have an open minded and non-judgemental attitude. Beliefs about cues to deception should be challenged and substituted for more reliable indicators.

Key Words: Investigative interviewing, fraud, assumption of guilt, PEACE.

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“There are two principal methods of getting something from others illegally. Either you put a gun next to their heads and force them to give it to you, or you trick them out of their assets. The first type of theft we call robbery, with its many varieties, and the second we call fraud” (Albrecht, Wernz & Williams, 1995, p.3).

The current study explored several critical elements in the interviewing of fraud suspects, both within the police and Department for Work and Pensions (DWP). Assumption of guilt could lead to a biased interpretation of suspect behaviour, and the application of stereotypical and inaccurate cues to deception could further exacerbate this bias, and introduce false decisions about suspect trustworthiness. Thus, these issues plus the question of what makes a good interviewer was examined, from the viewpoint of the interviewers themselves.

Fraud can be defined as ‘obtaining something of value or avoiding an obligation by means of deception’ (Duffield & Grabosky, 2001, p1) although ‘fraudsters’ are not a homogenous group of ‘criminals’ (Morley, Ball & Ormerod, 2006). Fraud is a complex crime to define and categorise, but many attempts have been made to understand the nature of fraud and the fraudsters themselves (eg. Duffield & Grabosky, 2001; Kapardis & Krambia-Kapardis, 2004).

Fraud is often considered to be ‘less important’ than other crimes (for example, violent crimes) and it is commonly labelled a ‘victimless’ crime as it is perceived that there is no immediate victim (Home Office, 2010). The ‘defrauded’ are

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often the government, insurance companies and so on. We should consider therefore why this perception is not entirely accurate and why it is important to understand more about fraud. It is clear that, in addition to the obvious costs to individuals, companies and the government, there may also be a psychological and emotional impact upon the victim in terms of feeling angry, stressed and vulnerable (Button, Lewis & Tapley, 2009), or the fraud could indeed end up causing unintended physical harm to an individual.

Fraud is also likely to have a substantial impact on the economy, with estimates of £38bn being lost to fraud (Home Office, 2010). The stress, concern and financial strain to individuals are also great (Levi, Burrows, Fleming, Hopkins & Matthews, 2007), and the increasing numbers of channels, such as the internet, for committing fraudulent acts make it difficult to identify, regulate and control.

‘Benefit fraud’ has historically been considered to be less serious than most other types of crime as the ‘victim’ is the government, and there is a common attitude that ‘they can afford it’. However, according to Government figures in 2014, overpayment due to benefit fraud amounted to around £1.1bn (Department for Work and Pensions, 2014).

Fraud investigations in the Department for Work and Pensions (DWP) have evolved and in the 1980s, the emphasis shifted from prosecutions, to financial savings, and, more recently, to focus on the prevention of fraud and professionalizing fraud investigations (Shawyer & Walsh, 2007). The current emphasis on generating a professional body of fraud investigators has led to the development of a University accredited qualification for all investigators, including a five day investigative interviewing course on PEACE (an acronym covering the interview process where P-planning and preparation; E-engage and explain; A-account; C-closure; and E-

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evaluation) under the umbrella of the PinS (Professionalism in Security) training strategy which also includes training in surveillance, supervision of interviewing and other aspects of the investigation process (Shawyer, Milne & Bull, 2009). The range of sanctions available has also increased, now including formal cautions and administrative penalties.

The standard of the interview under caution has thus developed in line with the requirements of the Police and Criminal Evidence Act (PACE) 1984, with the tape recording of such interviews being mandatory, thus making the interview a pivotal part of the investigation of fraud in the public sector. As such, investigative interviewing in the public sector is coming increasingly under scrutiny, echoing some of the attention that police interviews have attracted since PACE introduced the mandatory tape recording of suspect interviews in the mid 1980s. The PEACE ethos is linked to the principals of investigative interviewing, such as open mindedness, in contrast to the interrogative approach linked to past miscarriage of justice cases.

Police fraud investigations tend to focus on high level, large scale frauds, some of which may be termed 'white collar' crimes. This term, first coined by Sutherland in 1939 (cited in McGuire, 2001) distinguishes the crimes committed by 'common' criminals and those committed by more middle class people who commit crimes associated with their jobs. Many fraud crimes would come under the umbrella of this term, although it is historically controversial in terms of its exact definition involving as it does such a wide array of different crimes, from identity theft to false insurance claims, and from corporate fraud to embezzlement (McGuire, 2001). The investigation of fraud often involves years of painstaking collection and analysis of information, sometimes from across the world, often involving many companies, individuals, pseudonyms, bank accounts and so on. Thus fraud is often a complex

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crime to investigate and on which to achieve closure. The complex nature of the crimes, the length of the investigations, and the amount of information acquired may make it difficult for the interviewer to keep an open mind and avoid assumptions of guilt at the interview stage.

An assumption of guilt is a key concern with counter fraud interviews as this can potentially lead to aggressive, 'blinkered' behaviour during the interview, the use of leading questions and a coercive manner. Such tunnel vision can result in confirmation bias during the interview as the interviewer attempts to confirm their beliefs rather than remain open minded (Kassin, Goldstein & Savitsky, 2003; Savage & Milne, 2007). Ask and Granhag (2005) suggested that such biases in the interview situation can be the result of two phenomena: “Selective information search” and “biased interpretation of available information” (page 45). In the investigative interview the consequences of such biases are often severe, but research suggests that these distortions of objective information to suit existing beliefs are an intrinsic part of our cognitive processes (Ask & Granhag, 2005, p. 45).

The nature of fraud and its investigation may render it particularly vulnerable to such assumptions and biases due to the fact that interviews will rarely go ahead unless the evidence is strong against the individual. For public sector fraud investigators this assumption is likely to be due to the nature of their investigations, in terms of both the length of the investigation and the case development process (Walsh & Milne, 2008). This means that the investigator will be fairly certain prior to the interview that the ‘suspect’ *is* guilty, and this factor is likely to influence their behaviour towards the interviewee, as well as the adequacy of their planning and preparation prior to the interview, and skills during the interview (Walsh & Milne, 2007). Furthermore, it was observed by Walsh and Bull (2010) in their examination of

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real life interviews, that the more skilled interviewers were more likely to generate full accounts from the suspect, and many of these comprehensive accounts included admissions, reinforcing the importance of avoiding assumptions of guilt.

What is a ‘skilled interviewer’?

Cherryman and Bull (2001) asked police officers their views on the skills required to carry out ‘specialist interviews’, defined as those requiring specialist knowledge (2001, p. 203), as is the case in most fraud interviews. The police officers rated ‘listening’, ‘preparation’, ‘questioning’, ‘knowledge of subject’ and ‘flexibility’ as the five most important interviewing skills. It is notable that the ‘pursuit of a confession’ is absent in these lists of good interviewer skills, and this reflects the ethos of the PEACE model of investigative interviewing, and the extent to which suspect interviewing has advanced over the last few decades in the UK. The current study extended this research by examining the behaviour of interviewers in fraud interview specifically.

There are a great range of different offences that come under that category of fraud, both in terms of their complexity and the seriousness of the offence. DWP fraud investigators are mainly involved in interviewing individuals suspected of committing some form of benefit fraud. The outcome of many of these interviews if the suspect is found ‘guilty’ can result in termination of benefit and incurring fines. Although the penalties would appear to be lower in these cases compared to many other crimes it is likely that they will still cause great distress to the individuals and their families being investigated.

Police fraud investigators deal with a wide range of frauds, including internal fraud within private companies, credit card fraud, and more large scale serious

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organised fraud. Due to these differences, this paper develops on the themes identified in the research by Walsh and Milne (2007) which investigated the perceptions of public sector (DWP) counter fraud investigators, by also including police fraud investigators to explore any differences between the two agencies.

The crime of fraud in particular is underpinned by deception, and people have stereotypical and often inaccurate ideas about deceptive behaviour (Vrij, 2008).

Despite the plethora of deception studies, only two nonverbal behaviours have been identified as reliable indicators of deception, that is, decreased blinking and increased pausing (De Paulo et al, 2003; Mann, Vrij & Bull, 2002; Vrij, 2000). The current study, therefore, also investigated the beliefs of counter fraud investigators on cues to deception, as previous studies have identified inaccuracies in these beliefs (Akehurst, Kohnken, Vrij & Bull, 1996). The respondents were asked, in an open question, to indicate which non-verbal cues they considered to be indicative of guilty behaviour. The respondents were not provided with a list of items and a scale, as the aim was to identify the beliefs of the sample group with no direction from the researcher (Stromwall, Granhag & Hartwig, 2004). These were then mapped onto the ‘subjective’ non-verbal cues to deception that have been identified in the literature (Stromwall et al, 2004; Vrij, 2008) to identify similarities.

Thus this study examined three key areas; (a) what makes a skilled interviewer; (b) assumptions of guilt issues; and (c) deceptive behaviours.

Method

Design

A questionnaire survey was used to establish attitudes, beliefs and knowledge

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regarding PEACE and its components¹. The PEACE course is delivered to the DWP interviewers by a variety of external agencies. The police have the PEACE training as part of their ongoing development, this is delivered in house, and the second author is involved in some aspects of advanced interview training. The questionnaire was designed to examine the three key areas; first the characteristics of a skilled interviewer; then the issues associated with assumptions of guilt; and finally, the behaviours associated with guilt and deception.

Participants

Fraud investigators were sampled from both the DWP (N=76), and police forces (N=35) across England and Wales. Once permission had been obtained from all the relevant agencies, questionnaires were sent out via post and email to all contacts which were disseminated to their colleagues and staff.

DWP participants

An attempt was made to gather a representative sample of DWP fraud investigators from across the UK. Questionnaires were sent to the Area Training Coordinators (ATC) in each of, what was at the time, 13 Area Directorates in the UK. This questionnaire was sent with a covering letter, requesting that the ATC distributed an equal number of questionnaires within their area. In addition, each ATC was sent five Sector Fraud Manager (SFM) questionnaires, and ten Counter Fraud Officer (CFO) questionnaires.

Thus 208 questionnaires were distributed in total. Due to the relatively low return rate of these questionnaires, a second attempt was made to increase the numbers of respondents. This was achieved by attending PINS4 (Investigative Interviewing) and

¹ Contact the first author for a copy of the questionnaire.

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PINS2M (Supervision of interviews) courses and handing out questionnaires to the trainees. Copies were also sent to other DWP contacts including trainers, and to students on the Counter Fraud Undergraduate Degree course at the University of Portsmouth. It is therefore difficult to estimate the rate of return as many of the contacts photocopied the questionnaire and distributed it within their regions. Nevertheless, a total of 76 questionnaires were completed (CFO n = 54; SFM n = 18; ATC n = 4) from the DWP.

Police

Nine police forces cross the UK were sampled for this survey. This was an opportunity sample. The questionnaires were sent via email to the contact in each area, requesting that the questionnaires be disseminated to fraud experts in their force. Some were returned electronically, some by post, and this resulted in a sample of 35 questionnaires.

Materials

The questionnaires were adapted from similar questionnaires from previous research (Clarke & Milne, 2001; Walsh, 2002), and tailored to fraud interviews. The second author has been involved in previous research in this area, both in relation to investigative interviewing in general, and fraud interviewing specifically (Clarke & Milne, 2001; Walsh & Milne, 2007; 2008). The five page questionnaires, with between 44 and 47 items, provided both quantitative data from 6-point Likert style rating questions such as “How important do you think it is to close the interview properly?” and qualitative data from questions requiring a more detailed response, for example “Please give reasons for your answer”. The Likert scale used 6 points (an

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even number) in this study in order to obligate the respondent to provide a response that was not neutral.

The questions were presented in sections: the first section addressed demographic issues; for example, gender, age, time in job, time since completing PinS4 course and so on. The next five sections related to the five PEACE phases: Planning and Preparation; Engage and Explain; Account; Closure; and Evaluation. These sections followed the structure of the PEACE model, and allowed the respondent to provide an overview of their own position in relation to the model, as well as more in depth opinions and clarification of their views on deception and guilt. Using a similar profile to previous studies (Clarke and Milne, 2001; Walsh, 2002) allowed comparisons to be made across studies.

Results

In order to identify any differences between DWP and police fraud investigators, the responses from the questionnaires have been set out below comparing the two groups of fraud investigators. First the views on PEACE will be examined; then the section will explore beliefs about skilled interviewer characteristics; finally assumptions of guilt and subjective indicators of guilty behaviour will be considered.

Perceptions of PEACE

As can be seen from Table 1 over 61% of police investigators and 71% of DWP investigators considered the PEACE model to be useful or very useful. Thus, 12% of the police and 8% of DWP investigators considered PEACE to be 'not so useful' or 'not useful'. As one police investigator claimed '*the nature of fraud interviews does not fit with the overall PEACE model*' and this view was echoed in a number of the questionnaires. A DWP respondent who rated the PEACE model as

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‘not useful’ claimed that PEACE can result in an interview that is ‘*too pre-planned*’. When asked if the training had changed the way that they interview however, 61% of the DWP and 65% of the police sample claimed that it had influenced their interviewing style, and any further comments suggested that this change was overwhelmingly positive: ‘better prepared for interview’, ‘I feel I can interview in a more structured and organised way’.

Table 1 How useful is the PEACE model?

The participants were asked to comment on what they perceived to be the positive and negative aspects of all components of the PEACE model. This open question elicited a wide variety of responses. The *positive* aspects of PEACE that emerged were the themes of professionalism, flexibility, standardisation and confidence. Each phase of the PEACE process was considered useful in its own right, and the PEACE model in general is seen as useful, logical and particularly valuable for inexperienced interviewers.

The responses to ‘what are the *negative* aspects of PEACE’ highlighted the perceived limitations of the model for counter-fraud investigators, and one phrase stands out: ‘a sledgehammer to crack a nut’ as capturing the general attitude of many of the participants. The time consuming nature of the PEACE model was considered by many to make it unworkable in the arena of fraud investigative interviews. It is likely that many DWP interviews do not require the level of detail that might be needed in a more complex fraud investigation.

Now each element of PEACE and its perceived usefulness will be examined. Eight items concerned with the stages of PEACE interviewing were rated by

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participants on a six point Likert scale for usefulness / importance of that element with a low score indicating 'more useful / important' and a high score indicating less useful or important. Table 2 presents these data, showing the means from the Likert scales relating to eight elements of the PEACE model.

Table 2 Perceptions of elements of PEACE

The police group rated planning and preparation, conversation management and evaluation by self as the three most useful or important elements of PEACE. The DWP group rated planning and preparation, closure, and conversation management as their top three elements of PEACE. Both groups rated evaluation by a third party as the least useful of these elements. There were significant differences between the two groups in their ratings of the Cognitive Interview, $t(95) = -2.807$, $p < 0.01$, with the DWP rating it as more important, and there were significant differences in the two groups' ratings of closure, $t(107) = -4.259$, $p < .01$, again with the DWP rating it as more important than the police group.

The next section will focus on the stages of 'Planning and Preparation' and 'Engage and Explain', including rapport building, as these two elements are key stages in relation to preparing and creating the right environment for a fair PEACE interview.

Planning and Preparation

Participants were asked about their attitudes towards the planning and preparation stage of the interview process.

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Table 3 How useful is Planning and Preparation?

As can be seen from Table 3, all of the police group and nearly 95% of DWP investigators thought that Planning and Preparation was 'useful' or 'very useful'. No respondents considered Planning and Preparation to be 'not useful'. According to one of the police investigators, planning and preparation is essential because *'fraud interviews generally cover a high volume of complex information that could not be covered accurately without prior preparation.'*

Engage and Explain

Investigators were then asked about their attitudes towards the engage and explain phase of the interview, specifically rapport building. Table 4 present the responses.

Table 4 How important is Rapport building in an interview?

Rapport building was rated as quite important, important or very important by over 77% of the police group and 96% of the DWP group. A minority of respondents were less favourable towards building rapport, with nearly 23% of police and 4% of DWP investigators rating it as 'not so important' or 'not important'. One police respondent claimed that the 'Engage and explain' phase was not so useful as it *'allows the subject to waffle'*. One DWP investigator described the rapport building phase thus : *'you can come across as false, ie seeming interested in things that the interviewee knows that you aren't!! Almost fawning in a way.'* On a positive note, reflecting the views of the majority, one DWP respondent had this to say about rapport building and the 'Engage

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and explain' phase: *'The interviewee is put at ease. The reason for the interview is clear to all parties.'*

Beliefs About Good and Poor Interviewer Characteristics

The participants were also asked about the characteristics that they believed a good and poor interviewer might possess. Tables 5 and 6 show the responses to these two questions from the DWP and the police groups respectively.

Features of a good interviewer. The respondents' top five most frequently cited characteristics of a good interviewer are presented in Table 5.

Table 5 'Top 5' - Beliefs about good interviewer traits

The responses from the DWP group indicated that they considered a good interviewer to have good social and interpersonal skills generally in relation to listening, being patient, calm and open minded. The police group also considered interpersonal skills to be important in terms of good listening skills, as one police respondent put it *'...whilst fraud interviews do often require the interviewer to control the conversation more, it is still essential to give the interviewee the chance to have their say and for the interviewer to actually listen to what is being said'*. However, the police group also focused on practical skills such as planning and preparation. In addition to these five most common answers, the police group also cited having a good knowledge of the case, a logical, structured approach, good questioning skills, having a good memory, and being calm and authoritative as qualities of a good

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interviewer. These characteristics include cognitive, emotional, social, and practical skills and in addition consider the attitude of the interviewer

Features of a bad interviewer. A number of bad interviewer characteristics also emerged, and Table 6 presents the top five most frequently cited characteristics of a bad interviewer.

Table 6 ‘Top 5’ - Beliefs about ‘bad’ interviewer traits

Many of the characteristics cited by the DWP group as bad interviewer traits are mirror opposites of the good interviewer traits already identified by this group, showing consistency. So poor listening skills, being judgemental, aggressive, and impatient are opposite to good listening skills, open minded, calm, and patient. Interestingly, the DWP group include poor planning and preparation as a trait of a bad interviewer, although it is not included in the most common five responses when identifying a good interviewer, although this is mentioned by the police group.

In contrast to the responses to the ‘good interviewer’ question (see Table 5 above), these responses were more consistent between the two groups. Here it can be noted that the police officers did cite being judgemental and inflexible as a characteristic of a bad interviewer – thus by default suggesting that the opposite (non-judgemental, open minded, flexible) would be characteristics of a good interviewer. Again, listening skills and planning and preparation were seen as essential elements to an interview, as one police respondent noted, *‘...some interviewers, even with all the training that police officers today get, still interrupt both the interviewees and their own colleagues. This shows that they are not interested in what other people have to*

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say and it can lead to an interviewee not saying what they could do, as they do not feel their comments are valued'.

As with the good interviewer skills categorised above, these characteristics can be understood in terms of cognitive, emotional, social and practical skills, and consider also the attitude of the interviewer.

Assumptions of Guilt

The next aspect to be investigated was related to prior assumptions of guilt before an interview. Table 7 presents the responses from the investigators to enquiries about presumptions of guilt.

Table 7 Do you already suspect the interviewee of being guilty before you start the IUC?

Table 7 reveals that the majority of these fraud investigators, i.e. 97% of the police and over 92% of DWP investigators, have 'presumed guilt' prior to interviewing a suspect 'sometimes' or more frequently. With this in mind, the survey also explored the beliefs of the interviewers in relation to detecting deceit and guilt.

Detecting Deception and Guilt

Respondents were asked their views on identifying guilt and, by implication, detecting deception using body language. Nearly 63% of the respondents believed that they could detect guilt by observing body language. A Chi Squared test indicated that the police (49% said 'Yes') and DWP (72% said 'Yes') sample were significantly

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different in their responses, $\chi^2(1, N = 89) = 5.091, p < .05$ in that the DWP sample were more likely to believe that they could detect guilt by body language. The top five indicators of guilty behaviour according to these respondents are shown in Table 8. Activities cited under the 'body language' category include crossing arms, hand gestures, and closed body language.

Table 8 Rank order of 'Top 5' indicators of 'guilty' behaviour comparing DWP to police

Both groups generated the same top five indicators of guilty behaviour, but the rankings were different in places. The DWP respondents rated eye contact and fidgeting as the two most significant cues to the interviewee's guilt, or deception, and the police respondents rated eye contact and nervous body language as the two most significant cues to guilt².

Discussion.

The investigative interview is a constant interaction between the interviewee and the interviewer (s), with both sides observing and interpreting the behaviour of the other. For the purpose of this study, the focus was on the interviewers, exploring both their own perspectives of the PEACE model, and insight into their beliefs and interpretation of interviewee behaviour within the interview room.

This study found that the majority of the investigators surveyed believed that the PEACE model overall was useful or very useful for fraud interviews highlighting

² In addition, it was identified that the independent variables such as age, and time in job were not significantly able to predict responses to the questionnaire.

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a support for the framework, with some trepidation over using all aspects of the model in fraud interviews. The attitudes towards PEACE that were revealed in this study reflected the findings of other similar surveys of investigators both from the public sector (Walsh & Milne, 2007) and from police agencies (Clarke & Milne, 2001).

Fraud investigators within the DWP and police in this study had similar reservations regarding the suitability of PEACE, as it stands, for all fraud interviews. For the police, fraud interviews are frequently very lengthy and complex, often involving a large volume of paper work and intricate financial evidence. This creates a problem when attempting to apply the PEACE model throughout the interview, in particular to summarise each topic, and to provide an overall summary at the closure stage, being very difficult to achieve.

In contrast, the DWP interviews are generally much shorter and less complex, and the PEACE framework can be seen as too cumbersome for such brief interviews. However, there is no doubt that the ethos and structure of PEACE is an essential tool for investigators in any sphere of criminal investigation and interviewing, so it is perhaps necessary to adapt the basic format to 'fit' different categories of investigative interviews (or any other type of interview) to provide the format for the interview. This in turn should generate the best quality and quantity of information.

It is therefore important that PEACE training emphasises the flexible nature of the interviewing model, and does not teach a rigid, fixed framework that is likely to constrain and inhibit the interviewer. A balance needs to be achieved between the imaginative use of the framework in any setting and the consistent application of the key principles of investigative interviewing. Training does not need to be a 'one size fits all' format, and PEACE training can be adapted to 'fit' the work of whichever agency requires training. There are a multitude of different agencies coming forward

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for training, including the charity and nuclear sector, and these will all require bespoke training to fit their needs.

The respondents were asked what makes a ‘good’ and ‘bad’ interviewer? Unlike Cherryman and Bull (2001), the current study did not offer a list of characteristics for the respondents to choose from, but instead used an open ended question: ‘What do you think are the qualities of a good interviewer?’. The aim was to gather the investigator’s own beliefs about good and bad behaviour. The top five characteristics cited by the police officers in Cherryman and Bull’s (2001) study were listening, preparation, questioning, knowledge of subject, and flexibility. Similarly, both the DWP and police group agreed that ‘good listening skills’ was the most important characteristic of a good interviewer. Similarly, also cited were good communication skills, planning and preparation, open mindedness, flexibility and patience.

Overall, the characteristics cited were categorised into the following five areas of (i) cognitive, (ii) emotional, (iii) social, (iv) practical skills, and a (v) good attitude. In contrast, and predictably, the characteristics of a bad interviewer were highlighted as being poor listening skills, poor planning and preparation, having a judgemental attitude and being aggressive. Again these fitted into the five categories mentioned above and demonstrated the wide range of skills that an interviewer needs to acquire in order to be successful.

The current survey also aimed to identify the occurrence of ‘assumptions of guilt’ prior to interview. In the current sample of fraud investigators this was a common phenomenon, with all of the police group and over ninety six percent of the DWP group stating that they had at some time assumed guilt prior to interviewing a suspect. This is an interesting juxtaposition with the concept of open mindedness.

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While some may consider this to be an unavoidable situation, something that ‘goes with the territory’, it can lead to unacceptable prejudices during the interview, and in this era of ethical and fair interviewing clearly anything that undermines this ethos should be avoided. Such presumptions of guilt were found to be pervasive amongst the fraud investigators in the present study. As one DWP fraud investigator stated, the interviews under caution only take place once the investigator is ‘very sure’ that fraud has taken place and they have the right person.

Similarly, police fraud interviews are often carried out after years of intense investigation and evidence gathering – by the time that the suspect is being interviewed, it is perhaps natural that some form of assumption of guilt is likely to be present. This is potentially a serious problem for fraud interviews if the assumption of guilt leads, as Kassin et al (2003) suggest, to behavioural biases during the interview. The PEACE ethos is one of ‘fair and ethical’ interviewing, and it follows that the attitudes of the interviewer should be non-judgemental and unbiased. Indeed many of the DWP fraud investigators surveyed cited being ‘non-judgemental’ as a key characteristic of a good interviewer.

The questionnaire also asked about detecting guilt and, by association, deceit. The responses generated from this question suggest that the concepts of guilt and deception are closely related, as similar behaviours were cited by the current sample (see Stromwall et al, 2004; Vrij, 2008 for similar findings). The findings from the current survey were consistent with some of the findings from previous research (for example Akehurst, Kohnken, Vrij & Bull, 1996), in that the two groups both cited the stereotypical and inaccurate items of gaze aversion and fidgeting as being significant indicators of guilt (and possibly deception). Of the twelve subjective non-verbal cues to deception cited by Stromwall et al (2004), three were cited by the current sample,

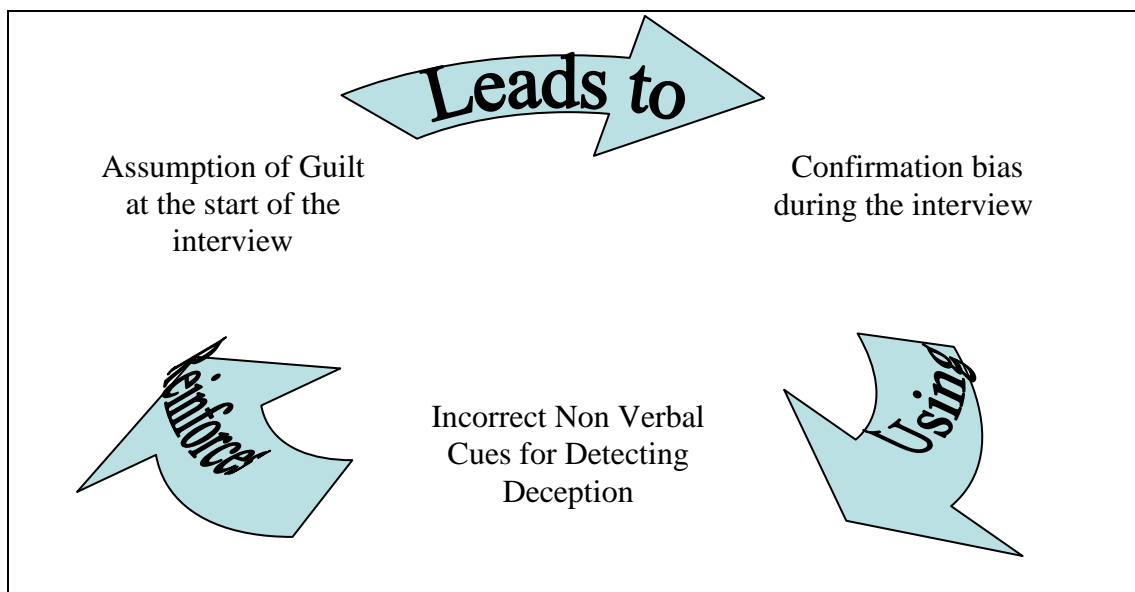
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these being gaze aversion, fidgeting (shift position, arm / leg movements), and body language (hand movements, illustrators etc). Gaze aversion appears to be the most frequent and commonly cited subjective non-verbal cue to deception in the literature (Stromwall et al, 2004), and this is supported here. There was a stronger belief in the reliability of body language as a cue to deception in the DWP group compared to the police group, and this difference was significant.

If 'guilt' and 'deception' go hand in hand, then the findings here suggest that these fraud investigators have similar stereotypical views about detecting deception as other professional lie detectors (Akehurst et al, 1996), such as gaze aversion and fidgeting. The consequences of this mistaken belief in the power of non-verbal behaviour observations can only exacerbate the earlier assumption of guilt, and a cyclical behaviour pattern is set up (see Figure 1). In this way, early, potentially erroneous, assumptions about the guilt of the interviewee can encourage the interviewer to seek confirmatory evidence in the form of 'deceptive' non-verbal behaviours. The results suggests that these supposedly 'deceptive' non-verbal behaviours are not reliable indicators of deception, and actively seeking them out can only exacerbate the belief that the interviewee is guilty. The cycle continues when the unreliable non-verbal indicators are observed (due perhaps to nervousness or fear) and these observations could potentially fuel the suspicions of an already prejudiced interviewer.

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Figure 1 Interview Cycle: assumption of guilt (taken from Shawyer 2009; Shawyer, Milne and Bull 2009).



This ‘defective’ confirmation cycle is likely to inhibit the building of rapport between the interviewer and interviewee, and affect the nature of the interview. A fair and ethical interview will become less likely as the cycle of suspicion and interpretation of body language creates an atmosphere of guilt and denial, and generates a negative cycle in which guilt and deception are assumed by the interviewer.

The participants in this study cited in particular, eye contact, fidgeting, and closed body language as key non-verbal indicators of guilt and deception, and these relate to previous research findings regarding the subjective beliefs of lay persons and professional lie detectors (Akehurst, Kohnken, Vrij & Bull, 1996). The research is inconsistent in identifying these characteristics as indicators of deception. This mixed picture illustrates the complex nature of human behaviour in general and in particular non-verbal behaviour, and highlights how individual differences in how we express

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ourselves non-verbally, creates problems for the lie detector. This is magnified by the fact that many behaviours that may signify deception, also signify nervousness or high emotion; both of which are likely to be experienced by a suspect in an 'interview under caution'.

In conclusion, the survey identified a number of important factors related to investigative interviewing and fraud. Firstly, fraud investigators are likely to have a belief prior to interviewing the suspect that the suspect is guilty. In addition, they also are likely to have distorted, but commonly held, beliefs about how to detect deception from body language, although this belief was more strongly held by the DWP investigators. The respondents' views on the characteristics of good and bad interviewers are consistent with previous research, and are also consistent with the PEACE ethos. Despite this fact, it is likely that the prejudices and errors mentioned earlier could inhibit the emergence of 'good interviewer' characteristics, such as 'open mindedness', 'flexibility' and 'good listening skills' and encourage the less favourable characteristics of being 'blinker', 'inflexible' and 'judgemental'. This is clearly not in the spirit of PEACE, and highlights the importance of including accurate, up to date material on detection of deception in training courses, and in encouraging an open-minded attitude towards all interviewees as standard. The training of PEACE has advanced considerably since it was created in the 1990s, and these developments are based on the exploration of investigators views of the model, and the practical use of PEACE in the workplace. It is useful therefore to look beyond the fraud investigators own claims about good and bad interviewer techniques, and to investigate the *actual* standard of investigative interviewing in the Public Sector and police fraud investigations.

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Appendix – List of Tables

Table 1

TABLE 1 How useful is the PEACE model?

Response	Police (N = 35)	DWP (N = 76)
Very useful	23.5%	36.8%
Useful	38.2%	34.2%
Quite Useful	26.5%	21.1%
Not so useful	5.9%	6.6%
Not useful	5.9%	1.3%
Not useful at all	0.0%	0.0%

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Table 2

TABLE 2 Perceptions of elements of PEACE

Element of PEACE	Police (N=35)	DWP (N=76)	Effect size
Mean (SD)	Mean (SD)	Cohen's d	
PEACE overall	2.32 (1.09)	2.01 (0.99)	0.30
Planning and preparation	1.20 (0.41)	1.29 (0.56)	0.18
Engage and Explain: Rapport	2.43 (1.38)	1.95 (1.00)	0.40
Account: Conversation Management	1.72 (0.89)	1.75 (0.78)	0.04
Account: Cognitive Interview**	3.63 (1.54)	2.70 (1.50)	0.61
Closure**	2.21 (1.12)	1.45 (0.70)	0.81
Evaluation: By self	2.16 (1.54)	2.00 (0.92)	0.13
Evaluation: By third party	4.00 (1.87)	2.80 (1.67)	0.68

** p < 0.01

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Table 3

TABLE 3 How useful is Planning and Preparation?

Response	Police (N = 35)	DWP (N = 76)
Very useful	80%	76.0%
Useful	20%	18.7%
Quite useful	0%	5.3%
Not so useful	0%	0.0%
Not useful	0%	0.0%
Not useful at all	0%	0.0%

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Table 4

TABLE 4 How important is Rapport building in an interview?

Response	Police (N = 35)	DWP (N = 76)
Very important	34.3%	42.7%
Important	22.9%	26.7%
Quite important	20.0%	26.7%
Not so important	11.4%	1.3%
Not important	11.4%	2.7%
Not important at all	0.0%	0.0%

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Table 5

TABLE 5 'Top 5' - Beliefs about good interviewer traits

DWP (N=73)			Police (N=35)		
Rank	Traits	%	Rank	Traits	%
1	Listening skills	67%	1	Listening skills	
		57%			
2	Open minded	44%	2	Plan & Prep	
		46%			
3	Patient	34%	3	Flexible	
		31%			
4=	Communication	22%	4	Communication	
		23%			
4=	Calm	22%	5	Control of interview	
		14%			

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Table 6

TABLE 6 'Top 5' - Beliefs about 'bad' interviewer traits

DWP (N=73)			Police (N=35)		
Rank	Traits	%	Rank	Traits	%
1	Poor listening skills	49%	1	Poor listening skills	43%
2	Judgemental	47%	2	Judgemental	34%
3=	Poor plan&prep	25%	3	Poor plan&pre	31%
3=	Aggressive	25%	4	Aggressive	23%
5	Impatient	14%	5	Poor questions	20%

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Table 7

TABLE 7 Do you already suspect the interviewee of being guilty before you start the IUC?

Response	Police (N = 35)	DWP (N = 53)
Always	5.7%	7.5%
Very often	31.4%	20.8%
Often	17.1%	30.2%
Sometimes	42.9%	34.0%
Rarely	2.9%	3.8%
Never	0.0%	3.8%

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Table 8

TABLE 8 Rank order of 'Top 5' indicators of 'guilty' behaviour comparing DWP to police

Rank*	DWP (N = 73)	Rank*	Police (N = 35)
1	Eye contact (36%)	1	Eye contact (29%)
2	Fidgeting (23%)	2	Nervous NVB (15%)
3=	Body language (15%)	3	Fidgeting (11%)
3=	Aggression (15%)	4	Sweating (9%)
5	Sweating/blushing (10%)	5	Aggression (6%)

*Most popular response first.