

# **Developing a more effective framework for the investigative interviewing of suspected sex offenders**

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## **Declaration**

Whilst registered as a candidate for the above degree, I have not been registered for any other research award. The results and conclusions embodied in this thesis are the work of the named candidate and have not been submitted for any other academic award.

*“Whatever course you decide upon, there is always someone to tell you that you are wrong. There are always difficulties arising, which tempt you to believe that your critics are right. To map out a course of action and follow it to an end requires courage”.*

*Ralph Waldo Emerson*

## **Dedication**

This thesis is dedicated to my father, Eric James Oxburgh.....Dad, I know you weren't around to see me graduate from my MSc in Forensic Psychology, or see how hard I have worked towards the completion of this PhD, but I know how proud you would have been. I also know you would have been extremely proud of my achievements in life, both personally and professionally. You have been a major inspiration in my life in ways you would never have thought possible – thanks Dad.

## Acknowledgements

There are so many people I would like to thank for helping me complete this PhD. First and foremost, I would like to thank my supervision team, Dr James Ost, Dr Julie Cherryman and Dr Paul Morris. They have kept me sane and ensured I stuck to deadlines (well tried!!) and surprising me with Skype calls at any time of day or night (thanks Julie!). I would like to say a special thanks to James, who has not only been a huge inspiration to me throughout my PhD, but really focused my attention on where it had to be at times. Despite the numerous personal and professional difficulties that I encountered along the way, he was always there, not only as a Director of Studies, but latterly (and more importantly) as a good friend offering support and guidance whenever I needed it. Thanks James.

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## Abbreviations

The following abbreviations have been used throughout this thesis and although they have been defined at their first appearance within the text, they are also listed here for ease of reference:

5WH	The mnemonic acronym for questions starting with, 'what?', 'why?', 'when?', 'where?', 'who?' and 'how'
ABE	Achieving Best Evidence
ACPO	Association of Chief Police Officers
AIR	Appropriate to Inappropriate Ratio (of questions)
BAI	Behavioural Analysis Interview
CEOP	Child Exploitation and On-line Protection
CI	Cognitive Interview
CID	Core Investigative Doctrine
CM	Conversation Management
CPD	Continuing Professional Development
CJS	Criminal Justice System
CPS	Crown Prosecution Service
CPTU	Central Planning and Training Unit
CSA	Child Sexual Abuse
EO	Empathic Opportunity
EOC	Empathic Opportunity Continuer
EOT	Empathic Opportunity Terminator
GQM	Griffiths Question Map
ICIDP	Initial Crime Investigators' Development Programme

IPLDP	Initial Police Learning and Development Programme
IRI	Investigation Relevant Information
NES	Negative Emotion Score
NPIA	National Policing Improvement Agency
NOS	National Occupational Standards
OCR	Open-Closed Ratio
OIOC	Officer in Overall Command
PACE	Police and Criminal Evidence Act 1984
PALIT	The mnemonic acronym for specific items of IRI ( <b>P</b> erson; <b>A</b> ction; <b>L</b> ocation; <b>I</b> tem; <b>T</b> emporal)
PCA	Principal Component Analysis
PDR	Performance Development Review
PEACE	The mnemonic acronym for the police interview training course ( <b>P</b> lanning and preparation; <b>E</b> ngage and explain; <b>A</b> ccount, clarify and challenge; <b>C</b> losure; <b>E</b> valuation)
PI	Performance Indicators
PIEF	Performance Indicator Evaluation Form
PIP	Professionalising the Investigation Programme
PRICE	The mnemonic acronym for the police interview training course ( <b>P</b> lanning and preparation; <b>R</b> apport building; <b>I</b> nformation gathering; <b>C</b> onfirming the content; <b>E</b> valuate and action)
RCCP	Royal Commission on Criminal Proceedings
SAFE	The mnemonic acronym for principles of a child interview model <b>S</b> imple language; <b>A</b> bsence of specific details; <b>F</b> lexibility; and <b>E</b> ncouragement.
SE	Spontaneous Empathy

SII	Specialist Investigative Interview
SIO	Senior Investigating Officer
SPPA	Swedish Prison and Probation Administration
TED	A mnemonic acronym for questions starting with, 'Tell', 'Explain', 'Describe'

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## Dissemination of research

This PhD thesis builds on and develops the research undertaken as part of my MSc in Forensic Psychology thesis in 2004<sup>1</sup>, which was the first known research to examine police officers' use of emotional language during investigative interviews with suspects of child sexual abuse (child rape<sup>2</sup>). Thirty-four interview transcripts of actual investigative interviews with alleged sex offenders were analysed. Contrary to the main hypothesis, although there was a significant effect of prior acquaintance with the victim, officers who had *not* previously interviewed the child victim used a greater number of negative emotional utterances (e.g., contempt, disgust and anger). Again, failing to support the hypotheses, there were no significant effects concerning gender of the interviewer, or the type of offence (e.g., intra- or extra-familial abuse). Despite recent recommendations, the majority of police officers had not received specialist investigative interviewing training specific to suspects of child rape. The following is a list of relevant publications and presentations undertaken during the completion of this PhD programme and relevant to the thesis:

### Peer-reviewed and miscellaneous journal papers

Phillips, E., **Oxburgh, G. E.**, Gavin, A., & Myklebust, T. (2011). Investigative interviews with victims of child sexual abuse: The relationship between question type and investigation relevant information. *Journal of Police and Criminal Psychology*. First published on-line on 27 August 2011.

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<sup>1</sup>Oxburgh, G. E., Williamson, T., & Ost, J. (2006). Police officers' use of emotional language during child sexual abuse investigations. *Journal of Investigative Psychology and Offender Profiling*, 3, 35–45. **Copy attached at Appendix A.**

<sup>2</sup> Child rape is the most serious offence within the wider category of child sexual abuse.

- Oxburgh, G. E.**, Walsh, D., & Milne, B. (2011). The importance of applied research in investigative interviewing: A real-life perspective. *Journal of Investigative Psychology and Offender Profiling*, 8, 105-109.
- Oxburgh, G. E.**, & Ost, J. (2011). The use and efficacy of empathy in police interviews with suspects of sexual offences. *Journal of Investigative Psychology and Offender Profiling*, 8, 178-188.
- Oxburgh, G. E.**, & Dando, C. J. (2011). Psychology and interviewing: What direction now in our quest for reliable information? *British Journal of Forensic Practice*, 13 (2), 135-144.
- Oxburgh, G. E.**, Ost, J., & Cherryman, J. (2010). Police interviews with suspected child sex offenders: Does use of empathy and question type influence the amount of investigation relevant information obtained? *Psychology, Crime and Law* (DOI: [10.1080/1068316X.2010.481624](https://doi.org/10.1080/1068316X.2010.481624)). First published in August 2010.
- Oxburgh, G. E.**, Myklebust, T., & Grant, T. (2010). The question of question types in police interviews: A review of the literature from a psychological and linguistic perspective. *International Journal of Speech, Language & the Law*, 17 (1), 45-66.
- Walsh, D., & **Oxburgh, G. E.** (2008). Investigative interviewing of suspects: Historical and contemporary developments in research. *Forensic Update*, 92, 41-45.

**Oxburgh, G. E.**, Williamson, T., & Ost, J. (2006). Police officers' use of emotional language during child sexual abuse investigations. *Journal of Investigative Psychology and Offender Profiling*, 3, 35-45.

### **Book chapters**

Myklebust, T., & **Oxburgh, G. E.** (2011). *Reviewing the case* (pp.165-177). In M. Lamb, D. La Rooy, C. Katz, & L. Malloy (Eds.), *Children's testimony: A handbook of psychological research and forensic practice*. Chichester: Wiley.

### **Keynote presentations**

**Oxburgh, G. E.** (2010). Interviewing high-stake offenders. *Keynote presentation given to delegates from the European Police College (CEPOL) Annual Training Conference, 20<sup>th</sup> October, Oslo, Norway.*

### **Peer-reviewed conference proceedings**

**Oxburgh, G. E.**, Myklebust, T., & Grant, T. (2011). The question of question types in police interviews: A review of the literature from a psychological and linguistic perspective. *Presentation given at the 4<sup>th</sup> Annual Conference of the International Investigative Interviewing Research Group (iIRG), 1<sup>st</sup> – 3<sup>rd</sup> June, Dundee, Scotland, UK.*

**Oxburgh, G. E., Ost, J., & Cherryman, J. (2010).** Police interviews with suspected child sex offenders: Does use of empathy and question type influence the amount of investigation relevant information obtained? *Presentation given at the 20<sup>th</sup> Annual Conference of the European Association of Psychology and Law, 15<sup>th</sup> – 18<sup>th</sup> June, Gothenburg, Sweden.*

**Oxburgh, G. E., Ost, J., & Cherryman, J. (2010).** Police interviews with suspected child sex offenders: Does use of empathy and question type influence the amount of investigation relevant information obtained? *Presentation given at the 3rd Annual Conference of the International Investigative Interviewing Research Group, 22<sup>nd</sup> – 24<sup>th</sup> June, Stavern, Norway.*

**Oxburgh, G. E. (2010).** The question of question types in police interviews: A review of the literature from a psychological and linguistic perspective. *Presentation given at the 9th Annual Conference of the International Academy of Investigative Psychology, 14<sup>th</sup> January, London, UK.*

**Oxburgh, G. E., Ost, J., & Cherryman, J. (2009).** Interviewing suspected child sex offenders: Factors that influence the obtaining of investigation relevant information. *Presentation given at the 19<sup>th</sup> Annual Conference of the European Association of Psychology and Law, 2<sup>nd</sup> – 5<sup>th</sup> September, Sorrento, Italy.*

**Oxburgh, G. E., Gozna, L., Teicher, S., & Boon, J. (2009).** Interviewing suspects in the UK: Fiction, facts & future directions. *Symposium presentation given at the 2<sup>nd</sup> Annual Conference of the International Investigative Interviewing Research Group, 14<sup>th</sup> – 16<sup>th</sup> April, Middlesbrough, UK.*

**Oxburgh, G. E.,** Ost, J., Cherryman, J., & Wilson, C. (2008). Communicating with sex offenders: A content analyses of investigative interviews. *Presentation given at the 18<sup>th</sup> Annual Conference of the European Association of Psychology and Law, 2<sup>nd</sup> – 5<sup>th</sup> July, Maastricht, The Netherlands.*

**Oxburgh, G. E.,** Ost, J., Cherryman, J., & Wilson, J. C. (2007a). A content analyses of investigative interviews with suspected sex offenders. *Presentation given at the Division of Forensic Psychology Annual Conference 2007, 23<sup>rd</sup> – 25<sup>th</sup> July, York, UK.*

**Oxburgh, G. E.** (2006). Child sexual abuse: The use of emotional utterances by forensic interviewers. *Presentation given at the Language, Psychology and Law Conference 2006, 10<sup>th</sup> – 12<sup>th</sup> July, Leicester, UK.*

**Oxburgh, G. E.,** Ost, J., Cherryman, J., & Wilson, J. C. (2006). Investigative interviewing: Can negative emotion affect the quality? *Presentation given at the 2<sup>nd</sup> International Investigative Interviewing Conference 2006, 5<sup>th</sup> – 7<sup>th</sup> July, Portsmouth, UK.*

### **General presentations**

**Oxburgh, G. E.** (2010). Police training in the UK: An introduction. *Presentation given to the Norwegian Police University College as part of their International Studies module, 26<sup>th</sup> April, Oslo, Norway.*

Anand, D., & **Oxburgh, G. E.** (2008). Understanding sex offenders. *Presentation/workshop given to delegates from the European Police College (CEPOL), 7<sup>th</sup> May Oslo, Norway.*

**Oxburgh, G. E.**, & Myklebust, T. (2008). Effective communication with child sex offenders. *Presentation/workshop given to delegates from the European Police College (CEPOL), 30<sup>th</sup> January, Stockholm, Sweden.*

### **Academic seminars**

**Oxburgh, G. E.**, Ost, J., Cherryman, J. (2008). Interviewing suspected child sex offenders: What factors influence the obtaining of investigation relevant information? *Presentation given at the Research Seminar Series, Centre for Forensic Linguistics, 10<sup>th</sup> December 2008, Birmingham, UK.*

**Oxburgh, G. E.**, Ost, J., Cherryman, J., & Wilson, J. C. (2008). Communicating with high-stake offenders in police interviews. *Presentation given at the Research Seminar Series, Department of Psychology, 22<sup>nd</sup> October, Middlesbrough, UK.*

**Oxburgh, G. E.**, Ost, J., Cherryman, J., & Wilson, J. C. (2007b). A content analysis of investigative interviews with suspected sex offenders. *Presentation given at the research seminar series, Department of Psychology, 21<sup>st</sup> November, Portsmouth, UK.*

## Major achievement

In 2006, following the publication of my MSc Forensic Psychology thesis and during an investigative interviewing conference at the University of Portsmouth, I discussed with the late Professor Tom Williamson (my MSc supervisor), the idea of creating a truly global investigative interviewing network comprising both academic researchers and police practitioners. As a consequence, two colleagues, Detective Chief Superintendent Trond Myklebust *PhD*, from the Norwegian Police University College, and Dr Dave Walsh from the University of Derby (both of whom are now close personal friends), and I discussed the feasibility of trying to arrange a small research seminar based broadly around the area of investigative interviewing. We decided to invite various colleagues who were interested in this aspect of applied research, believing that we might attract around 20 or 30 interested parties. In April 2007, we held a small seminar at Teesside University, where I am a Senior Lecturer, which was attended by over 50 police officers and academic researchers from across the UK and Europe. Given its immediate success, we decided to create, what is now known as, the International Investigative Interviewing Research Group (iIRG) ([www.iirg.org](http://www.iirg.org)). The iIRG now has over 450 members in 23 countries and not only has an equal share of academic and practitioner members, but also a fast-growing student membership.

The iIRG is a worldwide network of professionals, all with collaborative interests, working with international bodies and committed to improving investigative interviewing (internationally), ensuring all improvements are underpinned by a robust evidence base. In addition to various internationally

renowned academic institutions with which we collaborate, the iIIRG also has a close working relationship with the Association of Chief Police Officers (ACPO) in England and Wales. The ethos behind iIIRG is *research-based practice* and *practice-based research*, and each year, we hold annual conferences and specialist workshops throughout the world to enhance and maintain our core philosophy.



## Thesis abstract

Although some research has suggested that the use of a more humane, or empathic, interviewing style with suspected sex offenders is likely to bring about more admissions (Holmberg & Christianson, 2002; Kebbell, Hurren & Mazzerole, 2006; see also Kassin & Gudjonsson, 2004 for a review), much of this research has been conducted with offenders long after they had been interviewed by the police. Thus, the main aims of this thesis were to examine whether the use of empathy by interviewers had any measurable benefit during an interview as well as identifying interviewers' beliefs and understanding about what empathy is.

Chapter one outlines the impact of empirical research on investigative interviewing in recent decades, including the meaning and definitions of different question typologies and the way in which research could move forward. The chapter also details the advances in police training in England and Wales, including the Professionalising the Investigation Programme (PIP), designed to enhance and professionalise police investigations *per se*. The current literature concerning empathy and its efficacy in relation to investigative interviewing is reviewed in Chapter two. The chapter concludes with a summary outlining the lack of training for police officers in the area of empathy and proposes a more refined model for measuring empathy. Chapter three outlines the findings from an empirical study which focuses on police officers' perceptions and the challenges associated with interviewing suspects of different types of crime. Interviews with suspects of crimes against children were shown to be the most difficult for police officers to conduct. Officers reported that they would show the least amount of empathy towards interviewees suspected of child rape. Furthermore, participants'

qualitative responses revealed that many officers did not believe empathy should be used at all in interviews with suspects, regardless of the crime.

Chapter four examines the use of empathy and the impact of question type on the amount of Investigation Relevant Information (IRI) obtained by examining transcripts of actual police interviews with suspects of child rape. The use of *appropriate* questions led to significantly higher amounts of information elicited that may be relevant to the investigation, while empathy (calculated by counting the number of examples of *spontaneous* empathy, empathic *opportunities* that were *continued*) did not have any impact on the amount of IRI elicited. The study outlined in Chapter five extended this methodology and analysed the effects of empathy and question type on the amount of IRI obtained from interviews with suspects of three different high stakes crimes: adult murder; filicide; and child rape. As in the previous analysis (Chapter four), no direct effects of empathy on the amount of IRI elicited were found. However, in interviews classified as empathic, interviewers asked significantly more *appropriate* questions than they did in interviews classified as non-empathic, and significantly more items of IRI were elicited from *appropriate* questions. The study outlined in Chapter six investigates police officers' beliefs about what determines the 'quality' of investigative interviews. The questionnaire consisted of four excerpts from real life interviews, which varied on two dimensions – the balance of *appropriate* to *inappropriate* question, and whether they contained examples of empathy. Analysis revealed that officers were *mostly* able to detect which interviews contained *appropriate* questions, and that they used the appropriateness of questions as a determinant of overall 'quality' in interviews. However, one reason why respondents may have used *appropriate* questions as a proxy for quality is

that, as revealed by their qualitative responses, empathy was difficult to identify. The final Chapter provides an overview of the findings, outlines the limitations and challenges associated with this kind of research, suggests recommendations for future research and discusses the implications for police practice.

## Chapter One\*

### The PEACE model and investigative interviewing of suspects

#### Chapter summary

The 1980s in England and Wales saw an historical change in police procedures and a dramatic shift from 'interrogation' to 'investigative interviewing'. This chapter provides an overview of the Royal Commission Reports that prompted these changes and introduces two distinct and opposing techniques, the Reid technique of interrogation, used predominately in the USA, and the PEACE model of interviewing (**P**reparation and planning, **E**ngage and explain, **A**ccount, clarify and challenge, **C**losure, and **E**valuation), used predominately in England and Wales. The Police and Criminal Evidence (PACE) Act (1984) is discussed in brief, as are the principles of investigative interviewing in England and Wales. Following a review of the academic literature surrounding investigative interviewing, two problematic issues are then reviewed and discussed. The first relates to the complex area of question types. The second refers to the effectiveness of investigative interviewing training practices which details the process for interviewing suspects accused of committing sexual offences.

**\*Note.** This chapter is a merge of relevant sections from the following two articles that were written and published during the course of this PhD programme. The present author was the sole author of all material included in this chapter from these publications:

Oxburgh, G. E., & Dando, C. J. (2011). Psychology and interviewing: Where now in our quest for reliable information? *The British Journal of Forensic Practice*, 13, 134-144. **See Appendix B for a copy of this article.**

Oxburgh, G. E., Myklebust, T., & Grant, T. (2010). The question of question types in police investigations: A review of the literature from a psychological and linguistic perspective. *The International Journal of Speech, Language and the Law*, 17, 45-66. **See Appendix C for a copy of this article.**

## Introduction

The mid-1980s saw the start of substantial research by academics (and, indeed, practitioners) into police interviewing of suspected offenders (hereafter referred to as 'suspects'). Initially, there was little guidance for serving police officers regarding the most effective way of conducting such interviews, with training typically provided 'on the job' by more experienced colleagues (Milne & Bull, 1999). There were several handbooks to aid officers in their interviewing, and one of these well-used sources of guidance was the American text, 'Criminal Interrogation and Confessions' (Inbau, Reid, & Buckley, 1986; authored by Inbau and Reid, the first version of this manual was published in 1962, although either separately or together both authors had a long tradition of publishing books on this topic commencing in 1942 (see Gudjonsson, 2003). This book had become an influential interviewing guide for police officers in England and Wales (Walsh & Bull, 2009). In this book, and its subsequent revisions (e.g., Inbau, Reid, Buckley & Jayne, 2001), the authors recommend a two-stage approach to criminal interrogations. The first stage is the non-accusatory and non-coercive Behavioural Analysis Interview (BAI), to 'test' whether or not the suspect may be guilty. If the interviewing officer believes the suspect has not been honest during the BAI, the second stage, a nine-step (interrogative) process, begins. However, the 'tests' used to establish guilt involve a range of verbal and non-verbal measures that have repeatedly been found to be unreliable indicators of deception, many of which may, in fact, also be exhibited by innocent suspects (see Kassin, 2005; Vrij, 2000; 2006). Moreover, studies have shown that despite their own beliefs to the contrary, police officers are no better than other professionals at detecting lies (Vrij, 2000; 2004; 2008).

Inbau *et al.* (1986; 2001) claimed that the nine-step interrogation process is an effective method for obtaining confessions from guilty suspects. Characteristics of the model include *manipulation* of the suspect (via persuasion), *minimisation* (of the seriousness of the offence) and *maximisation* (both of the severity of not confessing, and the benefits of confession). Interrogators are also encouraged to inform suspects that any denials would be futile as they are sure of the suspect's guilt. Interrogators are also able to lie to suspects about the nature and strength of the evidence against them - something that other interviewing models (such as PEACE – explained in the next section) and some legal systems prohibit. Not surprisingly, psychologists were (and still are) concerned with this approach, arguing that such oppressive interviewing methods are, in fact, likely to lead vulnerable individuals to falsely confess to crimes that they did not commit (see Gudjonsson, 2003; Kassin, 2005; Leo, 2008). Nonetheless, despite these serious misgivings, the Inbau *et al.* interrogation model still remains in use today in many parts of the world, predominately in the USA, but also in France and parts of Canada.

### **Interviewing in England and Wales**

In England and Wales, a Royal Commission on Criminal Procedure (RCCP) in 1981, precipitated by judicial concerns over police interviewing techniques, brought about legislation which paved the way for a change in approach away from the coercive interviewing styles that were felt to be prevalent in practice at that time (Irving, 1980). One effect of this legislation was the introduction of the PACE Act (1984), which, amongst many other legislative changes, mandated that all interviews with suspects had to be audio-recorded. This, in turn, gave rise to

the opportunity for a detailed examination of subsequent audio-tapes to establish what was actually occurring in real-life interviews with suspects. In one such study, Baldwin (1993) found that interviews were brief and largely amiable discussions despite police officers' anecdotal reports of interviews with suspects as difficult encounters with people who were generally non-compliant. Baldwin (1993) also found that the persuasive interviewing styles characteristic of pre-PACE interviews had been replaced by a more tentative style, which resulted in suspects not being appropriately challenged when the opportunity arose.

Following Baldwin (1993), other studies (e.g., Bull & Cherryman, 1995; McConville & Hodgson, 1993; McGurk, Carr & McGurk, 1993; Moston, Stephenson & Williamson, 1993; Stockdale, 1993; Williamson, 1993) continued to find instances of ineffective interviewing. Following the culmination of these continuing concerns, the police embarked on a national training initiative based on the PEACE model of interviewing. This model, which was developed in the early 1990s, following extensive collaboration with legal professionals, academic researchers and police officers, is based on sound psychological principles and incorporates two primary interview types: (i) the Cognitive Interview (CI; Fisher & Geiselman, 1992) and (ii) the Conversation Management (CM) approach (see Shepherd, 1984; Gudjonsson & Pearse, 2011). The PEACE model and the principles of investigative interviewing *per se*, emphasise that the purpose of all investigative interviews are to search for the truth, and gather accurate and reliable information using non-coercive techniques – a direct contrast to the confession-centred approach of the interrogation methods advocated by Inbau *et al.* (1986; 2001). The PEACE model of interviewing is used across England and Wales and many other parts of the world including Australia, New Zealand and

Norway (amongst other countries). In Scotland, the PRICE model of interviewing is used, which was introduced in the early 1990s. The PRICE model is a mnemonic acronym for the recommended phases of the interview (**P**lanning and preparation; **R**apport building; **I**nformation gathering; **C**onfirming the content; **E**valuate and action) and has very similar principles to that of PEACE.

In 1992, following the introduction of the PEACE model of interviewing, the Association of Chief Police Officers (ACPO) Working Party on Investigative Interviewing developed and approved seven core principles (Home Office Circular 22/92). These were:

1. The role of investigative interviewing is to obtain accurate and reliable information from suspects, witnesses or victims, in order to discover the truth about matters under police investigation;
2. Investigative interviewing should be approached with an open mind. Information obtained from the person who is being interviewed should always be tested against what the interviewing officer already knows or what can reasonably be established;
3. When questioning anyone a police officer must act fairly in the circumstances of each individual case;
4. The police interviewer is not bound to accept the first answer given. Questioning is not unfair merely because it is persistent;
5. Even when the right of silence is exercised by a suspect the police still have a right to put questions;
6. When conducting an interview, police officers are free to ask questions in order to establish the truth; except for interviews with child victims of sexual

or violent abuse which are to be used in criminal proceedings, they are not constrained by the rules applied to lawyers in court;

7. Vulnerable people, whether victims, witnesses or suspects, must be treated with particular consideration at all times.

There was a major investment in the training of police officers to provide them with the necessary skills to conduct investigative interviews. Every serving police officer in England and Wales was required to attend a five day PEACE training course, in an attempt to familiarise officers with these principles, as well as being provided with two guides: (i) a Guide to Interviewing (CPTU, 1992a), and; (ii) the Interviewer's Rule Book (CPTU, 1992b). These guides explained in fine-grain detail each aspect of the interview stage and also included an introduction to memory processes, social communication, and questioning techniques. The relevant legislation within the PACE Act (1984) was also made clear to ensure there was no confusion amongst officers. These guides were highly successful in relaying information to all serving officers and, eventually, they were replaced by a single document known as the, 'The Practical Guide to Investigative Interviewing' (NCF, 1996; 1998; 2000; Centrex, 2004). 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 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 the evidence against the suspect (and have any exhibits available) and know at what point in the interview the evidence will be disclosed. The interviewing officer/s should also have a clear knowledge of the PACE Act (1984) and recognise what points are required to prove the offence about which they are interviewing the suspect – this should be contained within their prepared written interview plan. Before commencing the interview, s/he should make any necessary arrangements for the attendance of other persons such as a legal advisor, an appropriate adult, interpreter etc.

**Engage and explain** –The first main phase of the actual interview is all about the opening of the interview and how crucial it is to its overall success. Police officers should use appropriate language and avoid police jargon. Officers should be flexible in their approach, and try to create a relaxed atmosphere. Officers should explain the reason for the interview, including the reason for arrest if relevant. The officer/s should also explain the procedures that will be followed in the interview, including how long the interview will last and a basic outline of the interview, including which officer will ask the most questions, who will be taking notes and the introduction of any exhibits.

**Account, clarify and challenge** –This second main phase of the model is where the interviewing officer/s obtain the suspect's version of events (or account) using one of two ways: (i) the cognitive approach, and; (ii) the conversation management approach. If the officer/s used the latter

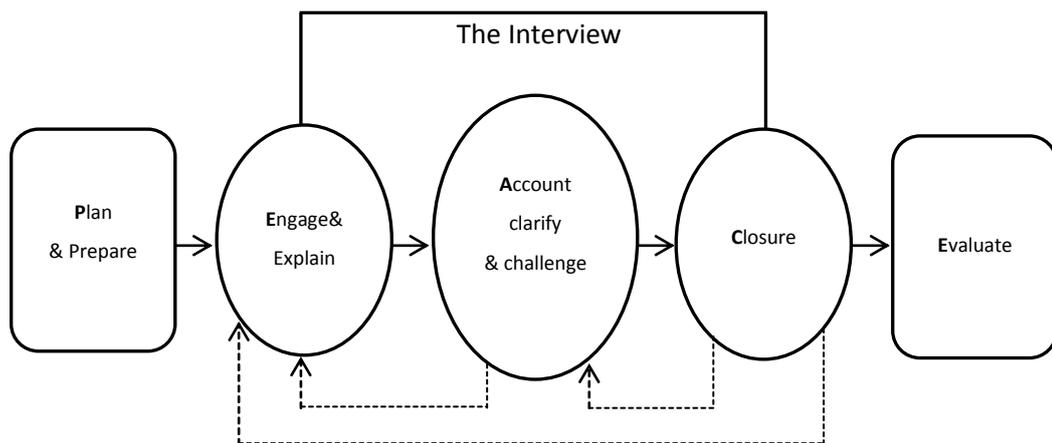
approach, they should obtain an initial account from the interviewee and then sub-divide his/her account into a number of sub-sections in order to probe for further detail or clarify any details. The former approach would see the officer use several attempts to get the interviewee to recall their events, and included getting them to change their perspective before challenging them on all relevant factors using appropriate questioning techniques. During the challenge part of this phase, the officer/s should introduce any relevant exhibits and other evidence available.

**Closure** – The final main phase of the interview is equally as important as the other stages. This phase involves the interviewing officer/s summarising what had occurred during the interview to ensure that there is a mutual understanding about what has taken place. This is an ideal opportunity for the officer to verify that all aspects have been sufficiently covered (with the suspect and the second interviewer if appropriate). The interviewing officer/s should also explain to the suspect what will happen after the interview is completed, including such things as what will happen to the audio-tapes. Finally, if this phase is conducted appropriately, it should facilitate a positive attitude towards the suspect helping the police in the future.

**Evaluation** – This phase is not just about the evaluation of the current investigative interview and how much information was obtained, rather, it includes the evaluation of the entire investigation giving due consideration of the information (if any) obtained during the interview. The interviewing

officers should also evaluate their own individual performance during the interview.

The PEACE interview model is depicted in Figure 1.1 as a linear model that includes the processes before the interview commences (e.g., the planning and preparation phase) all the way through until after the interview is completed (the evaluation phase). The actual interview itself includes the following three main phases: (i) **E**ngage and **E**xplain; (ii) **A**ccount, and (iii) **C**losure. Figure 1.1 shows the links between the three main phases of the interview, indicated with solid lines, showing there is a natural forward movement from one phase to the next, whereas the dotted lines indicate that the interviewer can move backwards and forwards between any of the three main phases as required in order to remain as flexible as possible during the course of the interview. For example, if the interviewer reaches the **C**losure stage and is provided with new information, s/he can move back to the **E**ngage and explain, and/or the **A**ccount phase/s as required.



**Figure 1.1.** The PEACE model (adapted from the National Crime Faculty (NCF), 1996, p.21)

## Evaluations of the PEACE model of interviewing

An initial evaluation into the effectiveness of the training in the PEACE model by McGurk *et al.* (1993) found that there had been improvements in individual's interviewing performance immediately after training and that these improvements were sustained at a six month follow-up. In contrast, Bull and Cherryman (1995), found evidence of poor questioning techniques, a lack of rapport development (and maintenance), and shortfalls in both empathy and flexibility by interviewers. However, Bull and Cherryman's study included several interviews with vulnerable suspects, which may account for the different findings between these two evaluations of PEACE interviewing. A further limitation of these two evaluations is that they were made during the time that the training was being rolled out across police forces in England and Wales. Additionally, in the case of the former evaluation, the officers involved in the studies knew they were being assessed. Clarke and Milne's (2001) study (see also Clarke, Milne & Bull, 2011), which is the largest evaluation of the PEACE model ever undertaken, was conducted after the training had time to be incorporated within the police service. They expressed concerns that some aspects of the model, like skilled preparation and planning, challenging suspects' accounts (where appropriate), and rapport building, still required further improvement. However, despite reports from serving police officers that the training had not significantly altered their approach to interviewing, Clarke and Milne found that good practices (e.g., using *open* questioning techniques and allowing the suspect to give their account of events) had, nevertheless, found their way into common interviewing practice.

Clarke and Milne (2001) also found that ethical interviewing standards<sup>3</sup> appeared to have become embedded into investigative interviews conducted by the police (see also Walsh & Milne, 2008, for similar findings with non-police agencies). Notwithstanding this good progress, it remains a challenge for researchers and professionals to examine where investigative interviewing can be further improved. One of these challenges lies in overcoming the resistance of suspects without compromising ethical principles of fairness, or increasing the likelihood of false confessions (see Gudjonsson, 2003; 2010). These challenges have led various researchers to examine particular facets of interviewing. St Yves (2006), for example, argued that the tactic of building rapport with a suspect prior to questioning is a crucial factor in providing an environment in which a suspect feels able to supply their account.

The importance of obtaining information from the suspect was further highlighted by Griffiths and Milne (2006) in their study examining the impact of training upon questioning techniques. Griffiths and Milne wanted to analyse questioning techniques using a more in-depth technique than had previously been used in previous studies (e.g., traditional Likert scales). Rather than just count the number of times questions had been used in any one interview, they developed the Griffiths Question Map (GQM). Every question type is allocated one horizontal line, and each time a question is asked in the interview, the question is plotted onto the appropriate line, thereby forming a 'map' showing, diagrammatically, which questions are asked by the interviewer. The time of each question can also be plotted onto the map (see Griffiths & Milne, 2006, pp. 167-189). They concluded that allowing the suspect to fully explain their side of the story before

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<sup>3</sup> In accordance with the seven principles of investigative interviewing

challenging any inconsistencies within their story and with the available evidence, using a series of *open* and *probing* questions can be an effective tool in uncovering the truth.

### **Questioning techniques and typologies**

Unfortunately, research with both suspects and witnesses continues to show that poor questioning techniques by police officers are routine, with interviewers regularly using *closed*, *direct*, *leading* and *suggestive* questions (sometimes known as *inappropriate* questions) during investigative interviews. Conversely, the use of *open* or *probing* questions (sometimes known as *appropriate* questions) appear to be used infrequently (Baldwin, 1993; Davies, Westcott, & Horan, 2000; Lamb, Hershkowitz, & Sternberg, (1996); Myklebust & Bjørklund, 2006). Furthermore, when considering the ratio of *open* to *closed* questions, many researchers have found that the *open-closed* ratio (OCR) can be as high as 1:50 (Davies *et al.* 2000), indicating that for every one *open* question asked during an interview, interviewers asked 50 *closed* questions. Others have found the OCR to be much lower (e.g., 1:9, Fisher, Geiselman & Raymond, 1987; 1:9, Myklebust & Bjørklund, 2006; and 1:23, see Chapter 4 of the present thesis).

However, in one recent study, which used a qualitative, 'think aloud' methodology, Griffiths, Milne and Cherryman (2011) found that the development of questioning techniques used by police officers in England and Wales had improved, although officers in Griffiths' study had completed advanced suspect or witness interview training courses. This study appeared to indicate that officers recognised different question typologies and appeared to understand at what point

in the interview they should be used. Interestingly, Griffiths *et al.* (2011) also found that officers favoured the use of *probing* questions in order to obtain detailed accounts from suspects. Whilst this is a welcome improvement from previous studies, Griffiths *et al.* found that *open* questions were asked considerably less frequently than other forms of questions. However, when it came to interviewing witnesses, *probing* questions were used less appropriately.

There is overwhelming acceptance that using *appropriate* forms of questions are the most productive, in terms of gathering accurate and reliable information and encouraging interviewees (adults and children) to freely recall events (e.g., Griffiths & Milne, 2006; Milne & Bull, 1999; Lamb, Hershkowitz, Sternberg, Boat & Everson, 1996; Myklebust, 2009; Phillips, Oxburgh, Gavin & Myklebust (2011); Pipe, Lamb, Orbach & Esplin, 2004; Powell & Snow, 2007). However, although there appears to have been some limited improvement, in general terms, the levels and usage of *closed* (and other *inappropriate*) questions are still unacceptably high (Aldridge & Cameron, 1999; Cederborg, Orbach, Sternberg & Lamb; 2000; Craig, Scheibe, Raskin, Kircher, & Dodd, 1999; Myklebust & Bjørklund, 2006; Sternberg, Lamb, Orbach, Esplin, & Mitchell, 2001). The obvious question that arises is why are *inappropriate* questions overused by interviewers?

One explanation put forward is that there is no universally accepted way to categorise question types (Poole & Lamb, 1998, p. 52). This is especially so in relation to *open* and *closed* questions, which may, in turn, cause confusion (see question typology section in this chapter (pp.18-25) for a more detailed explanation regarding this aspect). However, there are three additional factors

that the present author, based on his previous police experience and current academic experience, believes could help explain the frequent use of *closed* questions: (i) control; (ii) speed, and; (iii) power.

### ***Control***

Whoever is asking the questions must remain in control of the interview. When faced with something that is viewed as repulsive or something that is not understood (e.g., someone accused of a sexual offence), many interviewers may attempt to control the situation. Asking mostly *closed* types of questions puts the interviewer in control and gives the interviewee very little room to explain him or herself (Hargie & Dickson, 2004). This may be especially the case when interviewing suspected sex offenders, as the details that are disclosed by the suspect may be distasteful. To counteract this, interviewers may try and limit their emotional exposure to them.

### ***Speed***

An investigative interview that mainly seeks confirmation of known facts by way of *closed* questions is quicker to conduct than other forms of investigative interviewing (e.g., the CI). Conducting a speedy interview reduces physical and psychological exposure to a suspect whom an interviewing officer may dislike. Moreover, the demands of contemporary police officers to conduct interviews with speed may well make the interviewing officers more inclined to use *closed* questions.

## **Power**

Rather than building up rapport and showing empathy to the suspect, some interviewers may seek some kind of persecution of the offender (e.g., a paedophile). If the questions asked are *closed* in nature, there is little or no opportunity for the interviewee to try and rationalise his/her behaviour; plead his/her case; relive the events in a way that excites him/her; or stick to his/her lie script (or alibi). Arguably, this may reduce the suspect's perceived status in the interviewing officers' eyes and, although subtle, it takes away the suspect's perceived power during the interview.

It must also be noted that the nature of the *open-ended* discourse expected by interviewing officers is somewhat unfamiliar (Wright & Powell, 2006). For example, in everyday interactions, we do not generally converse using open questions, rather we use a 'question-and-answer' style of conversation, using *closed* and other forms of questions as a matter of routine (Wright & Powell, 2006). An interview situation is a complex, interactional process between two or more persons, which can be affected by numerous factors (Dickson & Hargie, 2006), hence the need for extensive classroom and work-based training and assessment for interviewing officers.

## **Question type definitions**

Despite the general consensus that *open* questions are a good objective for interviewers, they are sometimes difficult to achieve. There also appears to be discrepancies over definitions of question types, specifically *open* and *closed*

questions. For example, in England and Wales, the Achieving Best Evidence (ABE) interview document (Home Office, 2002; 2007; 2011) for interviewing vulnerable and intimidated witnesses including children, defines *open* questions as ones which are framed in such a way that the interviewee is able to give an unrestricted answer, with *specific closed* questions defined as those which commence with 'wh' ('what?', 'why?', 'when?', 'where?', 'who?') and 'how'. These latter question types are commonly known in the research literature (and some police training protocols) as 5WH questions (although this is sometimes confusing in itself as it comprises six questions since 5WH refers to five W questions and an H question). According to the current official police interviewing training protocol for investigative interviewing (Centrex, 2004) interviewing officers should begin all interviews with *open* questions (e.g., those starting with 'Tell' or 'Describe'), followed by more specific questions (e.g., 5WH questions). Conversely (and somewhat confusingly), in a later section (p. 51), the guide advises officers that 5WH questions are in fact classified as *open* questions. The guide also advises officers that 5WH questions are the best types to ask as they usually invite an explanation from the interviewee.

Unfortunately, given that there is no universally accepted way amongst academic researchers to categorise question types (Poole & Lamb, 1998), this makes it very difficult to interpret findings. If researchers are unable to use the same terminology, it makes it difficult to produce training protocols and manuals, which are consistent at both national and International levels. For example, Richardson, Dohrenwend and Klein (1965) categorised interviewers' questions as either *open* or *closed*. The *closed* questions were further divided into three sub-categories: (i) *identification*; (ii) *selection*; or (iii) *yes-no*. More recently, however,

Fisher *et al.* (1987) have also used this *open–closed* distinction in their classifications of police interviews, whereas Aldridge and Cameron (1999) defined five types of questions as: (i) *free reports*; (ii) *open*; (iii) *specific*; (iv) *leading*; and (v) *non-leading*. In a similar vein, Davies *et al.* (2000) analysed interviews according to four question characteristics: (i) *open ended*; (ii) *closed*; (iii) *specific, yet not leading*; and (iv) *leading*. Cederborg *et al.* (2000) described four question types: (i) *invitation*; (ii) *directive*; (iii) *option-posing*; and (iv) *suggestive*.

Even more categories of questions are available in the literature. Lamb, Hershkowitz and Sternberg (1996) and Lamb, Hershkowitz, Sternberg, Boat and Everson (1996) introduced various categories denoted: (i) *invitational*; (ii) *facilitative*; (iii) *directive*; (iv) *leading*; and (v) *suggestive* (Sternberg *et al.* 2001). Korkman, Santtila and Sandnabba (2006) introduced various categories for analysing interviewee utterances, with specific categories of questions, broadly defined as: (i) *facilitators*; (ii) *clarifications*; (iii) *invitation*; (iv) *directive utterances*; (v) *option posing*; and (vi) *suggestive (specific & un-specific)*. Loftus (1982) argued that 5WH questions should be classified as *closed-specific*. *Open* questions are defined by Milne and Bull (1999) as ‘tell’ and ‘describe’ questions (e.g., ‘Tell me what happened’ and ‘Describe him for me’), whilst *closed-specific* questions are defined as those starting with ‘wh’.

In contrast to the primary *open-closed* question dichotomy, Griffiths and Milne (2006) argued for a more functional definition of what they term *productive* and *un-productive* question types beneath which a variety of *open* and *closed* question types are subsumed. They suggested that the *productive* category should be used to obtain an initial account from a suspect and includes: (i) *open*

questions, defined as those starting with 'Tell', 'Explain', and 'Describe'; (ii) 5WH questions (referred to as *probing* questions); and (iii) *appropriate closed* questions (defined as *yes/no* questions, used at the conclusion of a particular point in an interview where *open* and *probing* questions have been exhausted). Griffiths and Milne noted that the *un-productive* question category is associated with poor questioning and includes: (i) *inappropriate closed* questions (defined as identical to *appropriate closed* questions, but used at the wrong point in the interview); (ii) *leading* questions (defined as those which suggest an answer to the interviewee); (iii) *multiple* questions (defined as those which constitute a number of sub-questions asked at once); (iv) *forced-choice* questions (defined as those which only offer the interviewee a limited number of possible responses); and (v) *opinion or statement* (defined as putting statements or personal opinions to an interviewee instead of asking a specific question).

Not all studies have used as many different categories of questions. For example, in their Norwegian study, Myklebust and Bjørklund (2006) analysed interviews with child witnesses using the criteria first developed by Richardson, *et al.* (1965) and identified two types of questions – *open* and *closed*. Myklebust and Bjørklund defined an *open* question as one that requires more than a few words for an adequate response (e.g., 'Tell me....'), whereas a *closed* question was defined as one which could be answered adequately in a few words and was categorised as either: (i) *identification* (known by some researchers as 5WH questions); (ii) *selection: fixed-alternative* questions (similar to 'forced choice' as described by Griffiths & Milne, 2006); or (iii) *yes/no* type questions. Shepherd (2007) included three forms of questions that can be utilised during investigative interviews of suspects: (i) *productive*; (ii) *risky*; and (iii) *counter-productive*. He

argued that *productive* questions are *crème de la crème* questions, which include *open* questions (sub-defined as):

1. Those commencing with 'Tell', 'Explain', 'Describe' (e.g., TED questions);
2. *Request* questions (e.g., could you....['say', 'tell', 'explain', 'describe'] & ['who', 'what', 'where', 'when', 'which']....?);
3. *Probing, narrative/explanation seeking* (e.g., 'Why?', 'How?', 'What?');
4. *Parameter* (e.g., What.....between [point x].....and [point y]?); and
5. *Closed identificatory* (e.g., 'who?', 'what?', 'where?', 'when?', 'which?', 'whose?').

Shepherd (2007) defined *risky* questions as: (i) closed *yes/no*; and (ii) *open confirmatory* ('Could you...if/whether'). His *counter-productive* category includes: (i) *leading* questions; (ii) *option* questions; (iii) *filling the pause* (not waiting for a response); (iv) *marathon* questions; (v) *hypothetical* questions; and (vi) *parroting* (replicating every answer – sometimes known as *echo* questions).

Some other authors provide a much more comprehensive explanation of question typologies. For example, Powell and Snow (2007) gave a detailed explanation of varying question types, arguing that although *open* questions, usually defined by academic researchers and in training protocols as those which elicit an elaborate response (e.g., TED questions), are of paramount importance, not all *open* questions are necessarily effective in eliciting elaborate responses, especially from child witnesses. As a result, they sub-define *open* questions as *open-ended breadth* and *open-ended depth*. The former is used to expand a list of broad activities, but does not dictate what specific information is required (e.g.,

'What happened then?'). The *open-ended depth* question is used to encourage more elaborate detail, but again does not dictate what specific information is required (see Powell & Snow, 2007 for a full explanation). Powell and Snow (2007) argued that the principles needed for an effective interview of a child are captured by the mnemonic **SAFE**: **S**imple language; **A**bsence of specific details (not previously raised) or coercive techniques; **F**lexibility on the part of the interviewee to choose what details will be reported; and **E**ncouragement of an elaborate response. Powell and Snow (2007) further argued that the narrative should commence with *open* questions (e.g., TED questions). There are many more authors who provide additional explanations and definitions with regards to question type (e.g., Dickson & Hargie, 2006; Fiengo, 2007; Hargie & Dickson, 2004), all of whom provide sometimes conflicting information.

Given the substantial variations and amount of different question type definitions available, Table 1.1 provides an example of the main types of questions identified from the literature (and as explained above). It details the most commonly used names with alternative descriptors that are used to describe broadly similar groupings of question types. The question types, alternative descriptors and authors listed are not exhaustive and are only examples taken from the available literature to highlight particular typology overlapping and discrepancies. It is also accepted that other definitions and explanations exist.

**Table 1.1.** Descriptors of question types identified from the available literature

Productive or Appropriate		Unproductive, Risky or Inappropriate	
Main description	Alternative descriptions	Main description	Alternative descriptions
Open 1, 3, 4, 14, 15, 17	TED (Tell/Explain/Describe) 3, 6, 7, 8, 13, 14, 16, 19 Open ended 4 Free report 1 Open-ended breadth 17 Open-ended depth 17 Invitation (or invitational) 2, 10, 11 5WH (What/Where/When/Why/Who/How) 3	Closed 4, 14, 17      Echo 3, 5, 13, 16  Open confirmatory 18 Leading 1, 3, 4, 6, 7, 8, 11, 13, 14, 16, 19 Suggestive 2, 11	Yes/No 15, 16, 18, 19 Inappropriate closed 5 Specific 1 Parroting 19 Paraphrasing 20  Suggestive 2 Suggested specific & un-specific 10
Probing 6, 14, 16, 19	5WH (What/Where/When/Why/Who/How) 3 Closed identification 15, 18, 19 Directive 2, 10, 11 Specific (incl. closed specific or specific closed) 1, 4, 8, 12, 13 Parameter 19 Clarifications 10	Multiple 6, 16 Forced choice 5, 15	Marathon 19 Specific 1 Selection: Fixed alternative 15, 18 Option (or option posing) 2, 10, 19
Facilitative 10, 11	Encouragers/acknowledgements 8, 9	Opinion/statement 6, 16	
Appropriate closed 6		Hypothetical questions 19	

**Key to footnotes** (in alphabetical order)

- |                                   |   |
|-----------------------------------|---|
| 1. Aldridge and Cameron (1999)    | 11. Lamb, Hershkowitz and Sternberg (1996)  |
| 2. Cederborg <i>et al.</i> (2000) | 12. Loftus (1982)                           |
| 3. Centrex (2004)                 | 13. Milne and Bull (1999)                   |
| 4. Davies <i>et al.</i> (2000)    | 14. Milne, Shaw & Bull (2007)               |
| 5. Fiengo (2007)                  | 15. Myklebust and Bjørklund (2006; 2010)    |
| 6. Griffiths and Milne (2006)     | 16. Oxburgh, Ost and Cherryman (2010)       |
| 7. Home Office (2002)             | 17. Powell and Snow (2007)                  |
| 8. Home Office (2007)             | 18. Richardson, Dohrenwend and Klein (1965) |
| 9. Korkman <i>et al.</i> (2006)   | 19. Shepherd (2007)                         |
| 10. Home Office (2011)            | 20. St-Yves (2006)                          |

One indication of the discrepancy between researchers in defining question types can be seen in Table 1.1 by the appearance of the 5WH question in two places (*open & probing*). Problematically, and as previously explained, these two conflicting definitions appear in a single document (Centrex, 2004) intended to

advise police practitioners. However, the majority of the research into strategies and questioning techniques for investigative interviewing has been largely driven by a concern for: (i) non-contamination of memory (Milne & Bull, 1999); (ii) the avoidance of false confessions (Gudjonsson, 2003), and perhaps, to a lesser degree; (iii) an interest in the detection of deception (Hartwig, Granhag, Strömwall & Kronkvist, 2006; Vrij, 2008). Whilst these concerns are clearly of operational importance to the police and other professional interviewers, this has meant that relatively little attention has been paid to the *function* of questions in an interview, a term which may help navigate this maze of alternative question categorisation types and conflicting definitions. In other words, perhaps police interview training should focus more on the ‘purpose’ of the question (e.g., its *function*), rather than the ‘type’ of question used. Either way, at present, training police officers can be problematic if there are no clear definitions about which ‘type’ of question is more effective or even agreement on what the different ‘types’ are. It is this aspect, the effectiveness of investigative interviewing training practices, that the thesis now turns to, which will detail the process for interviewing suspects accused of committing sexual offences.

### **Police investigative interviewing training**

Training for investigative interviewing, in general, has increased considerably during the past two decades (Griffiths & Milne, 2006), especially in England and Wales<sup>4</sup>, which is testament to the Police Service wishing to enhance their ability to improve officers’ skills. However, since the introduction of the

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<sup>4</sup> Although training in other parts of the UK and across the world has also doubtless improved, this thesis only focuses upon police interviewing in England & Wales.

PEACE model of interviewing in England and Wales, there have been many studies which have critically evaluated police interviewing skills. These studies have considered the impact of the information gathering approach to investigative interviewing (including training), the various skills that effective interviewers display, and the structure of good quality interviews with suspects (e.g., Baldwin, 1993; Bull & Cherryman, 1995; Cherryman, 2000; Cherryman & Bull, 2001; Clarke & Milne, 2001; McGurk *et al.* 1993; Milne & Bull, 1999; Stockdale, 1993; Williamson, 1993) and witnesses (e.g., Bruck, Ceci, Francouer & Renick, 1995; Ceci & Bruck, 1995; Dent & Stephenson, 1979; Goodman & Aman, 1990; Lamb, Hershkowitz, Sternberg *et al.* 1996; Lamb, Sternberg, Orbach, Esplin & Mitchell, 2002; Lamb, Orbach, Sternberg, Esplin & Hershkowitz 2002; Loftus, 1982; Sternberg, *et al.* 1996).

The efficacy of training courses has also been considered by academic researchers (see Davies, Marshall & Robertson, 1998). In an evaluation of a three-day training programme for both social workers and police officers in England and Wales, Aldridge and Cameron (1999) found that training had little effect on the questioning style used by officers. In addition, although trainees had attended lectures and practiced the information they had learned, they actually showed poor rapport building skills and continued to ask many inappropriate questions (e.g., leading and suggestive). This suggests that unlearning old techniques is problematic and that police officers quickly revert to their prior experiences and what they perceive to be tried and trusted interview (and questioning) styles/techniques (See Davies *et al.* 1998; Wright & Powell, 2006).

It is not so much the problem with the training *per se*, but what happens when the police officers return to the workplace. Until recently, the problem was that officers did not have the opportunity to develop the skills acquired as soon as possible after training. Anecdotal evidence suggests there was an underlying and fundamentally flawed assumption that police supervisors were competent themselves to assess, guide, and mentor students following training courses. Once trained in new and updated techniques, police officers returned to a workplace environment that did not support their training; they were not properly monitored and assessed as competent, and had little or no opportunity for Continuing Professional Development (CPD) linked to their Performance Development Review (PDR). It comes as no surprise therefore, that learning was not embedded or put into practice. Linked to this were factors of peer pressure from supervisors with minimal skills themselves, who required a 'quick interview'. As Harvey (1984) stated:

Nobody should expect that the satisfactory completion of the initial Criminal Investigation Department (CID) course or any other specialist course produces an investigator, but it does produce a good base on which to build and gives the young officer confidence. Regrettably, the pressures of today are such that all too often, the embryo detective is launched into the CID after the course as a fully-fledged investigator. In an ideal world, he or she would serve their apprenticeship under strict supervision. Unfortunately, owing to the pressures of today, those who should be supervising and giving advice and further training are themselves overburdened; and sometimes they also are lamentably short of experience (pp. 48-49).

Although quoted 27 years ago, anecdotal evidence suggests that this kind of naïve expectation on newly qualified detectives is still (in part) in existence today. However, Griffiths *et al.* (2011) found that the development of questioning techniques had improved after detectives had completed advanced suspect interview training courses, although it has to be noted that these officers were generally deployed soon after training to serious and complex investigations, and generally supported by Interview Advisors (developed by the implementation of the Professionalising Investigation Programme, PIP; see next section of this chapter). In addition, the levels and types of training provided to police officers across England and Wales have been enhanced over the last two decades and these aspects are discussed in the following section.

### **Levels of training**

The initial PEACE training course consists of training to meet three National Occupational Standards (NOS) for investigation and interviewing, and deals with investigations into priority and volume crime (e.g., thefts, criminal damage and minor assaults etc.), and is linked to the NOS for investigation and interviewing. Specialist interview training courses generally focus on serious (or high-stake) crime (e.g., rape and murder). Most specialist interview training courses in England and Wales last for three weeks and deal solely with suspect interviews (Griffiths, 2006). There are, however, specialist interview training courses specifically designed for interviewing witnesses and victims, particularly in relation to child interviews and rape investigations. Following Clarke and Milne's (2001) national evaluation of police interviewing, a tiered structure of interviewing skills was developed in England and Wales. These were categorised as:

- Tier 1 - Probationer training (1 week);
- Tier 2 - Detectives (one week and a prerequisite to attending the Initial Crime Investigators' Development Programme (ICIDP));
- Tier 3 – Specialist interviewers (victim/witness/suspect) (three weeks);
- Tier 4 – Investigative interview supervisor/assessor; and,
- Tier 5 – Specialist interview advisor.

In 2005, the Initial Police Learning and Development Programme (IPLDP) was introduced in England and Wales, which was designed to support student officers throughout their two-year probationary period and to meet their individual development. In 2007, investigative interview training (and the five tiers) was enhanced and incorporated into the Professionalising Investigation Programme (PIP), which was intended to increase professionalism of all police investigators, and to establish a structured, professional approach to investigations and interviewing. The IPLDP provides officers with the necessary accreditation at PIP Level 1. The current PIP levels are detailed in Table 1.2:

**Table 1.2.** Professionalising Investigation Programme levels.

<b>PIP level</b>	<b>Example of role</b>	<b>Investigative responsibility</b>
1	Uniformed constable/ police staff/supervisors	<ol style="list-style-type: none"><li>1. Conduct priority and volume crime investigations.</li><li>2. Interview victims, witnesses and suspects for priority and volume crime investigations.</li></ol>
2	Dedicated investigator (e.g., Detective)	<ol style="list-style-type: none"><li>1. Plan and conduct serious and complex investigations.</li><li>2. Plan, conduct and evaluate interviews with victims and witnesses for serious and complex investigations.</li><li>3. Plan, conduct and evaluate interviews with suspects for serious and complex investigations.</li></ol>
3*	Senior Investigating Officer (SIO)	<ol style="list-style-type: none"><li>1. Lead investigator in cases of murder, stranger rape, kidnap or crimes of similar complexity</li><li>2. Manage major investigations.</li></ol>
4	SIO/Officer in overall command (OIOC)	<ol style="list-style-type: none"><li>1. Manage critical, complex, protracted and/or linked serious crime</li><li>2. Responsible for the review of investigations in other force areas (as appropriate).</li></ol>

**\*Note.** This PIP level is split into various core and specialist roles including the interviewing of vulnerable witnesses and the specialist interviewing of suspects, some of which would have been categorised at the old Tier level 3.

Given the enhancements to professionalise investigations and the advent of the Core Investigative Doctrine (Centrex, 2005), the principles of investigative interviewing were updated in 2007 for full implementation in 2009 and are currently:

1. The aim of investigative interviewing is to obtain accurate and reliable accounts from victims, witnesses or suspects about matters under police investigation;
2. Investigators must act fairly when questioning victims, witnesses or suspects. Vulnerable people must be treated with particular consideration at all times;
3. Investigative interviewing should be approached with an investigative mind-set;
4. Accounts obtained from the person who is being interviewed should always be tested against what the interviewer already knows or what can reasonably be established;
5. When conducting an interview, investigators are free to ask a wide range of questions in order to obtain material which may assist an investigation;
6. Investigators should recognise the positive impact of an early admission in the context of the criminal justice system;
7. Investigators are not bound to accept the first answer given. Questioning is not unfair merely because it is persistent;
8. Even when the right of silence is exercised by a suspect, investigators have a responsibility to put questions to them;

Many of these principles remain similar to the original seven principles (see pp. 8 & 9 above) and therefore, arguably, remain in the spirit of Williamson's (1993) notion of 'ethical interviewing'. However, the new principle number six, 'Investigators should recognise the positive impact of an early admission in the context of the criminal justice system', appears to be inconsistent with the information-gathering role of the interviewer and, instead, may encourage

interviewers to interview with the aim of seeking a confession. It is unclear how these new principles have been disseminated to operational police interviewers and, therefore, the impact of this new principle is not currently known. However, given the importance of this issue, it may be worthy of further investigation in the future.

It is important to note, that although such enhancements in training will doubtless continue, there is a debate regarding the long-term effectiveness of interview training *per se* (Griffiths & Milne, 2006; Lamb, Hershkowitz, Orbach & Esplin, 2008). Griffiths and Milne found that although training levels were higher one year after officers completed advanced training, there was a "marked decline" (p. 187) in interviewing officers' performances (in some of the assessed criteria) between their first and last assessed interview. They argued that despite this "marked decline", the advanced training had nevertheless improved the skills of officers (in their sample).

Although empirical research (e.g., see Powell, 2002 for a review) and the PEACE model advises evaluation of interviews by officers and supervisors, this important aspect rarely gets the attention it deserves. While some aspects of training programmes may be effective in terms of teaching interviewers what they ought to do in interviews, the training appears to be having very little impact overall (Powell, 2002). One of the problems is that, currently, there is no widely accepted evaluation/classification system within police organisations, or the academic literature, which provides guidelines on how to effectively analyse information gained from interviews. Furthermore, the findings that do exist reveal a lack of agreement between officers who are asked to evaluate the same interviews

(Cherryman, 2000; Cherryman & Bull, 2001). The need for consistency in evaluating information is especially important for crimes where the stakes are much higher in terms of possible prison sentence and because the nature of the crime is perceived as morally wrong and/or socially condemned by members of the public (e.g., child rape & filicide).

With regards to sexual offences, Hughes, Parker and Gallagher (1996) found that training at all levels for those investigating cases involving child rape was inadequate with police officers feeling they were “ill-equipped to deal effectively with some aspects of child protection work and in particular cases of sexual abuse” (p.24). With regard to the latter offences, it is not clear as to the extent or success of advanced interview training (but see Griffiths *et al.* 2011). Indeed, Oxburgh, Williamson and Ost (2006), following their research, suggested that police service policies in relation to the interviewing of alleged sex offenders, and the training they receive, appears to differ greatly. This comes as no surprise when one considers that there are also no clear Home Office or ACPO guidelines regarding the interviewing of specific criminal cohorts. Thus, despite various studies, which have established that sex offenders are ‘unique’ (see Abel *et al.* 1984), this is an area that officers continue to find professionally challenging and sensitive.

## **Chapter conclusion**

This chapter has outlined the impact of psychological theory and empirical research to investigative interviewing in recent decades. The plethora of research conducted on the meaning and definition of different question types and the

usefulness (or otherwise) of these when used in a police interview context has been highlighted. What has become clear by the research is that all police investigative interviews need to be conducted ethically, with no use of coercive questioning or other techniques (despite the new principle of investigative interviewing that informs officers to be aware of the benefits of an early admission), with the ultimate function of gaining detailed responses from the interviewee that may be relevant to the investigation (i.e., Investigation Relevant Information; IRI). Finally, the chapter concluded with a timeline of police training, outlining the initial 'Tiers' of police training, leading to the introduction of NOS, IPLDP and the PIP programme, all of which were designed to enhance and professionalise investigative interviewing and investigations *per se*. With regards to investigative interviews of suspects of sexual offences, there appears to be a void in training and knowledge acquisition.

The following chapter now turns to another professionally challenging aspect of interviewing suspects accused of committing high-stake offences (e.g., suspects of child rape). Many researchers have argued that the use of empathy in police interviews is beneficial to the rapport building process, with some arguing that its use may actually increase the number of admissions from specific cohorts of suspects (Holmberg & Christianson, 2002; Kebbell, Hurren & Mazzerole, 2006). Many police training protocols and guidelines (Centrex, 2004; Home Office 2011) also suggest that officers should use empathy during investigative interviews, yet no distinct definition is provided. Chapter two will provide a review of the current literature in the area and will discuss the meaning of empathy and its effectiveness during police interviews with those suspected of committing sexual offences.

## Chapter two\*

### The use and efficacy of empathy in police interviews.

#### Chapter summary

This chapter introduces the concept of empathic interviewing with suspects of sexual offences. Researchers have argued that the use of empathy (or humanity) in police interviews is beneficial to the rapport building process, with some arguing that its use may actually increase the number of admissions from specific cohorts of suspects (e.g., Holmberg & Christianson, 2002; Kebbell, *et al.* 2006; Kebbell, Alison, Hurren & Mazerolle, 2010). Police training protocols and guidelines also suggest that officers should use empathy during investigative interviews, yet no distinct definition is provided (Centrex, 2004; Home Office, 2002; 2007; 2011). This chapter provides a review of the current literature in the area and discusses the meaning of empathy and its efficacy during police interviews with those suspected of committing child rape.

\* **Note.** This chapter is based on the following article that was published during the course of this PhD programme. The present author was the sole author of all material included in this chapter from the publication:

Oxburgh, G. E., & Ost, J. (2011). The use and efficacy of empathy in police interviews with suspects of sexual offences. *Journal of Investigative Psychology and Offender Profiling*, 8, 178-188. **See Appendix D for a copy of this article.**

## Introduction

There is limited empirical research examining an empathic interviewing style and its impact and efficacy during the investigative interviewing process. The research that has been conducted has tended to focus upon offenders' recollections and perceptions of their police interview (e.g., Holmberg & Christianson, 2002; Kebbell, *et al.* 2006; Kebbell *et al.* 2010). In some cases, the interviews had taken place up to ten years before the research was conducted (Holmberg & Christianson, 2002). Furthermore, this research relates to interviews conducted in jurisdictions where confessions are seen as an important outcome of the interview process (e.g., similar to that of the Reid Technique; Inbau, *et al.* 2001). However, in England and Wales (and other parts of the world), confessions are not the sole measure by which an interview is judged to be successful. On the contrary, interviews in these countries are (primarily) a search-for-the-truth and are non-coercive in their approach (Milne & Bull, 1999). Accordingly, the purpose of this chapter is to provide a rationale for why an empathic interviewing style might be advantageous in terms of increasing the amount of IRI obtained from a suspected offender (hereafter referred to as 'suspects'). The gaps in the existing research in this area are discussed, along with issues surrounding the definition of empathy and how best to 'capture' an empathic interviewing style from police transcripts.

## **Why focus on interview strategies with suspects of sexual offences?**

Although 'basic' investigative interviewing training has been successful for the interviewing of suspects in general (Kebbell, Milne, & Wagstaff, 1999; Milne & Bull, 1999; Shepherd & Milne, 1999; Shepherd, Mortimer, Turner, & Watson, 1999), there has been very little focus on the investigative interviewing of suspected sex offenders, despite the fact that such crimes are believed to be a 'unique' form of offending (Abel *et al.* 1984; Marshall, 2001; but see also Benneworth, 2007; Oxburgh *et al.* 2006). Sexual offences are frequent in nature, for example, during 2009/2010, over 44,000 cases of the 'most serious sexual offences' were reported to the police in England and Wales (Home Office, 2010), most of which required investigation. However, with a less than 5% conviction rate (out of the total sample reported), sexual offences appear to be difficult to investigate and prosecute, with the vast majority of cases not even reaching the court stage. Conviction rates are much lower than other crimes (Greenfield, 1997) and, possibly as a consequence of this, victims do not always report crimes (Home Office, 2010). Many sexual offences also take place in private, with very few witnesses. Indeed, often the victim is the only witness (Myklebust & Bjørklund, 2010).

In addition, there is evidence that police officers find conducting interviews with suspects of serious offences somewhat stressful, particularly when the interviews concern child rape (Soukara, Bull & Vrij, 2002). During the investigation of high-stake crimes (e.g., those involving sex offenders & murderers), police officers have to try and make sense of very powerful and sometimes painful emotions. Saakvitne and Pearlman (1996) argued that dealing with such extreme

emotions may cause police interviewers to suffer from vicarious traumatisation (i.e., the cumulative effect of working with, or listening to, other people's experiences of traumatic events). This may be particularly relevant to interviewing suspects accused of committing sexual offences, especially in cases where the interviewer has previously interviewed the victim or witness who may be a young child (Oxburgh *et al.* 2006). Whether these difficulties lead to differences in officers' attitudes toward those suspects is, as yet, unclear. On the one hand, police may have more negative attitudes to sex offenders compared to other offender cohorts (Hogue, 1993; 1995; Holmberg & Christianson, 2002; Kebbell, *et al.* 2006; Lea, Auburn & Kibblewhite, 1999). Yet, on the other hand, as Johnson, Hughes and Ireland (2007) found, probationer police officers, compared to the general public, showed more positive attitudes towards sex offenders. Irrespective of officers' attitudes in such cases, it is clear that something needs to be done to try to address the low conviction rate and to ensure that good quality evidence is obtained.

One method that has been discussed in the literature is the use of an empathic interviewing approach (Williamson, 1993; Shepherd, 2007). Indeed, as will now be discussed, there is limited evidence suggesting that such an approach might prove beneficial in terms of eliciting information that is relevant to the investigation.

### **Evidence for the beneficial effects of an empathic interviewing style**

Some researchers believe that the use of an empathic interviewing style leads to more confessions (see Kassin & Gudjonsson, 2004 for a review). In their

well-cited study, Holmberg and Christianson (2002) aimed to explore the relationship between the behaviour of police interviewers' and the inclination for suspects' to either admit or deny the crimes they were being interviewed about. They chose to focus on a sample of convicted murderers and sex offenders because these crimes are perceived to be the hardest for suspects to confess to – partly due to the length of the sentences conferred if the suspect is found guilty at court, and partly to the social condemnation associated with these crimes (Holmberg & Christianson, 2002).

The study, which was conducted in Sweden, involved eighty-three offenders who completed a questionnaire concerning their recollections of their police interviews. The questionnaires were distributed with the assistance of the Swedish Prison and Probation Administration (SPPA) to all inmates serving sentences for sexual offences and murder. The length of time between their initial police interview and completion of the questionnaire ranged from three months to ten years. The Likert style questionnaire, which consisted of 38 questions about their initial police interview, was based on previous research findings (e.g., Holmberg, 1996 [as cited in Holmberg & Christianson, 2002]; Moston & Engelberg, 1993; Moston & Stephenson, 1993; Shepherd, 1991, 1993; Williamson, 1993). Principal component and logistic regression analyses revealed that murderers ( $n=43$ ) reported being more co-operative and helpful to the police during their interviews than did those accused of sexual offences ( $n=40$ ). The latter cohort also reported more negative behaviour from police officers during their interviews. For example, in these latter interviews, police officers were reported as being more confrontational, brusque and obstinate. On the basis of these self-reports by offenders, Holmberg and Christianson (2002) categorised police interviewing

styles as either *dominant* or *humane*, with the latter characterised by officers who were reported as being more empathic, co-operative and personal towards the suspect. This type of approach was also associated with more self-reports of admissions by the offenders than the *dominant* approach. However, given the complex nature of investigative interviews with suspected murderers and sex offenders, perhaps more open ended questions would have provided even richer information.

In their qualitative Australian study, Kebbell *et al.* (2006), interviewed convicted sex offenders (who participated whilst they were serving their sentence) about their experiences of being interviewed by the police and any improvements they believed could have been made to the way in which their interviewing officer(s) conducted their initial interview. Included in the semi-structured interview were questions relating to their decision to confess or deny the crime they were being interviewed about. The findings of Kebbell *et al.* (2006) echoed those of Holmberg and Christianson (2002) in that offenders reported being more likely to confess to the crimes they had committed if the interviewing officer showed empathy towards them and treated them with humanity and dignity. In another study, Kebbell *et al.* (2010), interviewed convicted sex offenders (N=43) using a thirty five-item, Likert style, questionnaire containing five questions on seven interviewing strategies (strength of evidence, ethical interviewing, humanity, dominance, minimization, maximisation & cognitive distortions). They used twenty violent offenders for comparison purposes. Overall, they found that evidence presenting strategies, ethical interviewing and displays of humanity (empathy) were perceived to increase the likelihood of a confession. This work of Kebbell *et al.* (2006; 2010) and Holmberg and Christianson (2002) represents an important

first step in our understanding of the role that an empathic (or humane) approach might contribute to interviews of suspects of serious offences, however, there are some limitations with this research.

The first is that these studies are based on offenders' retrospective perceptions. That is, offenders are being asked to cast their minds back, in some cases up to ten years, and recall specific features of one particular social interaction (in this case their initial police interview). This is quite a challenging meta-cognitive task. It also carries a high risk of bias – convicted offenders may have self-serving justifications for presenting the past in a certain light. Thus, there are both memorial and motivational factors that might shed doubt on the reliability of these accounts and, therefore, the conclusions that we can draw from them. This is compounded by the fact that it is not possible to return to these initial interviews to check the consistency or accuracy of what the offenders reported about them. Importantly, it was not entirely clear exactly what 'empathy' meant in this context or how it might appropriately and effectively be used in a police interview. It is to this issue that the discussion now turns.

### **The meaning of empathy**

Empathy is a concept that has been discussed and written about by academic researchers for over a century, most commonly within the clinical and counselling psychology literature (Barrett-Lennard, 1981; Baron-Cohen, 2011; Barone *et al.* 2005; Gladstein, 1983; Davis, 1983; Preston & de Waal, 2002). There have been many definitions of empathy posited by academic researchers in psychological and medical-related journals. However, there has been much

theoretical debate concerning the differences between *empathy* and *sympathy* (Wispe, 1986) and why it is that some individuals can be moved to *empathy* from *sympathy*, or vice-versa (Eisenberg & Lennon, 1983; Wispe, 1986). In some theoretical models (e.g., Olinick, 1984) the two concepts are sometimes blurred and, occasionally, *empathy* is equated with *sympathy* (Langer, 1972).

Furthermore, there is disagreement about the individual terms. For example some researchers regard empathy as 'perspective-taking' (e.g., Underwood & Moore, 1982), whereas others prefer the term 'role-taking' (e.g., Mead, 1934). Wispe (1986), for example, argues that in order to demonstrate empathy, one self-aware person must be able to understand, un-judgementally, the subjective positive and negative experiences of another person. Thus, in showing empathy, you are 'reaching out' to the other person – understanding their plight without necessarily putting yourself in their position. Sympathy, on the other hand, relates to the heightened awareness of another person's plight which needs to be alleviated. . Thus, in showing sympathy, you are substituting *others* for *yourself* – imagining what it would be like if you 'were' that other person (Wispe, 1986). Put another way, empathy is talking to a person stuck in a hole and trying to understand how they got in there. Sympathy is jumping into the hole with them.

### **The use of empathy in police interviews**

The above distinctions are vitally important especially when it comes to police interviewing. As such, a more effective operational definition of empathy, and one that differentiates empathy from sympathy, could be, "A reaction of one individual [e.g., the police officer] to the observed experiences of another [e.g., the suspect]" (Davis, 1983, p.114). However, this still fails to make clear whether this

is a positive understanding reaction. There are numerous types of reactions ranging from just simply understanding the other person's perspective (e.g., a cognitive or intellectual reaction) to a more intuitive or emotional reaction (Davis, 1983). Thus, in a police context, empathy is not just about the police officer 'showing' empathy to the interviewee - it is also about having the ability to understand the perspective of the interviewee, to also appreciate the emotions and distress of the other, and to communicate that directly, or indirectly to the interviewee (Davis, 1983). In other words, empathy can be seen as a multi-dimensional phenomenon comprising both cognitive processes and emotional (or affective) capacities (Barrett-Lennard, 1981; Joliffe & Farrington, 2004; Larden, Melin, Holst & Langstrom, 2006). For the purposes of the present thesis, the working definition of empathy that has been adopted is that of Greenson (1967, p.368) – "the ability to share and to experience the feelings of another human being".

However, irrespective of whether one truly 'feels' empathy, in an interview setting there are two further issues. The first is how an interviewer communicates *empathy* (either verbally or non-verbally) and, secondly, whether (or how) the interviewee realises that the interviewer is 'empathising'. To explain these complex and multidimensional aspects of empathy, Barrett-Lennard (1981) developed an 'empathy cycle'. The 'cycle' has five steps as detailed in Table 2.1 (please note, the table has been adapted to show the relevance to investigative interviews):

**Table 2.1.** The five steps in the empathy cycle of Barrett-Lennard (1981).

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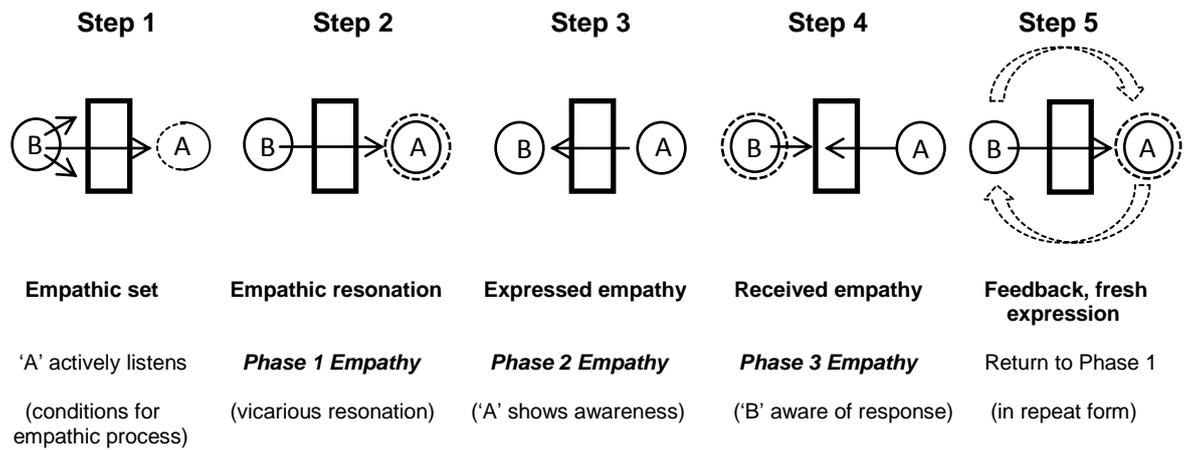
Step	Description
1	Person A (interviewing police officer) actively listens and attends (with an empathic set) <sup>5</sup> to person B (suspect), who is expressing his or her own experiencing (e.g. their version of events) and concomitantly expecting and hoping that person A is receptive of their plight – in reality, person B is exploring the receptiveness/ responsiveness of person A.
2	Person A (police officer) resonates indirectly (or vicariously) some or all aspects of person B's experiences.
3	Person A (police officer), in some form of communicative way, expresses or shows a felt awareness of person B's experiencing.
4	Person B (the suspect) becomes cognitively aware of person A's response to his/her experiencing and forms a sense of perception that person A is understanding his or her plight.
5	Person B (the suspect), realising that person A (police officer) is responsive, shows visible self-expression that is also rewarding for person A. As a consequence, person B perceives that person A is now understanding him/her, which in turn makes person B more responsive to person A and vice versa.

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Assuming that this empathic communication is sustained and continues throughout the interview, the process can start again at step 2, when added or fresh information comes to light during the interview. The cycle in relation to a police interview, is detailed diagrammatically in Figure 2.1.

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<sup>5</sup> An empathic set is when the interviewer attends to the interviewee, showing understanding and willingness to listen



**Figure 2.1.** Diagrammatical illustration of the empathy cycle, adapted from Barrett-Lennard (1981, p.94).

In reality, the process of relational empathy (e.g., understanding each other) once initiated by both parties, involves the three phases as outlined (steps 2 to 4 in figure 2.1). To further explain, Phase 1 (step 2) is where the empathizer (Person A, the police officer) responds emotionally to the other person (the suspect), indirectly or vicariously (also known as the initial identification of empathy; Stewart, 1956); Phase 2 is the actual communicative act and the expressing of empathy to the other (Person B, the suspect); Phase 3 is the received empathy, in other words, how the other (Person B, the suspect) receives and interprets the response. It should also be noted that in some instances, Person A (the police officer) may well show empathy from the outset of the interview (or at any time during the interview) without prompting from Person B (the suspect), something which the present author has termed *spontaneous empathy* (see also Chapter five, p.113, of the present thesis).

Barrett-Lennard (1981) argued that differing methods of measurement of empathy can be used (including participant ratings and/or observer ratings) depending on the situation and in which step or phase/s are being analysed. This

model provides a conceptual framework for the way in which an empathic interviewing style might manifest itself in a police interview. The next step is to try and operationalise key variables to try and capture and define empathic and non-empathic interviews. The following section discusses two recent attempts to extract information about 'empathy' from transcripts of actual interviews with suspects of sexual offences.

### ***Can empathy be measured using transcripts of investigative interviews?***

The studies by Holmberg and Christianson (2002), Kebbell *et al.* (2006; 2010), although representing an important first step in understanding the role that an empathic (or humane) interviewing style might have in police interviews, were based on offenders' perceptions and memory of their police interview. Another way to address the use or prevalence of empathy in investigative settings is to examine transcripts of actual interviews with suspects. The problem that arises is how best to define the ways in which empathy might manifest itself in an objective and measurable way from written transcripts.

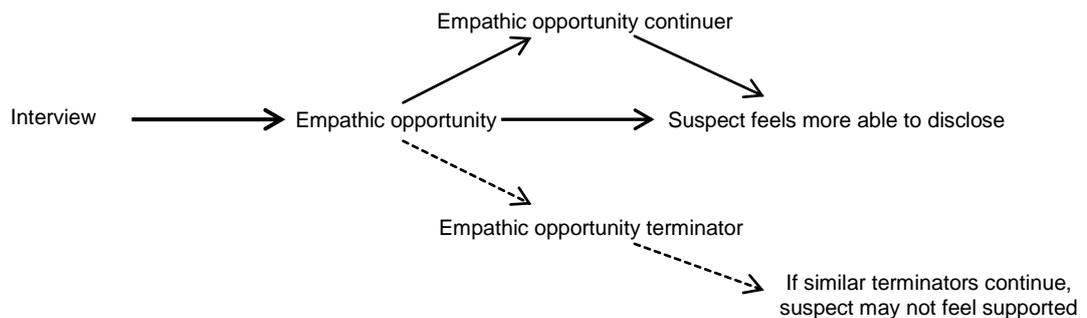
Oxburgh *et al.* (2006) conducted a study to investigate the prevalence of emotionality in investigative interviews based on the use of emotional utterances by police officers who conduct interviews with those suspected of committing child rape. They used actual police interview transcripts of both intra- and extra-familial allegations of abuse and, in accordance with Ekman's (2003) seven emotion states (*happiness, surprise, disgust, contempt, anger, sadness & fear*), examined the prevalence of emotional utterances made by the interviewing officers.

Oxburgh *et al.* (2006) compared two sets of interviews, those where the

interviewing officer had previously interviewed the child victim ( $n=15$ ) prior to the interview with the suspect, and some where they had not ( $n=16$ ). Although very few emotional utterances were made across the sample, there were no positive emotional utterances (e.g., *happiness & surprise*), so the negative emotional utterances were totalled to produce an overall Negative Emotion Score (NES). They found that the total NES was significantly higher where officers had not previously interviewed the child victim. Although this finding was against their prediction, there may well be numerous reasons for this. They argued that interviewing officers who had not been exposed to the victim's account may not feel the same uncompromising pressure and need to maintain composure and the distancing of themselves from intense emotional reactions (Pogrebin & Poole, 1991). In other words, officers in such cases showed less empathy than their colleagues who had previously interviewed the child victim/s.

In their study, Oxburgh *et al.* (2006) equated expressions of positive emotion (of which there were none) with empathy and expressions of negative emotion as indicating a lack of empathy. There are, of course, limitations with such an approach. The most obvious is that positive or negative emotional expressions may not be a clear indicator of the presence, or use of, empathy by the interviewing officer. For example, because those data consisted of typed interview transcripts, there was no information about intonation, for example, which might have provided more nuanced information. Furthermore, their sample consisted entirely of interviews with suspects of child rape and thus, the findings may be specific to that particular cohort.

Using the principles of the empathy cycle by Barrett-Lennard (1981), the present author has developed a more refined model for measuring empathy. This model, adapted from Suchman, Markakis, Beckman and Frankel (1997), is outlined in Figure 2.2.



**Figure 2.2.** Model for measuring empathic responses in police interviews

During an investigative interview, a suspect might provide some kind of empathic/affect information, consciously or otherwise, in the hope that the interviewer will respond (an *empathic opportunity*; step 1 in Figure 2.1). At this point, the interviewer has one of two ways to deal with this information. Firstly s/he can resonate some, or all aspects, of the information received; in other words s/he could continue the *empathic opportunity* (EO) presented (step 3 in Figure 2.1). Alternatively s/he they could ignore the comments made or information received completely, or ask an unrelated question in response, thus terminating the *empathic opportunity*. In this model an empathic opportunity is thus defined as, ‘A statement or description from which a police officer might infer an underlying emotion that has not been fully expressed by the suspect’ (Oxburgh, *et al.* 2010, p. 6). An *empathic opportunity continuer* (EOC) can be described as, ‘An interviewer’s statement or reaction that facilitates continuation of the implied emotion or statement’, with an *empathic opportunity terminator* (EOT) defined as,

‘An interviewer’s statement or comment that takes the interview away from the implied emotion or statement’. Table 2.2 provides examples of what is categorised as an EO, EOC and EOT.

**Table 2.2.** Exemplars of an empathic *opportunity*, *continuer* and *terminator* (taken from an actual police interview transcript).

Empathy Type	Exemplar
<i>Opportunity</i>	‘...I am finding this whole process extremely difficult to deal with..’
<i>Continuer</i>	‘...That’s okay, I completely understand how difficult it is, but please try and stay focussed...’
<i>Terminator</i>	‘...I don’t care how difficult this is for you, just answer the question...’

This coding scheme has been applied to two sets of actual interview data and the results are presented and discussed in Chapters four and five of the present thesis.

At present, it is unclear what training, if any, police officers receive on the use of empathy, or if they are just advised to implement it as per extant guidelines. For example, in England and Wales, the current ABE guidelines (Home Office, 2011) state, “A guiding principle for developing rapport is to communicate empathy” (p.189) - this is the only sentence in the guidelines relating to empathy. Later in the same paragraph, it explains that, “the interviewer should convey to the witness that they have respect and *sympathy* for how the witness feels” (p. 189). This sentence confirms the previous research findings that there is indeed some confusion over the meaning of *empathy* and *sympathy* (Eisenberg & Lennon, 1983). Shepherd (2007) also believed that the notions of *empathy* and *sympathy*

are often confused. He stated that, “It is perfectly acceptable to feel sympathy, but it is important not to allow sympathy to take charge. The risk is of over-identifying with the individual...” (Shepherd, 2007, p. 93). In other police training protocols (e.g., Centrex, 2004), officers are advised to “develop empathy in their voice” (p.48) and to, “...show *empathy* as appropriate” (p.88). Both documents (Centrex, 2004; Home Office, 2011) fail to explain what *empathy* is, or indeed how to ‘communicate’ *empathy*. In his investigative interviewing book, Shepherd (2007) states that, “... *empathy* is a professional requirement” (p.93), however, the present author would question whether this is possible without further specialist training, particularly because it is a very effortful process, involving the use of imaginal and mimetic capacities (Wispe, 1986). Without such training can interviewing officers be expected to understand the full meaning of *empathy* and how to identify and ‘communicate’ *empathy* effectively during interviews? Furthermore, although there are retrospective reports from the two studies (Holmberg & Christianson, 2002; Kebbell *et al.* 2006), it has yet to be fully established by empirical research if the use of *empathy* by interviewing officers has any notable effect on the quality of interviews and the amount of IRI obtained as a consequence. This will be presented and discussed in Chapters four and five of the present thesis.

## **Chapter conclusion**

This chapter reviewed the current literature concerning empathy in relation to investigative interviewing. The complex and multidimensional meaning of empathy and its efficacy during police interviews has been discussed together with the adapted ‘empathy cycle’ of Barrett-Lennard (1981). Using the principles of the

empathy cycle, the chapter proposed a more refined model for measuring empathy using transcripts of actual investigative interviews of suspects. The chapter concluded with a summary of the lack of training for police officers in the area of empathy, despite the known difficulties in the use of empathy. Based on the present available literature, the present author argues that there are different understandings of the term 'empathy', sometimes often confused with 'sympathy' (see Chapter three of the present thesis). Finally, and possibly as a result of terminological confusion, it has yet to be demonstrated whether empathy in any form has any appreciable impact on the 'quality' of investigate interviews. These topics are analysed and discussed in Chapters four and five of the present thesis. The next chapter focuses on the perceptions of police officers of how they conduct interviews with suspects of sexual offences and murder (both adult and child). In this empirical study, participating officers (all highly experienced detectives) explain how stressful and emotionally involved they would personally feel in such interviews and how likely they are to show empathy. Given the limited amount of information in relation to the use and meaning of empathy, participating officers explain their understanding of both 'empathy' and 'sympathy'.

## Chapter three

### **Police officers' perceptions of interview techniques with suspects of sexual offences and murder.**

#### **Chapter summary**

This chapter (an empirical research study) examines police officers' perceptions of how they conduct interviews with suspects of sexual offences (adult and child), adult murder and filicide. Ninety police officers rated scenarios involving interviews with suspects of different types of offence to establish which ones were perceived to be: (i) the most stressful; (ii) the most difficult (in terms of planning & preparation, and questioning strategy) and if the suspect utilised his/her legal right to make 'no comment'<sup>6</sup>; (iii) those in which they would feel the most emotionally involved, and; (iv) those in which they would show the most amount of empathy. Police officers were asked to provide these ratings in relation to themselves, as well as in relation to 'police officers in general'. Overall, officers rated their own perceptions higher than those of police officers in general. Participating officers reported that they would show the least amount of empathy in cases involving child rapists, and officers believed that interviews with this cohort (child rapists) were the most important in which to obtain a confession. Additional qualitative analysis revealed that officers were not able to provide clear and unambiguous definitions of 'empathy' and 'sympathy'. The chapter concludes with a discussion of possible implications for practice.

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<sup>6</sup> In England and Wales, persons being formally interviewed as a suspect have a fundamental right in law not to answer any questions put to them by the police, although a court may draw an inference from their silence. These are referred to as 'No Comment' interviews.

## Introduction

Police frequently adopt one of two styles when interviewing sex offenders and murder suspects: *humane* or *dominant* (e.g., Holmberg & Christianson, 2002; Kebbell *et al.* 2006; 2010). The aforementioned research found that a *dominant* approach was used mostly in interviews with suspects of sexual offences, and was characterized by a more aggressive and hostile approach by the interviewer. In contrast, in interviews with suspects of murder and other violent offences, a more *humane* approach was used, characterized by the interviewing officers being more friendly, co-operative, and having a greater association with admissions of guilt than *dominant* interviews (Holmberg & Christianson, 2002). Holmberg and Christianson (2002) found suspects of sexual offences to report being more likely to have confessed to a crime had the interviewers had been more empathic and treated them with humanity. Similar findings were found by Kassin and Gudjonsson (2004) who suggested that some suspects (e.g., those accused of child rape) may be more likely to confess if the interviewers adopt a more 'sensitive approach' (p. 48).

However, interviewers may find it more difficult to empathise with suspects accused of certain crimes, like child rape (Oxburgh *et al.* 2006; Chapter two of the present thesis). In addition, Cherryman and Bull (2001) argued that police officers typically showed very little empathy towards suspects during specialist investigative interviews (see next section for further details). Holmberg (2004) supported this finding. Holmberg (2004) recruited 430 Swedish special squad officers to complete a questionnaire; they were randomly assigned to one of two conditions: (i) the interviewing of crime victims, and; (ii) the interviewing of

suspects. The study examined whether police officers had attitudes congruent with a dominant and humanitarian interview approach when interviewing victims and suspects of murder (suspect only), aggravated assault and sexual assault. He found that police officers' attitudes to interviews differed depending on whom they had to interview. Using Principal Component Analysis (PCA) on the questionnaire responses, he found three factors relating to crime victims (humanity, affective dominance and refusing dominance) and three relating to interviewing suspects (humanity, dominance and kindness). In relation the 'humanity' factor, the use of empathy was the second lowest and the lowest loadings respectively regarding police officers' attitudes. For victims, the loadings were characterised by (in decreasing order): (i) cooperativeness; (ii) helpfulness; (iii) accommodation; (iv) accommodation; (v) positive attitude; (vi) empathy, and; (vii) personal interest. For suspects, the loadings were characterised by (in decreasing order): (i) cooperativeness; (ii) helpfulness; (iii) positive attitude; (iv) personal interest; (v) accommodation, and; (vi) empathy.

### **Police officers' interviewing skills**

During the investigation of serious crime, such as sexual offences or murders, police officers are required to make sense of painful emotions, which may make the subsequent interviews 'technically difficult' and 'stressful' to conduct (see Oxburgh *et al.* 2006; and Chapter two of the present thesis). For example, in their study, Soukara *et al.* (2002) gathered English detectives' views (N=40; mean age = 38 years; length of service range = 8-36 years), via questionnaires and interviews, on the ways in which they interviewed un-cooperative suspects. No details were available on the gender of participating officers. Respondents

reported that their approach towards each interview was influenced by various factors including the available evidence and the nature of the crime. Soukara *et al.* also reported that preparation of the interview, specialist training and the social skills of interviewers were important contributory factors. Respondents in Soukara *et al.*'s study reported that interviews with suspects of child rape were one of the most difficult to conduct with detectives stating that their social skills were, "put to the test" (p.110). In addition many reported a belief that the extent to which interviewers can empathise or show understanding was often a contributory factor in whether a suspect of child rape will confess to the crime they are being interviewed about. Furthermore, Soukara *et al.* found their respondents reporting that interviews in which suspects had utilised their legal right to make 'no comment', were "frustrating and very tiring" (p.111) for the interviewers.

Hughes *et al.* (1996), whose report reflected the views of 32 child protection officers from ten UK police forces ( $n=15$  females;  $n=17$  males), found that the most challenging aspect of an investigation involving sexual offences (particularly involving children) and the one which officers felt the least equipped to deal with, was the interview with suspects. The report found that this category of offender presented "special difficulties" (p.26) which general interviewing techniques did not adequately address. However, what skills are needed to be an effective interviewer? To determine which skills police officers thought were important whilst conducting specialist investigative interviews (SII), Cherryman and Bull (2001) gave out questionnaires to 400 police officers from 13 forces across England and Wales. Seventy one officers (20% response rate) completed the questionnaire ( $n=24$  females;  $n=57$  males). Using previously identified skills (see Bull & Cherryman, 1995) as being important in investigative interviews,

respondents were asked to rate (using a four-point Likert scale) how necessary each of the eight skills was for specialist investigative interviews. An SII was defined as:

The fair questioning or facilitative interviewing by a well-trained, experienced officer with 'in-depth' knowledge of a specific area, of a suspect, witness, or victim in offences of a special nature or in unusual circumstances. These may be complex, severe or sensitive offences requiring additional skills within the rules of evidence and in accordance with the principles of investigative interviewing, in order to obtain accurate, credible and reliable information to help establish the truth (Cherryman & Bull, 2001; pp. 202-203).

The eight skills were: (i) knowledge of suspect; (ii) listening; (iii) planning and preparation; (iv) questioning; (v) rapport; (vi) flexibility; (vii) open-mindedness, and; (viii) compassion and empathy. In addition to the rating of each skill, respondents in the Cherryman and Bull (1995) study were asked about the extent to which they used these skills as well as how often they thought those skills were used by police officers in general. 'Listening' was found to be the most important skill (with 85% considering it to be 'very important' and 15% considering it to be 'important'). 'Compassion and empathy', although rated as 'important' by officers, was rated as the least important and officers reported using it very infrequently. Cherryman and Bull (1995) also found that officers believed they used those skills more frequently than other officers (all  $p$  values  $<.05$ ). Cherryman and Bull (1995) suggested that one reason for this could be that police culture may not allow officers to be self-critical and admit their own limitations or weaknesses. Police

culture has been researched for many decades and continues to be widely debated in contemporary discussions of policing (see Loftus, 2010 for a review). Police culture is made up of various inter-connecting beliefs, values and behaviours, which make it very difficult for officers to think 'outside the box' as an individual. Not unlike the Military, the Police Service operates in a very hierarchical way, with no room for weakness (perceived or otherwise) amongst individual officers (Milne & Bull, 1999).

### **The present study**

The present study utilised a questionnaire which asked officers for their personal views and the views they thought other police officers in general would have in relation to interviews with suspects of sexual offences, adult murder and filicide. The first aim of the present study was to establish how stressful officers report such interviews to be. The second aim was to establish how difficult (in terms of planning & preparation and questioning strategy) officers would find 'comment' and 'no comment' interviews for these cohorts. The third aim of the study was to establish how emotionally involved officers would get during such interviews, with how much empathy (if any) they would show to the suspect being the fourth aim. Given the belief that empathy is sometimes confused with sympathy (Eisenberg & Lennon, 1983; Shepherd, 2007) and psychological research suggesting that police interviewers may find it more difficult to empathise with those suspected of certain crimes (e.g., Holmberg & Christianson, 2002; Kebbell *et al.* 2006; 2010; Oxburgh *et al.* 2006), the fifth aim of the present study was to establish (qualitatively) if participating officers understood the difference between empathy and sympathy. In line with the findings of previous research,

the final aims of the study were to conduct exploratory research to establish how important officers' felt: (i) it was to obtain a confession, and (ii) specialist training was in the interviewing of suspects. It was hypothesised that participating officers would:

- (i) find interviews involving offences against children (rape or murder) more stressful than those involving offences against adults (rape or murder);
- (ii) find child cases to be more technically difficult to conduct (in terms of planning/preparation and questioning strategy);
- (iii) find child cases to be more difficult to conduct (in terms of whether the suspects utilises his/her right to go 'no comment');
- (iv) report that they become more emotionally involved with suspects of child rape and filicide than with adult sexual offences and/or adult murder, and;
- (v) show the least amount of empathy in interviews with suspects of child rape.
- (vi) show a significant self-presentational bias and rate *other officers* as generally finding interviews more difficult in terms of planning and preparation, questioning strategy, and whether s/he went 'no comment', and more stressful than they *personally* would.

## Method

### Design

The research was based on information obtained via specially designed questionnaires. In this questionnaire, four scenarios were presented which related to mock crimes involving sexual offences (adult and child), adult murder, and filicide. Police officers were asked to rate various skills on a five-point Likert scale and to rank the order in which they believed they, and *other officers* in general, would become emotionally involved and which ones they would show the most empathy.

### Respondents

Following approval from the National Policing Improvement Agency (NPIA; see Appendix E) and the University of Portsmouth, Psychology Department Ethics Committee (see Appendix F), over 250 serving detectives from various Home Department Police Forces across England and Wales (including: Avon and Somerset Constabulary, Greater Manchester Police, Hampshire Police, Northumbria Police, South Wales Police, Sussex Police, and The Metropolitan Police), were contacted and although the majority agreed to participate in the study, fewer than half (N=90) finally responded. Given that this is a sample of very busy professionals, this response rate (36%) is acceptable (and higher than in other comparable studies, for example, 20% in Cherryman & Bull, 2001). In total, participants were 90 detectives (58 male and 32 female) with an overall mean age of 41.47 years (range=24-55; SE=.689) and a mean length of service of 16.56

years (range=2-35, SE=.79). All participating detectives had to be at least Tier 2 PEACE trained (see Chapter one of the present thesis) and regularly employed on investigations that involved interviewing suspects of sexual offences and murder (adult and child). From the total number of respondents (N=90),  $n=41$  (45.6%) were trained at Tier 2;  $n=36$  (40%) were trained at Tier 3, and;  $n=13$  (14.4%) were trained at Tier 5. The reason that there were no Tier 4 respondents in the current sample is likely to be because such officers do not actively participate in investigative interviews – they are supervisors and assessors.

## **Materials**

A questionnaire was designed (see Appendix G) to obtain biographical data and interview experience, and to establish participants' perceived level and importance of training received. A pilot study was initially run using four participants (serving detectives), resulted in a recommendation that a question relating to respondents writing an explanation of the difference between empathy and sympathy should be moved to the end of the questionnaire rather than after each scenario (see Appendix G, question 5.7). The first section asked respondents for demographic details and information about their interview experience and training. The second section comprised of four mock crime scenarios that were developed to be realistic in nature, which respondents had to rate their *personal* experiences and those of *police officers in general* when interviewing suspects accused of committing each of the four specified mock crimes. The scenarios related to the following four mock crimes: (i) an adult male suspected of murdering another adult; (ii) an adult male suspected of murdering his own child; (iii) an adult male suspected of sexually assaulting another adult,

and; (iv) an adult male suspected of sexually assaulting a child. The order of the presentation of the scenarios was randomised to control for order effects. The wording in each of the four scenarios remained the same, with the exception of the alleged offence:

You have been required to interview [*specific offence detailed here as per scenarios (i) to (iv) above*]. The incident occurred last night in your local town and you have one statement from a reliable witness which, although providing little information about the actual event, does place the suspect at the scene and, as such, you have sufficient grounds under the Police and Criminal Evidence Act (1984) to interview the suspect. There is no other evidence at this time.

In the final section of the questionnaire, respondents were asked to rank the order in which they believed they would be most likely to get emotionally involved during the interview and how much empathy they would show during the interview relating to the four mock crime scenarios provided.

## **Procedure**

Following NPIA granting authority (see Appendix E), potential respondents were contacted directly by the present author and asked to participate. Informed consent was obtained (see Appendix H), anonymity ensured, and participants were either sent the questionnaire electronically, or given the questionnaire by hand. Participants were instructed to complete the questionnaire in private, with no assistance from friends or colleagues. They were asked to provide their

written (qualitative) responses where required, and to also place a circle around the appropriate number on five-point Likert scales, which best described their answer for that question. Some questions related to participants' own *personal* views, whilst others related to how they believed *police officers in general* would answer. These questions were the same for each scenario. Finally, participants were asked for: (i) an example of if/when they had used empathy during an investigative interview, and (ii) to provide a brief explanation of their understanding of the difference between 'empathy' and 'sympathy'. On submission of the completed questionnaire, participants were sent a debriefing letter (see Appendix I).

## Results

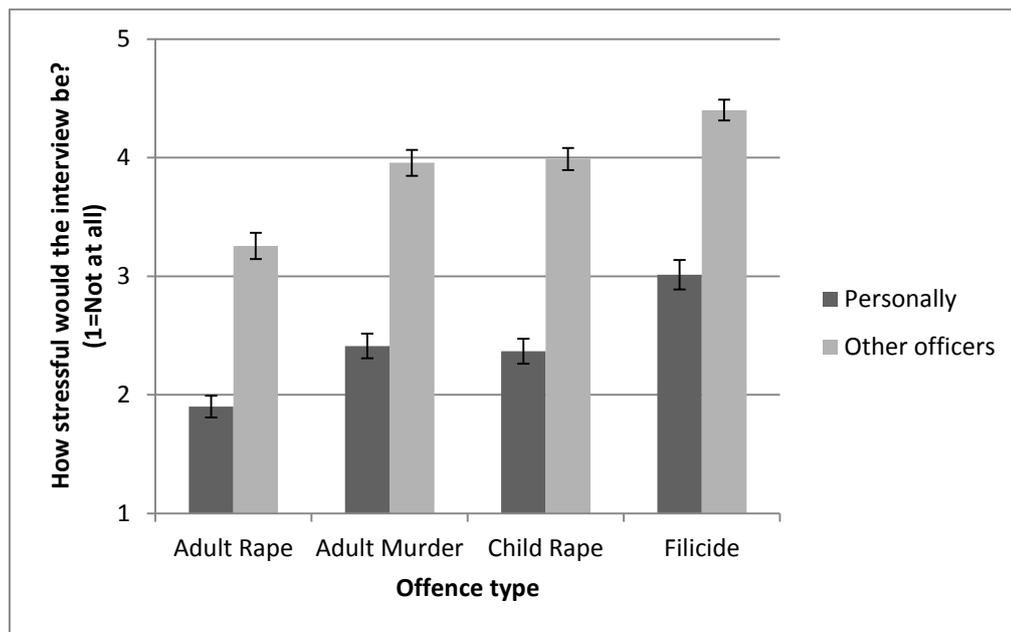
The aim of the present study was to establish, through the use of a questionnaire, the views of participating officers' and officers in general, relating to various aspects of interviews with suspects of sexual offences, adult murder and filicide.

### **How 'stressful' would officers get whilst interviewing particular suspects?**

A repeated measures ANOVA revealed a significant effect of offence type on officers' ratings of how stressful they would *personally* find such interviews to be,  $F_{3,89}=39.91$ ,  $p<.005$ , partial  $\eta^2=.31$ . As shown in Figure 3.1, officers rated interviews with suspects of adult rape as being the least stressful, followed by child rape, then adult murder, with interviews of filicide suspects the most stressful. These findings partially support hypothesis one in that officers would find

interviews with child murder (filicide) more stressful. However, *post hoc* comparisons (LSD) between the ratings for offence type were all significantly different from each other ( $p < .005$ ), with the exception of adult murder and child rape ( $p = .657$ ;  $M = 2.411$ ,  $SE = .105$ ). The same pattern was observed when participants rated how stressful they thought *other officers* would find such interviews,  $F_{3,89} = 53.04$ ,  $p < .005$ , partial  $\eta^2 = .37$ , with *post hoc* (LSD) comparisons revealing the same (i.e., all offences differed significantly from each other at  $p < .005$ , apart from adult murder and child rape).

In order to test for differences between officers' ratings of how stressful they would *personally* find such interviews, with their ratings of how stressful they believed *other officers* would find them, four paired sample *t*-tests were conducted. As shown in Figure 3.1, officers' ratings of how stressful they believed *other officers* would find such interviews were all significantly higher than their ratings of how stressful they *personally* would find the interviews (all  $p < .005$ ). This finding supports hypothesis six. Interestingly, the ratings of how stressful they would *personally* find such interviews were all at, or below, the mid-point of the scale (i.e., three), whereas their ratings of how stressful they believed *other officers* would find the interviews were all above the mid-point of the scale (i.e., above three).



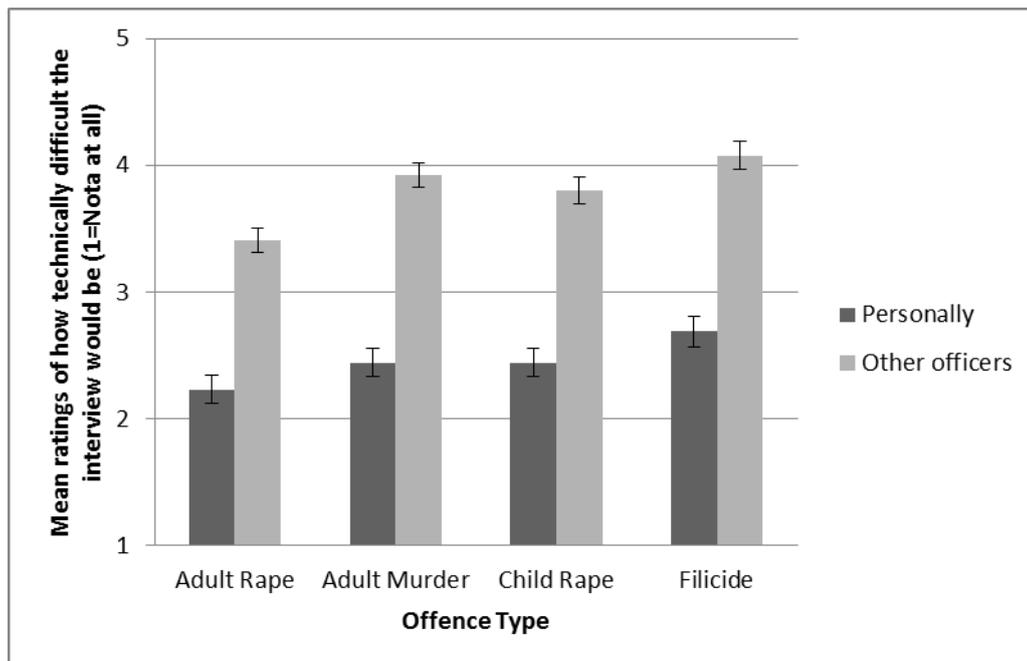
**Figure 3.1.** Officers' mean ratings of how stressful they and other officers would find interviews with suspects of different offences (bars show standard error).

### How 'technically difficult' would officers find interviewing particular suspects?

A repeated measures ANOVA revealed a significant effect of offence type on officers' ratings of how technically difficult (in terms of planning & preparation and questioning strategy) they would *personally* find such interviews to be,  $F_{3,89}=8.14$ ,  $p<.005$ , partial  $\eta^2=.084$ . As shown in Figure 3.2, officers rated interviews with suspects of adult rape as being the least technically difficult, followed by adult murder and child rape, with interviews of filicide suspects rated the most technically difficult. These findings partially support hypothesis two in that filicide suspects were rated more technically difficult. *Post hoc* comparisons (LSD) between the ratings for offence type were all significantly different from each other ( $p<.05$ ), with the exception of ratings of adult murder and child rape ( $p=1.000$ ). A similar pattern was observed when participants rated how technically difficult they thought *other officers* would find such interviews,  $F_{3,89}=23.81$ ,  $p<.005$ ,

partial  $\eta^2=.21$ , with *post hoc* (LSD) comparisons the same (i.e., all offences differed significantly from each other at  $p<.05$ ), apart from adult murder and child rape, which participants believed *other officers* would find adult murder more technically difficult to conduct.

In order to test for differences between officers' ratings of how technically difficult they would *personally* find such interviews, with their ratings of how technically difficult they thought *other officers* would find them, four paired sample *t*-tests were conducted. As shown in Figure 3.2, officers' ratings of how stressful they thought *other officers* would find such interviews were all significantly higher than their ratings of how technically difficult they *personally* would find them (all  $p's<.005$ ). This finding is in support of hypothesis six. Again, the officers' ratings of how technically difficult they *personally* would find such interviews were all below the mid-point of the scale (i.e., below three), whereas their ratings of how technically difficult they thought *other officers* would find the interviews were all above the mid-point of the scale (i.e., above three).



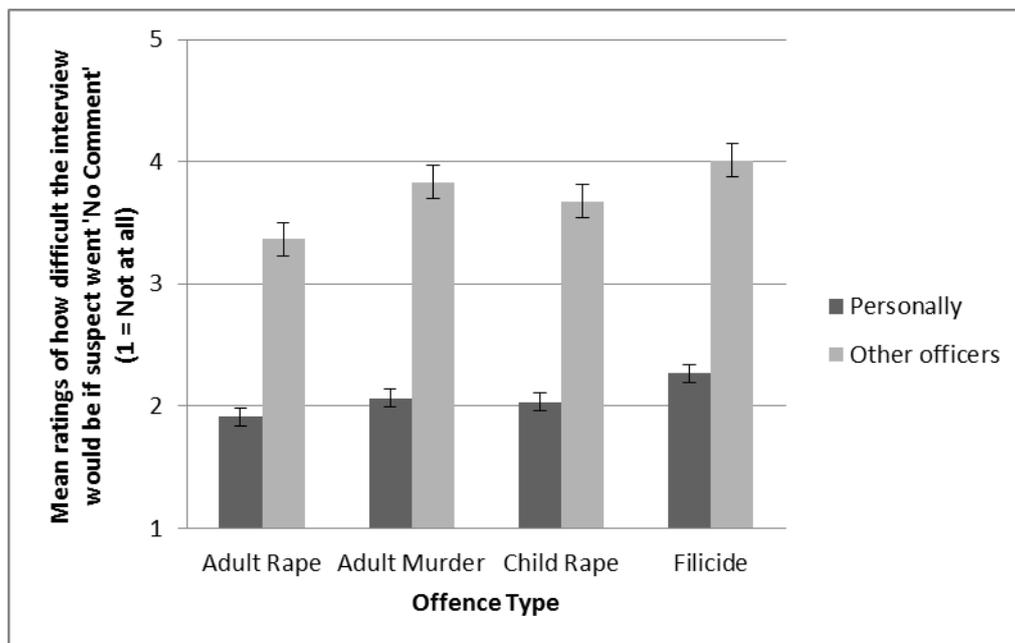
**Figure 3.2.** Officers' mean ratings of how technically difficult they and other officers would find interviews with suspects of different offences (bars show standard error).

### How difficult would officers find interviewing suspects who utilised their legal right to go 'No Comment'?

A repeated measures ANOVA revealed a significant effect of offence type on officers' ratings of how difficult they would *personally* find the interviews to be if the suspect went 'no comment',  $F_{3,89}=7.94$ ,  $p<.005$ , partial  $\eta^2=.082$ . As shown in Figure 3.3, officers rated interviews with suspects of adult rape as being the least difficult if a suspect went 'no comment' and interviews with suspects of filicide the most difficult if a suspect went 'no comment'. These findings partially support hypothesis three, in that filicide suspects were rated more difficult and are similar to hypothesis two. *Post hoc* comparisons (LSD) between the ratings for offence type were all significantly different from each other (all  $p$ 's<.05), with the exception of ratings of adult murder and child rape ( $p=1.000$ ). The same pattern was observed when participants rated how difficult they thought *other officers* would

find such interviews,  $F_{3,89}=27.28$ ,  $p<.005$ , partial  $\eta^2=.24$ , with *post hoc* (LSD) comparisons significantly different from each other (all  $p$ 's<.05).

In order to test for differences between officers' ratings of how difficult they would *personally* find such interviews, with their ratings of how difficult they thought *other officers* would find interviews where the suspect went 'no comment', four paired sample *t*-tests were conducted. As shown in Figure 3.3, officers' ratings of how difficult they thought *other officers* would find interviews where the suspect went 'no comment' were all significantly higher than their ratings of how difficult they would *personally* find such interviews (all  $p$ 's<.005). This is in support of hypothesis six. Worthy of note is the officers' ratings of how difficult they would *personally* find such interviews as they were all below the mid-point of the scale (i.e., below three), whereas their ratings of how difficult they thought *other officers* would find the interviews were all above the mid-point of the scale (i.e., above three).



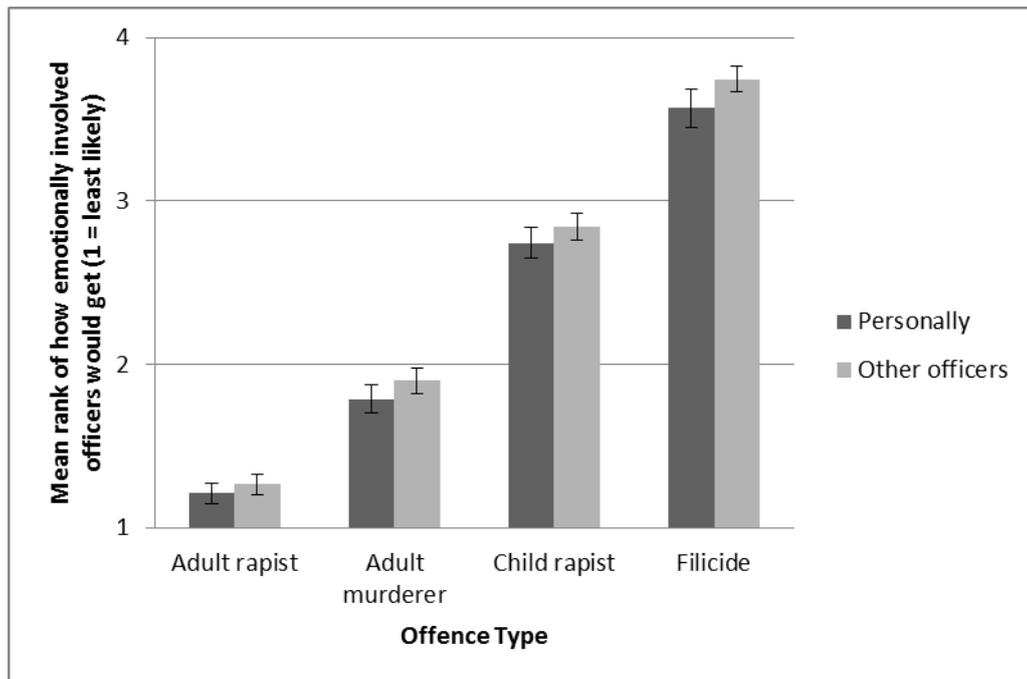
**Figure 3.3.** Officers' mean ratings of how difficult they and other officers would find interviews with suspects of different offences who went 'No Comment' (bars show standard error).

## How 'emotionally involved' would officers get in interviews?

### *Quantitative analysis*

For this question, participants were asked to rank the order they (and other officers) would most likely get more emotionally involved in. A repeated measures ANOVA revealed a significant effect of offence type on officers' ratings of how emotionally involved they would *personally* get in such interviews,  $F_{3,89}=205.72$ ,  $p<.005$ , partial  $\eta^2=.698$ . As shown in Figure 3.4, officers rated interviews with suspects of adult rape and adult murder as ones in which they would get least emotionally involved, and interviews with suspects of filicide and child rapes as ones in which they would get most emotionally involved. These findings fully support hypothesis four. *Post hoc* comparisons (LSD) between the ratings for offence type were all significantly different from each other (all  $p$ 's<.005). The same pattern was observed when participants rated how emotionally involved they thought *other officers* would get,  $F_{3,89}=226.44$ ,  $p<.005$ , partial  $\eta^2=.718$ , with *post hoc* (LSD) comparisons showing that all offences differed significantly from each other (all  $p$ 's<.005).

In order to test for differences between officers' ratings of how emotionally involved they would *personally* get in such interviews, with their ratings of how emotionally involved they believed *other officers* would get, four paired sample *t*-tests were conducted. As shown in Figure 3.4, the differences in officers' ratings were all non-significant (all  $p$ 's>.005). These findings do not support hypothesis six.



**Figure 3.4.** Officers’ mean ranks of how emotionally involved they and other officers would get in interviews with suspects of different offences (bars show standard error).

### ***Qualitative analysis***

Participants were asked to provide a qualitative response to explain their answer to this question and this section of the thesis provides examples of some of their quotes. The majority of respondents completed this part of the questionnaire ( $n=84$ ; 93%), although some ( $n=8$ ; 9%) stated that it was very difficult to rank order the offences as a function of emotionality. From those who did, numerous participants stated that they would never allow their emotions to affect the interview:

“I wouldn’t get emotionally involved in any case. It’s not practical. I couldn’t do my job if I was emotionally involved in them” (participant 8);

“I have seen death and destruction at all levels. I have to mentor colleagues through these investigations and deal with numerous agencies. I may sound cold, but you have to switch off, treat it as a job, be professional and ensure the job is done right” (participant 35).

“I wouldn’t get emotionally involved during the suspect interview at all. I may have emotions attached to the actual type of crime, but I would never allow this to affect my behaviour during the interview” (participant 28);

“Emotional involvement in interviews is not a matter at the top of priorities at the start of a suspect interview” (participant 68).

Conversely, in regard to the above, one participant stated:

“I always get emotionally involved in all my cases and believe that this makes me more compassionate towards offenders and victims (participant 38).

Training was highlighted by one participant as being important:

“The training I have received has equipped me to get on and do the job required without getting emotionally involved” (participant 35).

The overwhelming majority of participants ( $n=88$ ; 98%) supported the notion of filicide and child rape having the most impact on police officers:

“Although I have answered the question, I do not feel that my emotions would affect the way I conducted an interview. However, I have answered this based on the emotional feelings I would have about the offence. These are based on the fact that children are vulnerable and unable to defend themselves. I find it sad when children are hurt, and then the taking of another’s life” (participant 5);

“Offences involving children are likely to be more emotive, especially with a sexual aspect to them” (participant 22);

“No reasonable person could not feel the distress of a child being killed” (participant 26).

If the interviewing officers had children of their own, the impact of filicide and child rape was even more prominent:

“As a father, I have more emotional attachment regarding offences against children” (participant 23);

“...each depends on the circumstances – some murders are more impactful than others, but as a mother of young children, I think I find the murder of a child very distressing” (participant 24).

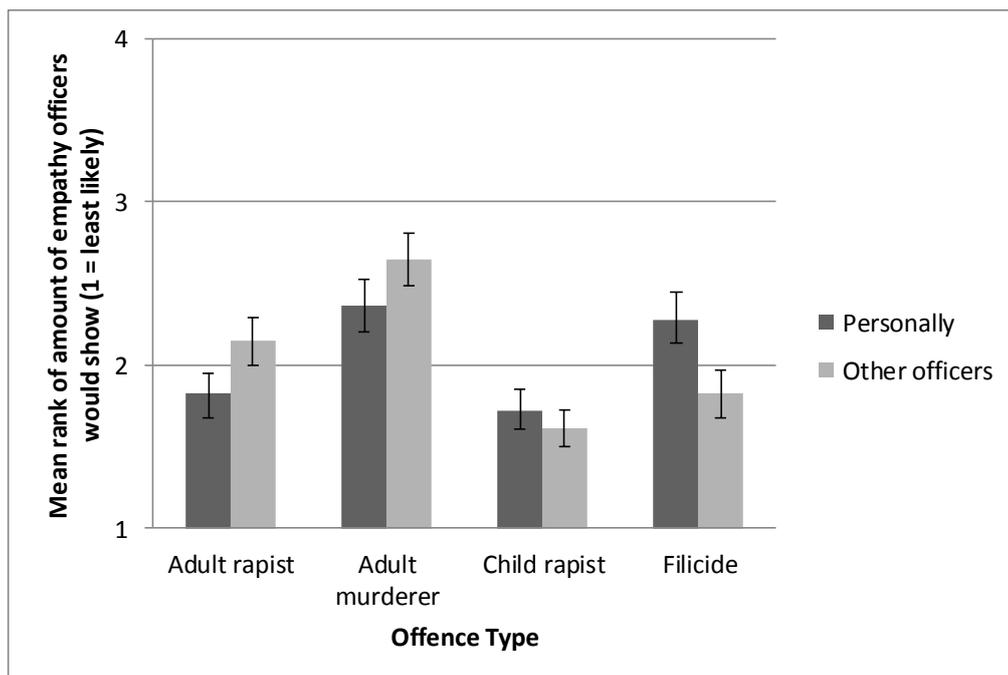
## How much 'empathy' would officers show suspects in interviews?

### *Quantitative analysis*

For this question, participants were asked to rank the order they (and other officers) would most likely show the most empathy in particular interviews. A repeated measures ANOVA revealed a significant effect of offence type on officers' ratings of how much empathy they would *personally* show to particular suspects,  $F_{3,89}=7.82$   $p<.005$ , partial  $\eta^2=.081$ . In support of hypothesis five, as shown in Figure 3.5, officers reported that they *personally* would show the most empathy in cases of adult murder, followed by filicide, then adult rape, with child rape as the interviews in which they would show the least empathy. *Post hoc* comparisons (LSD) between the ratings for offence type were all significantly different from each other ( $p<.005$ ), with the exception of adult rape and child rape ( $p=.489$ ), and between adult murder and filicide ( $p=.648$ ). The same pattern was observed on ratings of how much empathy they thought *other officers* would show to particular suspects,  $F_{3,89}=14.93$ ,  $p<.005$ , partial  $\eta^2=.144$ . *Post hoc* (LSD) comparisons revealed that ratings for offence type were all significantly different ( $p<.005$ ), apart from adult rape and filicide ( $p=.109$ ) and between child rape and filicide ( $p=.113$ ).

In order to test for differences between officers' ratings of how much empathy they would *personally* show during such interviews with their ratings of how much empathy they believed *other officers* would show, four paired sample *t*-tests were conducted. As shown in Figure 3.5, officers' ratings of how much empathy they thought *other officers* would show in such interviews were

significantly higher than their ratings of how much empathy they *personally* would show in the interviews for adult rapists ( $t(89)=-2.513, p<.05$ ) and adult murderers ( $t(89)=-2.043, p<.05$ ). Failing to support hypothesis six, officers' ratings of how much empathy they believed *other officers* would show in interviews with suspects of filicide were significantly lower than their ratings of how much empathy they *personally* would show in such interviews ( $t(89)=3.220, p<.005$ ). Although non-significant, officers' ratings of how much empathy they believed *other officers* would show in interviews with child rapists were lower than their ratings of how much empathy they *personally* would show in such interviews and adult murderers ( $p>.05$ ).



**Figure 3.5.** Officers' mean ranks of how much empathy they and other officers would show in interviews with suspects of different offences (bars show standard error).

## ***Qualitative analysis***

Participants were asked to provide a qualitative response to explain their answer to this question and this section of the thesis provides examples of some of their quotes. From those who answered this section of the questionnaire ( $n=85$ ; 94%), many stated that it was very difficult to rank order the offences as a function of empathy. The overwhelming majority of respondents ( $n=78$ ; 87%) stated that filicide and child rape had the most impact on themselves and in *police officers in general*. Nearly half of these respondents ( $n=34$ ; 38%) stated that they would not show any empathy towards those accused of committing crimes against children:

“I would find it difficult to show empathy when interviewing someone who has harmed a child” (participant 13).

“Being a father, I can relate to how vulnerable a child is and therefore would find it very difficult to empathise with child offenders” (participant 55).

“I believe that I would feel most empathy for the murder of an adult due to the offences against a child, who is defenceless, reprehensible” (participant 80).

“I know from experience that I have little empathy for offenders who prey on children. I have to work at this when it arises” (participant 84).

Some respondents ( $n=5$ ; 6%) stated that they would not show any empathy whatsoever regardless of the crime, or would find it difficult to do so:

“I find it very difficult to empathise with any of the above offences....in reality, most police officers probably find it very difficult to display any degree of empathy” (participant 2).

“The reality is that I couldn’t show empathy other than perhaps the first one on the list (adult murder)” (participant 30).

“There is no room for empathy – it may form part of the rapport strategy, but my professionalism and experience would prevail” (participant 38).

“I’m not sure that empathy would be appropriate in any specific case more than any other” (participant 76).

Many respondents ( $n=27$ ; 30%) conversely stated that they would be able to show empathy regardless of the crime, and indeed, it appeared that this was perceived by some of these as an interviewing skill or tactic:

“I might show empathy to encourage conversation, certain accounts may indeed cause me to show genuine empathy” (participant 3).

“It’s my job to have empathy with the suspect – can’t do a good interview without it” (participant 8).

“To be professional, must show empathy” (participant 17).

Regarding how much empathy they believed other officers would show, the majority ( $n=48$ ; 53%) stated that they believed most police officers would have no understanding or appreciation of empathy, or how to show it during an interview:

“I think police officers find it hard to empathise at all, it is easier to think of yourself as separate from the ‘scoats’ in the cells. In no way would they want to empathise with those who commit offences against children” (participant 10).

“A lot of police officers don’t understand the concept of empathy in interviews. Most police officers would have little or no sympathy for any suspect accused of sexually assaulting a child” (participant 28).

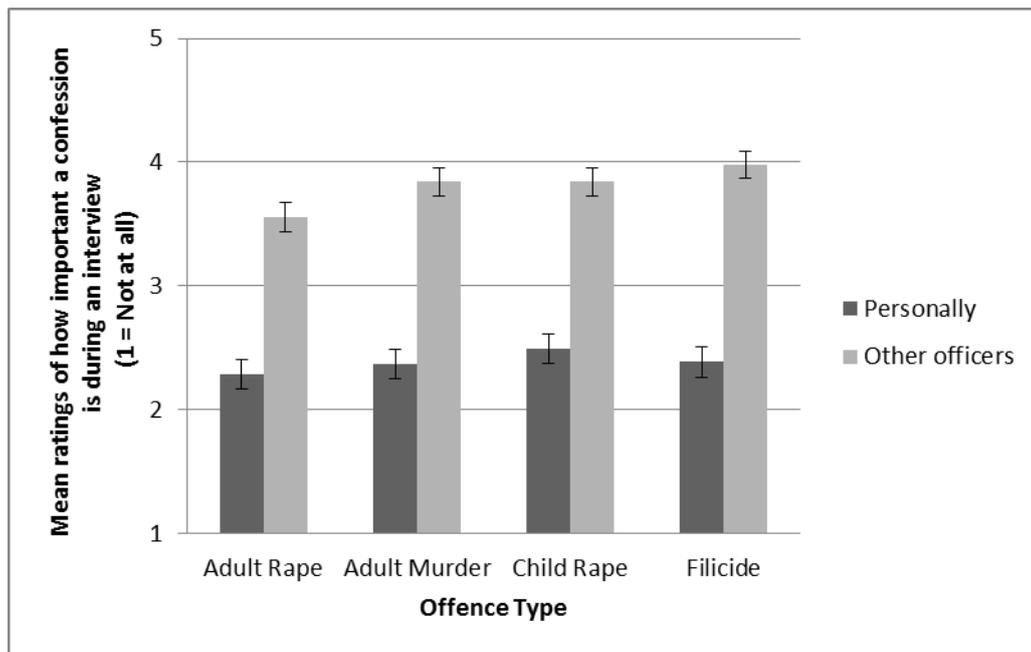
“I feel most police officers would find it difficult to show empathy for a person who has committed offences against a child” (participant 41)

### **How important is a confession to officers?**

The first part of the exploratory aspect of this study was to establish how important officers believed the obtaining of a confession was in interviews. A repeated measures ANOVA revealed a non-significant effect of offence type on officers' ratings of how important they *personally* thought obtaining a confession was in such interviews,  $F_{3,89}=2.52$ ,  $p=.058$ , partial  $\eta^2=.028$ . As shown in Figure 3.6, there was a trend in officers' ratings suggesting that obtaining a confession in interviews with suspects of adult rape were viewed by respondents as being the least important and interviews with suspects of child rape as being the most

important in obtaining a confession. However, a different pattern emerged when participants rated how difficult they thought *other officers* would find such interviews,  $F_{3,89}=10.17$ ,  $p<.005$ , partial  $\eta^2=.103$ . Respondents believed that *officers in general* would believe that obtaining a confession was important in each interview. *Post hoc* (LSD) comparisons indicated that obtaining a confession as a function of offence type significantly different from each other ( $p<.05$ ) with the exception of adult murder and filicide ( $p=.09$ ), and adult murder and child rape ( $p=1.00$ ).

In order to test for differences between officers' ratings of how important they *personally* thought obtaining a confession was, with their ratings of how important they thought *other officers* would think obtaining a confession was, four paired sample *t*-tests were conducted. As shown in Figure 3.6, ratings of how they thought *other officers* would think obtaining a confession was were all significantly higher than their ratings of how difficult they *personally* thought obtaining a confession was (all  $p$ 's $<.005$ ). As before, the ratings of how they *personally* thought obtaining a confession was in such interviews were all below the mid-point of the scale (i.e., below three), whereas their ratings of how important they thought *other officers* would think obtaining a confession was, were all above the mid-point of the scale (i.e., above three).



**Figure 3.6.** Officers' mean ratings of how important they and other officers thought obtaining a confession was in interviews with suspects of different offences (bars show standard error).

### How important is specialist interview training to officers?

The second part of the exploratory aspect of this study was to establish how important they thought specialist interview training was. A paired sample *t*-test found that officers' ratings of how they thought *other officers* would rate the importance of specialist interview training was significantly lower than their ratings of how important they *personally* thought specialist interview training was ( $t(89)=10.91, p<.005$ ). In other words, individual officers appear to be suggesting that they think training is much more important than *other officers*.

### Officers' understanding of the difference between 'empathy' and 'sympathy'

The third and final exploratory aspect of this study was to establish if officers had a clear understanding between empathy and sympathy by providing an explanation of the two terms. Although the majority of respondents ( $n=85$ ;

94%) answered this question, many ( $n=21$ ; 23%) stated that it was difficult to answer. One participant summed up the general feeling:

“...[empathy] is difficult to explain in words – very difficult to differentiate and demonstrate in practice....” (participant 72).

There was a broad agreement amongst participants, with many ( $n= 68$ ; 76%) stating that empathy was related somehow to ‘understanding’, and sympathy related to ‘feeling sorry’ for someone or their position:

“Empathy – An understanding of why or how. Sympathy – Feel sorry for why or how” (participant 49).

“Empathy – identifying others’ feelings and thoughts. Sympathy – feeling sorry for one’s situation and showing this emotion” (participant 56).

Only two participants stated something about vicariously experiencing a situation:

“Empathy is a core aspect of being a human being. It’s the ability to see and understand the emotions of another. To perhaps share some of the emotions that they are feeling and understand the reasons for that feeling. It is a step towards compassion” (participant 61).

“Empathy is being able to identify a feeling and show the ability to experience it vicariously. Sympathy is being able to identify a feeling and

show that although you cannot experience it, you feel sorry for the individual concerned” (participant 84).

One participant, although agreeing that sympathy was about ‘feeling sorry’ for someone, believed that empathy was about listening:

“Sympathy is when you feel sorry, empathy is when you can listen and discuss something without passing judgement, being shocked or showing your emotions” (participant 8).

Many ( $n=23$ ; 26%) thought that in order to show empathy, you had to have previous experience of a given situation:

“To empathise would be showing feeling/supporting a person based on previous experiences, whilst sympathise means you have had the experience or shared emotion” (participant 16).

“Empathy - from personal experience can understand the position they are in and can feel what they are going through. Empathy - from outside perspective can acknowledge the situation they are in and attach certain leniencies to them based on the situation they are in” (participant 14).

One participant provided a very experiential definition:

“Empathy is about looking into a hole in which someone is standing and recognising how they must be feeling, whereas sympathy is about getting into the hole with them” (participant 44).

## **Discussion**

The overall aims of the study were to: (i) establish how stressful officers would find interviews with suspects of sexual offences, adult murder and filicide; (ii) how difficult such interviews would be for officers (in terms of planning & preparation and questioning strategy); (iii) how emotionally involved officers would get in such interviews; (iv) how much empathy officers would show to suspects, and; (v) to establish if participating officers understood the difference between empathy and sympathy.

### **Stressfulness and difficulty of interviews**

Officers rated interviews with suspects of filicide to be the most stressful, with interviews of adult rape being the least stressful – this was the same for how stressful officers would *personally* find them and how stressful they believed *other officers* would find them. The qualitative answers confirmed this view by stating that any offences where children are hurt are much more stressful to conduct than other interviews that do not involve children. For stressfulness, the mean ranks for adult murder and child rape, in relation to officers' *personal* views and how they believed *other officers* would find the interviews were not significantly different. To

the author's knowledge, this is the first empirical study that has attempted to analyse police officers' beliefs/perceptions about filicide cases in general.

In relation to how 'difficult' some interviews were to conduct in terms of (i) planning and preparation; (ii) questioning strategy, and; (iii) if the suspect went 'no comment', in all conditions, officers rated interviews with suspects of filicide the most difficult. Participants' ratings for all offences types were significantly different with the exception of adult murder and child rape, indicating that officers felt that interviewing suspects of these two groups equally difficult. Although participants believed that other officers would find all interviews more difficult than they would personally, participants felt that other officers would find interviews with adult murderers the most difficult overall. This does not support the findings of Soukara *et al.* (2002) who found that interviews with suspects of child rape were the most difficult for officers to conduct. In explaining this, many officers stated that although child rape was a heinous crime, the murder of another human being is 'final' and participants believed that other officers would find this more difficult to deal with if they had not been involved in this type of crime before. However, overall, the findings of the present study support the view that police officers who are regularly exposed to stressful incidents (like the specialist detectives who took part in this study), have had to 'come to terms' with highly emotive and sometimes gruesome evidence (Mitchell-Gibbs & Joseph, 1996; Oxburgh, *et al.* 2006) which may make the subsequent interviews more 'difficult' to conduct. In relation to 'no comment' interviews, the results of the present study support the findings of Soukara *et al.* (2002) in that some officers find such interviews, "frustrating and very tiring" (p.111).

## **Emotional involvement**

The majority ( $n=88$ ; 98%) of participants stated something in their qualitative response that any case involving filicide and child rape had the most impact on police officers at all levels, especially if officers had children of their own. This view was corroborated by officers' quantitative responses. Respondents reported that all officers would become more emotionally involved in cases of filicide, followed by child rape, then adult murder, with adult rape as the offence they would least likely become emotionally involved in. Many respondents stated that they would never become emotionally involved in any case. Whether this is actually the case remains to be seen as no analyses were carried out on particular officers' interviews, however, one explanation could be that given the police culture, it is very difficult for officers to be self-critical and admit, what they may believe to be, limitations or weaknesses in their practice (Cherryman & Bull, 2001).

## **Use of empathy**

The amount of empathy respondents believed would be used in interviews had a significant effect in terms of offence type, with respondents reporting that they would use significantly more empathy in cases involving adult murder, followed by filicide, then adult rape, with cases involving child rape the interviews in which the least amount of empathy would be shown. However, officers rated other officers' beliefs as being significantly lower than their own in cases of child rape and filicide, the only part of the present study where this was found. As previously reported, many participants ( $n=39$ ; 43%) in the present study stated in

their qualitative answers that they would either not show any empathy whatsoever, or would find it very difficult to do so in interviews involving crimes against children. This notion supports the findings from Cherryman and Bull (2001) who found that empathy/compassion was seen as, “missing in police in general” (p. 209).

Many officers in the present study stated that murder of any kind is ‘final’, and such cases may invoke the need for empathy to create rapport and build the conversation with the suspect – there is no victim to provide additional information required to take the case forward, thus the need for rapport and conversation management techniques is vitally important. Interestingly, the author of the present study spoke personally to some respondents who anecdotally reported that many feel empathy is easier to show to murderers (of any kind) more than suspects of other crimes detailed in this study as many can understand, psychologically, why it is that some people may kill others (e.g., they may feel threatened, an accident, abusive relationship etc.). Conversely, the vast majority of officers cannot understand, in any way whatsoever, how a human being can commit a sexual assault on either an adult or child, the latter of which most believe is the worst form of crime. As such, the findings of the present study, in addition to the anecdotal evidence, would tend to support the findings from Soukara *et al.* (2002) who found that officers who interview suspects of CSA reported them to be the most stressful and difficult interviews to conduct

### ***The difference between empathy and sympathy***

Respondents provided a wide variety of qualitative answers to this question. There were many conflicting views and definitions of both terms provided by

respondents, clearly confirming that confusion exists between the two terms, thereby corroborating the views of Eisenberg and Lennon (1983) and Shepherd (2007). As explained in Chapter two of the present thesis, there is no specific training given to police officers on the use and understanding of empathy, with only *ad hoc* training provided to some police forces (not all) in England and Wales. From the available literature and after consulting with police officers during this study, it was clear that no training is currently provided on the identification and communication of empathy and the subsequent empathic responses during interviews (see Chapters two and four of the present thesis).

### **The importance of confessions**

Over the years, confessions from suspects have been viewed by many as vitally important in any investigation/interview (Inbau *et al.* 2001) with some suggesting that officers' sole aim in an interview was to obtain a confession (Moston & Stephenson, 1993). However, regarding the latter point, this 'aim' appears to have diminished significantly since the introduction of the PEACE model of interviewing (Soukara *et al.* 2002; see also Chapter one of the present thesis). However, when respondents rated how important other officers would find the securing of a confession, they believed that *other officers* would think that obtaining a confession was still important in interviews. In relation to the scenarios used in this study, it could be that most officers conducting 'routine' interviews would never interview such suspects as outlined in the scenarios. That said, the fact remains that respondents in this study believed that *other officers* would think a confession was important. Nevertheless, this finding that *other officers* are likely to view the gaining of a confession as being important may allude to a confession

culture. Given the positive shift to 'ethical interviewing' and from 'interrogation' to 'investigative interviewing' (Williamson, 1993), these findings are unexpected. The change in the principles of investigative interviewing (drafted in 2007 and implemented in 2009) to include the principle concerning the desirability of an early admission (new principle number six), may already be having an adverse impact. It may be that this confession culture has always existed, but that publication of this new principle enables police officers to voice this.

### **Respondents' ratings of themselves compared to ratings of 'other' officers**

The personal ratings and those of other officers raise some interesting points for discussion. In terms of 'technical difficulty' (planning and preparation, and questioning strategy) and 'general difficulty', in terms of whether a suspect utilised his/her legal right to go 'no comment', the results were significant with respondents rating *other officers* as finding all interviews in the sample (adult rape, adult murder, child rape and filicide) as being more difficult than what they rated them. When it came to how much empathy would be shown in interviews towards the suspect, similar findings were found with respondents rating themselves as being more empathic in interviews with child rapists and filicide suspects, whereas in interviews with adult rapists and adult murderers, they believed *other officers* would show more empathy than themselves. A similar story emerged with how stressful officers would get in interviews. Respondents rated *other officers* as finding such interviews significantly more stressful than themselves. The findings of the present study support those from Cherryman and Bull (2001) who found officers rated their own skills as higher than *other officers* in general. Milne and Bull (1999) also argued that the strength of police culture sometimes prevents

police officers from recognising their interviews are, sometimes, less than perfect, and may have deficiencies. A similar view was also held Baldwin (1992) who found that police officers are generally poor at evaluating their own interviewing abilities.

Rather worryingly, when it came to ratings of how important a confession was in interviews, respondents significantly rated other officers as believing a confession was important in such interviews. This is clearly worrying when considering the ethos of the PEACE model of interviewing and the new principles of investigative interviewing. As outlined in chapter two of the present thesis, the new principle number six states, 'Investigators should recognise the positive impact of an early admission in the context of the criminal justice system'. This is clearly not consistent with the information-gathering style of the PEACE model of interviewing and may encourage interviewers (or make them think) that interviews should be conducted with the aim of seeking a confession. It is unclear how these new principles have been disseminated to operational police interviewers and, although the impact of this new principle is not currently known, it appears from the present study that respondents believe other officers may well have this view already. This is a vitally important issue and may be worthy of further investigation in the future. No-one wants a return to when the confession was of a higher value than on finding out the truth (Rigg, 1999). It must also be recognised that when completing the questionnaire in the present study, officers may well have some kind of self-presentational bias. In other words, specialist detectives may not admit themselves that a confession is important, but when it comes to rating what other officers might think, they are able to express their true feelings.

## Limitations of study and future directions

The present study utilised a questionnaire relating to officers *personal* views and the views they believed *other officers* would have and, as such, the latter aspect, although of great interest to researchers, is entirely subjective. In addition, only four short 'mock' scenarios were used to ascertain officers' beliefs about a wide variety of factors. As such, not all potentially relevant variables could be controlled (or examined) in this study. For example, many officers believed that not enough information was provided for each scenario, thereby limiting their responses. Indeed, some respondents did not provide answers to some of the qualitative questions. As such, future research should consider the use of actual interviews to establish officers' beliefs and views to increase ecological validity. That said, one must be cognisant of how long such a process might take. The participation of busy detectives is very much dependent on how long such a study would take to complete. Furthermore, the return rate is generally very low in such research, with many returning a rate of around 20% (Cherryman & Bull, 2001; see also Chapter six of the present thesis). One strength of this study is that a return rate of 36% for the questionnaires was achieved.

A further limitation is that officers completed the questionnaire without supervision from the researcher. As such, some respondents may have completed it with the help of friends or colleagues, or with no consideration of the actual aim of the study. Future research using a similar methodology should consider having the researcher (or a member of the research team) being present during the completion of the questionnaire.

## **Chapter conclusion**

Cases specifically involving children appear to be the most difficult to conduct and that officers will show the least amount of empathy in interviews of child rape. Participants' qualitative responses revealed that many do not believe empathy should be used in any interview with any suspect. This, however, is hardly surprising given the disparate definitions provided by the participants. The next chapter (an empirical research study) will address this area further, examining transcripts of 26 actual investigative interviews with suspects of child sexual abuse (CSA) for the use of empathy by officers and whether the type of question asked by the interviewer has any impact on the amount of IRI obtained in those interviews.

## Chapter four\*

### Police interviews with suspected child sex offenders: Does use of empathy and question type relate to the amount of investigation relevant information obtained?

#### Chapter summary

The interview of a suspect is vitally important and the ability to question persons suspected of committing criminal offences with sensitivity and skill is an integral part of being a professional police officer (Burns, 1993); it is also fundamental in achieving justice in society (Milne *et al.* 2007). However, interviews with suspects of sex offences appear to be particularly problematic. As a consequence, this chapter (an empirical research study) examines the use of empathy and the impact of question type on the amount of IRI obtained in transcripts of 26 actual investigative interviews with suspects of CSA. It was found that the mean of *inappropriate* questions was significantly higher than the mean of *appropriate* questions, and that the responses to *appropriate* questions contained more items of IRI than *inappropriate* questions. However, it was found that increased use of empathy was not associated with increased IRI. The results are discussed and the chapter concludes with a discussion of possible implications for practice.

**\*Note.** This chapter is based on the following article that was published during the course of this PhD programme. The present author was the sole author of all material included in this chapter from the publication:

Oxburgh, G. E., Ost, J., & Cherryman, J. (2010). Police interviews with suspected child sex offenders: Does use of empathy and question type influence the amount of investigation relevant information obtained? *Psychology, Crime and Law* (DOI [10.1080/1068316X.2010.481624](https://doi.org/10.1080/1068316X.2010.481624)). First published in August 2010. **See Appendix J for a copy of this article.**

## Introduction

The very nature of sexual offences means there is, generally, very little in the way of independent or corroborative evidence and, thus, the police usually have only the suspect's and/or victim's version of events to consider (Benneworth, 2007; Kebbell *et al.* 2006). Furthermore, when apprehended and interviewed by the police, sex offenders frequently minimise and cognitively distort the nature and severity of their offence (Ward, Hudson, Johnson & Marshall, 1997). They are also more likely to deny their involvement due to perceived social condemnation (Quinn, Forsyth & Mullen-Quinn, 2004; Thomas, 2000; Ward, *et al.* 1997).

During the investigation of sexual crimes, police officers are also required to make sense of very powerful and sometimes painful emotions, which may make the subsequent interviews difficult to conduct (see Oxburgh *et al.* 2006). Police officers, compared to prison and probation officers, also hold more negative attitudes towards sex offenders than they do towards other offender cohorts, including murderers (Hogue, 1993; Holmberg & Christianson, 2002; Lea *et al.* 1999). Obtaining good quality information in interviews with suspected sex offenders is, therefore, a sensitive and highly emotive area of work, and one fraught with difficulty. Despite these difficulties, it remains vitally important to obtain reliable and accurate information from such suspects.

In all investigations, the information elicited from the suspect during the interview must be examined for relevance to the investigation (although this may be decided after the interview). Few studies, however, have analysed the content of answers from questions contained within authentic, actual interviews of

suspects of sexual offences (but see Benneworth, 2007). It is vitally important that all interviews elicit good 'quality' information that establishes: (i) what happened; (ii) how the crime was committed; (iii) the persons involved; (iv) when and where the crime took place; and, (v) any items used (if any) to assist in the commission of the offence/s (Milne & Bull, 2006). These are the ingredients of IRI, which has been used in this study to code suspects' responses during interviews.

The aims of the present study were to explore the impact of empathy on the amount of IRI obtained during the interview, and to examine the impact of question type on the amount of IRI obtained in actual police interviews of suspects of child rape. In line with previous research (e.g., Holmberg & Christianson, 2002; Kebbell *et al.* 2006) it was hypothesised that: (i) the mean proportion of *inappropriate* questions (e.g., *closed, echo, leading, forced choice, multiple & opinion/statement*) would be higher than the mean proportion of *appropriate* questions (e.g., *open, probing & encouragers/ acknowledgements*); (ii) increased empathy would be associated with increased IRI, and (iii) the responses to *appropriate* questions would contain more items of IRI than the responses to *inappropriate* questions.

## **Method**

### **Participants**

Following approval from the University of Portsmouth, Psychology Department Ethics Committee (see Appendix K), five Home Department Police Forces in England and Wales were approached and two agreed to assist in this research (Cumbria Constabulary and The Metropolitan Police; see Appendices L[i] and L[ii]). Transcripts of interviews of suspects of CSA were chosen according to

the following criteria: (i) all interviews had to be from investigations that had been categorised as 'closed' and already processed through the judicial system; (ii) all interviews had to be concerning child rape; and (iii) the officers who conducted the interviews had to be at least Tier 1 PEACE trained (see Chapter one of the present thesis) and regularly employed on investigations that involved interviewing suspected sex offenders. In total, 26 interview transcripts were obtained.

Both forces were asked to provide full details of further training (e.g., ABE training) that interviewing officers had received in relation to standard investigative interviewing training, as well as the officers' gender, their length of service, the number of interviews carried out on a similar topic, and whether the interviewing officer had previously interviewed the victim. Information was also requested relating to the age, gender, and number of previous convictions of the suspect.

### **Coding of interview transcripts**

The complete transcripts (N=26) were received in paper format and were digitised to allow for computer-based coding to be conducted. Following anonymisation of all transcripts, they were imported into QSR NVivo 8<sup>7</sup>, where detailed coding took place including:

*Presence of empathy.* Based upon the principles of the empathy cycle devised by Barrett-Lennard (1981; see also Chapter two of the present thesis), empathy was deemed to be present if the interviewing officer *continued* an empathic *opportunity* provided by the suspect, or where

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<sup>7</sup> A computer software package designed for qualitative analysis that provides a database to ensure effective and organised analyses.

the interviewing officer showed empathy without first being provided with an *opportunity* – something the present author has termed *spontaneous* empathy. However, there were no incidents of *spontaneous* empathy in this sample.

An empathic *opportunity* was defined as, 'A *statement or description from which a police officer might infer an underlying emotion that has not been fully expressed by the suspect*' (based on the Conversation Management approach; Shepherd, 1984). As an example, a suspect might say to the interviewing officer that s/he is finding the whole process extremely difficult to talk about. If the interviewing officer correctly identified this empathic *opportunity*, s/he could choose to either *continue* the presented *opportunity* (e.g., the communicative act) or *terminate* it by ignoring it (or perhaps by asking an un-related question in response). Examples of an empathic *opportunity* and *terminator* are provided in Table 4.1. The number of *opportunities*, *continuers*, and *terminators* were counted in each interview. For the purpose of the present analyses, an empathic interview was defined as one containing at least one empathic *opportunity* that was *continued*. This was scored dichotomously (Yes/No).

**Table 4.1.** Exemplars of empathic *opportunities and terminators*.

Empathy Type	Exemplar
<i>Opportunity &amp; Continuer</i>	1. '...I just don't think I can answer any more questions'. 2. '... okay, I really appreciate that this is an extremely difficult situation for you .....(name removed)'.
<i>Opportunity &amp; Terminator</i>	1. '...(crying) I just can't carry on, I just want him back ... (crying)...I just don't want him to be the only one, only child'. 2. Just carry on ... (name removed)'.

(a) *Interviewer question type*. These were broadly categorised into *appropriate (open, probing, and encouragers/acknowledgements)*, and *inappropriate (echo, closed, forced choice, leading, opinion/statement and multiple)* questions. Exemplars of the various question types (adapted from Griffiths & Milne, 2006) are provided in Table 4.2. The number and type of questions were counted for each interview.

**Table 4.2.** Exemplars of question type used by interviewing officers.

Question Type	Exemplar Questions
Open	'Tell me about that then?'  'Explain exactly where you went with XXX?'  'Describe the workshop to me?'
Probing/identification	'What happened next?'  'Where had you moved in there from?'
Encourager/acknowledgement	'Oh, I see right'.  'Lovely, okay, carry on'.
Echo	Suspect: 'I might have done'.  Interviewer: 'You might have done?'
Closed	'Did you go to the house last night?'
Forced Choice	'And is the property council property or privately owned?'
Leading	'XXXX's been in your bedroom hasn't she?'
Opinion/statement*	'I would suggest that what these people are saying is the truth and that you are lying, you are just trying to save your skin'.
Multiple	'Do you think you took those precautions? How sure are you that you know that XXXX wanted to be involved?'

**\*Note.** In relation to *opinion/statement* category, where an officer read from a statement (or other document) and subsequently asked the suspect to comment on what had been read, this was categorised according to the question asked by the officer following the statement (or document) being read.

(b) *Amount of IRI obtained.* Interviewees' responses were coded for the presence of items of IRI. The coding scheme was adapted from those used in previous studies (e.g. Hutcheson, Baxter, Telfer & Warden, 1995; Lamb *et al.*, 1996b; Milne & Bull, 2003; Yuille & Cutshall, 1986). It included items in the following categories: **P**erson information; **A**ction information; **L**ocation information; **I**tem information; and, **T**emporal information (see Table 4.3 for a description of each category). Each

aspect of IRI was counted once and repetitions were ignored. The following (example) phrase details the coding scheme: “I went to the corner shop (1 X Action; 1 X Location) with a knife (1 X Item), on the 21<sup>st</sup> February 2006 (3 X Temporal), with my partner (1 X Person) who is 21 years old (1 X Person)”. All items of IRI in each category were summed to provide a total score for that category and all categories were then summed to provide a total IRI score.

**Table 4.3.** Description of IRI types

IRI Type	IRI Description
Person	<b>Who:</b> names, age, clothing, appearance, shoes, hair, voice, tattoos, accent, injuries, profession, parts of body etc.
Action	<b>How:</b> information that describes an action in some way – ‘I went to the house’; ‘I gave her a cuddle’; ‘I smashed the brick over her head’; ‘I raped her’.
Location	<b>Where:</b> information relating to places – address, streets, houses, & descriptions of same.
Item	<b>What:</b> details of items involved in the commission of the crime/incident.
Temporal	<b>When:</b> dates, times, before, after, later, following, days of the week etc.

Three raters independently coded 23% of the transcripts, including: (i) question type; (ii) use of empathy; and, (iii) amount and type of IRI. Inter-rater reliability was assessed using the percentage of agreement method and was 91%. Any differences between the three raters were resolved by discussion and the first rater’s codes were used for analysis (see Appendix M for coding sheets used).

## Results

The aims of this study were to examine the impact of the use of empathy and question type on the amount of IRI obtained from the interviews.

### General results

Initial analysis of the interviews found no evident breaches of the PACE Act (1984). The sample used (N=26) contained two interviews from the year 2000; four from 2001, 2002 and 2004 respectively; and twelve from 2003. Ten cases related to historical abuse<sup>8</sup>. Details of specific offence type, persons present, and offender and victim gender are summarised in Table 4.4. Although each interview had two police officers present, only the details of the main interviewer were recorded. Eighteen officers had received PEACE Tier 2 training and eighteen officers had received ABE training, but only half of the overall sample of officers had received both PEACE Tier 2 and ABE training.

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<sup>8</sup> Defined as allegations of child abuse reported to the police, '*a long time after the abuse has occurred*' (National Centre for Policing Excellence [NCPE] 2005, p.18).

**Table 4.4.** Specific details of offence type, persons present, offender and victim gender.

Description	Details	
	Male	Female
Offence Type <sup>9</sup>	Rape	13
	Indecent Assault	13
Additional persons present	Lawyer	23
	Appropriate Adult	2
	Interpreter	1
Gender	Male	Female
Interviewer	10	16
Offender	24	2
Victim	5	21

**Note.** Mean length of interviews was 64.15mins (SD 31.70, range 22-159mins)

Twenty-two suspects had no previous convictions, one had between one and five previous convictions, and for the remaining three offenders, no information was provided. The suspect denied the offence in twenty cases; five were 'no comment' interviews; and in one case, the suspect confessed to the offence at the start of the interview.

The mean number of questions per interview is shown in Table 4.5. The ratio of *appropriate* to *inappropriate* questions was 1:3 and the *open* to *closed* question ratio (OCR) was 1:23. In support of hypothesis one, analysis revealed that the mean number of *inappropriate* questions was significantly higher than the

<sup>9</sup> These offences were categorised by the participating police forces.

mean number of *appropriate* questions ( $n = 26$ ,  $z = -4.42$ ,  $p < .001$ , 1-tailed) ( $M = 182.92$ ,  $SD = 137.11$  for *inappropriate* questions and  $M = 53.20$ ,  $SD = 37.06$  for *appropriate* questions).

**Table 4.5.** Mean number of questions asked.

<b>Appropriate/ Inappropriate</b>	<b>Question Type</b>	<b>Mean number of questions*</b>
<i>Appropriate</i>	Open	3.73 (.485)
	Probing	35.58 (4.955)
	Encouragers/ Acknowledgements	13.88 (3.329)
	<b>Total</b>	<b>53.15 (7.270)</b>
<i>Inappropriate</i>	Echo	2.38 (.577)
	Closed	93.62 (11.722)
	Forced Choice	1.46 (.300)
	Leading	2.31 (1.027)
	Multiple	11.15 (1.946)
	Opinion/statement	71.73 (14.150)
	<b>Total</b>	<b>182.92 (26.890)</b>

\***Note.** Standard errors in parenthesis

### **The prevalence of Investigation Relevant Information (IRI)**

The sample contained a total of 3,046 items of IRI ( $M=117.15$ ,  $SE=18.28$ ) and, as shown in Table 4.6, interviewees reported more 'person' details across all offence types than any other type of IRI.

**Table 4.6.** Mean total IRI reported in each category

	Child sexual abuse (N=26)	Range
Person	31.96 (4.96)	0 - 87
Action	28.15 (4.63)	0 - 83
Location	21.54 (4.04)	0 - 80
Item	15.65 (3.85)	0 - 67
Temporal	19.85 (3.65)	0 - 67
<b>Total</b>	<b>117.15 (18.28)</b>	<b>0 - 303</b>

**Note.** Standard errors in parentheses.

### The impact of empathy on IRI

In order to classify the interviews for the prevalence of empathy, all *no comment* interviews ( $n=5$ ) and one where a *full admission* was obtained at the start of the interview ( $n=1$ ) were excluded (because, in these cases no empathic *opportunities* would present themselves). Of the remaining twenty interviews, ten contained empathic *opportunities* by the suspect. In three of these ten interviews, there was only one empathic *opportunity* provided, and in each of these cases the interviewers responded with a *terminator*. In the other seven cases, the interviewers responded with both *continuers* ( $M=8.28$ ,  $SD = 7.93$ , range 1 to 25) and *terminators* ( $M=4.43$ ,  $SD=3.78$ , range 1 to 12). In these seven cases, there was one male and six female interviewers. In those interviews where both *continuers* and *terminators* were used, significantly more *continuers* were used by interviewers than *terminators* ( $n=7$ ,  $z=-2.05$ ,  $p<.05$ , 2-tailed). Failing to support hypothesis two, analysis found no significant difference in the amount of IRI reported in those interviews in which *continuers* were used compared to those in

which they were not ( $t(18) = 0.760, p > .05$ , 2-tailed) (*continuers used*:  $n=7$ ,  $M=123.29$ ,  $SD = 72.69$ , range = 1–83; *continuers not used*:  $n=13$ ,  $M=153.08$ ,  $SD=88.57$ , range = 1–87).

### **The impact of question type on IRI.**

In support of hypothesis three, analyses revealed that the responses to *appropriate* question types contained significantly more items of IRI than responses to *inappropriate* question types ( $n=21$ ,  $z=-3.84$ ,  $p < .001$ , 1-tailed) ( $M=2.04$ ,  $SD=3.21$  for *appropriate* questions and  $M=0.82$ ,  $SD=1.46$  for *inappropriate* questions). Those interviews ( $n=5$ ) classified as *no comment* interviews were excluded from this analysis.

## **Discussion**

Research relating to interviews with suspected sex offenders is still very much in its infancy and the research that has been conducted has tended to focus upon the offenders' perspective of the interview process (Holmberg & Christianson, 2002; Kebbell, *et al.*, 2006; Kebbell, Alison & Hurren, 2008), with very little being conducted on real-life interviews of offenders (but see Benneworth, 2007; Oxburgh *et al.* 2006). To the present author's knowledge, the present study is the first that has used transcripts of actual interviews to examine whether empathy impacts on the amount of IRI obtained in interviews with suspects of CSA. The conclusion, at least with this sample, is that the use of empathy in interviews was not as important as questioning techniques in increasing the amount of IRI obtained.

## Use of empathy

In the present study, a novel approach for coding the presence of empathy was used. This revealed that only half of the sample contained empathic *opportunities* by the suspect. Most of these (e.g., over two thirds) were in interviews conducted by female interviewers. It is not suggested that male interviewers are not empathic during interviews, rather, the specific way in which empathy was measured in the present study meant that interviews were only analysed for empathic *opportunities* overtly presented by the suspect – in such cases, empathic *opportunities* presented themselves more in those interviews that were conducted by female interviewers. This raises an interesting point. It might be that male child sex offenders are more inclined to overtly present *opportunities* of empathy to female, rather than male interviewers, or alternatively, it could be that female interviewers in our sample were more intuitive in recognising empathic *opportunities* presented by the suspects. The latter supports (in part) the argument made by Brody (1996) who argued that females, in general, are more accurate at recognising emotional expressions than their male counterparts. Despite this observation, it was found that recognition of empathic *opportunities* by females did not increase the overall amount of IRI obtained.

There is clearly more to an empathic interviewing style than simply the number of *opportunities* available or *continuers* that are contained in an interview transcript. For example, given that in the present study only interview transcripts were used, it is not known what happened in the pre-interview stage (e.g., the arrest or custody process) regarding officers' use of empathy (or lack of), nor was anything known about the interviewers' and offenders' verbal intonation and non-

verbal behaviour, both before and during the interview. It was also unknown if the interviewing officers had personally met the offenders prior to the interview (e.g. during the arrest and/or custody procedure). Thus, important factors that might impact the use of empathy (such as the development of rapport between the suspect and interviewer) might have occurred before the formal interview began. Some officers (although not in this sample) may also use an empathic style of interviewing without any prompting from the offender.

### **Use of questions**

The results with regards to the use of questions confirmed the hypotheses, clearly indicating that responses to *appropriate* questions contained significantly more items of IRI than responses to *inappropriate* questions. It was also found that officers used significantly more *inappropriate* questions at the ratio of 1:3, indicating that on average, for every one *appropriate* question asked, there were three *inappropriate* questions. When considering the *open* to *closed* ratio (OCR), this was much higher at 1:23, indicating that on average, for every one *open* question asked, there were twenty-three *closed* questions. Although the OCR in the present study was considerably higher than some previous research (e.g., Fisher *et al.* 1987; Myklebust & Bjørklund, 2006), which found an OCR of 1:9 and 1:10 respectively), other research has found an OCR as high as 1:50 (Davies *et al.*, 2000). However, the aforementioned research relates to interviews with child victims of abuse and not adult suspects. Thus, this pattern of questioning may be something unique to this cohort of offenders or this particular sample. Future research should explore this possibility.

## Limitations of present study and future directions

One particular strength of the present study is that it was based on transcripts of actual interviews with suspects of CSA. Inevitably, this method also has its drawbacks. The sample size was relatively small (N=26) and only two out of five forces contacted in England and Wales agreed to participate. However, given the nature of the crime and the understandable reluctance by many police forces to release interview transcripts of such a sensitive nature, this sample size is respectable. In addition, in this sample, only interview transcripts were provided for analysis and questions were analysed on a purely literal level (Dickson & Hargie, 2006). Thus, no analyses of the interviews were conducted for non-verbal behaviour or 'tone' of questioning, both arguably very important components of empathy (Barrett-Lennard (1981). Future research should focus upon the impact of non-verbal behaviour, in addition to question semantics (the *content*) and pragmatics (the *intent*) to provide more detailed and deeper analyses (see Chapter 1 of the present thesis). However, to do so would require access to audio/DVD recordings of interviews, which is extremely difficult given the sensitive nature of such cases.

The majority of suspects in this sample denied their involvement in the alleged crime, and information relating to how many of them planned to deny or confess prior to the interview was unknown (Kebbell *et al.* 2006). Both of these factors mean that no speculation was possible whether poor questioning techniques had a direct result on the amount of denials, or whether empathic interviewing had any impact on confessions. This is an area that requires further research.

Although there is an overwhelming acceptance amongst academic researchers (Pipe *et al.* 2004) that using *open-ended* and *probing* forms of questions are the most productive, it must be noted that many argue that 5WH questions (that were classified in the present study as *appropriate*), are usually a form of *closed* questions (Hargie & Dickson, 2004; Myklebust & Bjørklund, 2006; Poole & Lamb, 1998). On the other hand, others argue that 5WH questions are either *open* or *probing* questions (Griffiths & Milne, 2006; Milne, *et al.*, 2007; Shepherd, 2007). Of course, their 'appropriateness' is likely to depend heavily on when they occur in the interview (Griffiths & Milne, 2006). These apparent discrepancies make it difficult to provide clear guidance. It would seem, therefore, that 'What' questions can be either *open* or *closed* (e.g., 'What happened then?'; 'What time was that?') and this may be the same for 'How' ('How did that happen?' 'How did he look then?'), and 'Which' (e.g., 'Which way did you go?'; 'Which shoes were you wearing') questions. However, because of the circular nature of some of the definitions, the resulting response (i.e., whether long or short), may result in all of these questions being defined as *closed*. This highlights the points made in chapter two of the present thesis where question *function* is addressed.

Despite convergent evidence from a number of studies (e.g., Holmberg & Christianson, 2002; Kebbell *et al.* 2006), no direct evidence was found of the positive impact of empathy in interviews with suspects of CSA in terms of IRI obtained.

## **Implications for practice**

Current police training documents and best practice guidelines in England and Wales make limited reference to the use of empathy by interviewing officers, and the present research has found that officers use relatively very little empathy during interviews with suspects of CSA. Information and training to police officers on the topic of empathy *per se* would appear to be woefully inadequate, but somewhat understandable given the lack of ecologically valid research on the impact of empathy in police interviews.

It is also unclear what additional training (if any) officers receive on the use of empathy when physically attending specialist training courses, and whether they are trained in how to use empathy, or just advised to implement it as per the extant guidelines, which as we have seen is very limited. Anecdotal evidence from many police forces in England and Wales suggests that the only sporadic *ad hoc* specialist training is provided through the Child Exploitation and On-line Protection Centre (CEOP). Without in-depth training, can officers truly understand what empathy actually is, how it can manifest itself during interviews, and how they can identify and communicate empathy effectively during interviews? These points are discussed in Chapters three and five of the present thesis).

## **Chapter conclusion**

This study has aimed to enhance our currently limited knowledge of how investigative interviews with suspected child sex offenders are conducted by the police using an English police sample. Exploratory analyses found that the use of

empathy in interviews had no impact on the amount of IRI obtained. This was an interesting finding given previous research (e.g., Holmberg & Christianson, 2002; Kebbell *et al.* 2006) that suggested using empathy may increase admissions. The results also support the findings of previous research regarding the use of different question types, and suggested that asking *appropriate* questions leads to significantly higher amounts of information that may be relevant to the investigation. To establish whether other 'high-stake' interviews are more or less 'problematic' than investigative interviews with suspects of CSA, the following chapter (an empirical research study) turns to a comparative analysis, conducted to establish the effects of empathy and question type on the amount of IRI obtained from interviews with suspects of adult murder, filicide and child rape<sup>10</sup>.

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<sup>10</sup> The most serious offence within the wider category of CSA.

## Chapter five

### **The impact of empathy and question type on information obtained in police interviews with suspects of filicide, child rape and adult murder.**

#### **Chapter summary**

Conducting interviews with 'high-stake' offenders, especially those accused of child sexual abuse (child rape), represents a technically difficult and emotive area of work, and one which appears complex for police officers (Soukara *et al.* 2002; Chapter three of the present thesis). Using an English sample of fifty-nine interview transcripts, the effects of empathy and question type on the amount of IRI obtained from interviews with suspects of filicide, child rape and adult murder were analysed. There were no direct effects of empathy on the amount of IRI elicited. However, in interviews classified as empathic, interviewers asked significantly more *appropriate* questions than they did in interviews classified as non-empathic, and significantly more items of IRI were elicited from *appropriate* questions. There was a significant effect of offence type on the number of *inappropriate*, but not *appropriate*, questions asked. Interviewers asked significantly more *inappropriate* questions in interviews with suspects of child rape than they did in interviews with suspects of filicide or adult murder.

## Introduction

Obtaining complete, accurate and reliable information is central to any criminal investigation and the investigative interview is key to obtaining such information (Milne & Bull, 1999; see also Chapters one and two of the present thesis). As such, the effective interviewing of suspects is paramount in interviews for 'high-stakes' crimes (e.g., sexual offences & murder) where suspects have a great deal to lose if they admit their involvement. In addition, there appear to be differences in how police officers' conduct interviews in such cases. For example, when it comes to interviewing suspected child sex offenders, police officers appear to find such interviews more emotive and problematic than other investigative interviews (Holmberg & Christianson, 2002; Oxburgh, *et al.* 2006).

Soukara *et al.* (2002) found that officers who interviewed suspects of child rape became greatly stressed and would only show empathy towards them after they had confessed to the crime in question. Furthermore, as shown in Chapter three of the present thesis, police officers who regularly interview individuals suspected of filicide and child rape consider the crime to be technically difficult and stressful. One explanation for this view could be that police officers are regularly exposed to stressful incidents and have to try and 'come to terms' with highly emotive and sometimes gruesome evidence, which may make the subsequent interviews difficult to conduct (Mitchell-Gibbs & Joseph, 1996; Oxburgh, *et al.* 2006). Indeed, Holmberg (2004) found that officers who had been exposed to traumatising events held more negative attitudes when interviewing suspects of the same crime. As discussed in Chapter three, police officers reported that interviews with those accused of adult murder (as opposed to filicide) to be less

stressful or emotive for officers than those with suspects of child rape (Holmberg & Christianson, 2002; Kebbell, *et al.* 2006).

From the data presented in Chapter three, we know that police officers find interviews with those accused of child rape particularly difficult and emotive. Despite such difficulties, the aim of any interview, whether conducted by a male or female officer, is to obtain accurate, reliable and investigation relevant information from suspects of such crimes. An empathic interviewing style may be one way to achieve this aim (Holmberg & Christianson, 2002; Kebbell *et al.* 2006) (see Chapter two of the present thesis). In contrast, the use of *appropriate* questioning may be more effective than the use of empathy *per se* (see Chapter four of the present thesis).

The first aim of the present study, therefore, was to explore the effect of empathy on the amount of IRI elicited during interviews with suspects of filicide, child rape and adult murder (see Chapters two and four of the present thesis). The reason for focusing on these three crimes is that they are most likely the hardest to admit to and discuss by the offender because: (i) if found guilty, the offenders can be sentenced to the maximum penalties, and; (ii) there may be internal conflict due to guilt and shame they feel, which may make them want to talk. However, the suspects may know that if they talk, they are less likely to be released from custody (Gudjonsson, 2006).

The successful resolution of high-stake crimes such as filicide, child rape and adult murder may be more dependent on the results of the interviews than other less serious crimes (e.g., volume crime; Holmberg & Christianson, 2002).

Thus, the use of *appropriate* and effective questioning during investigative interviews of suspects is paramount to the successful conclusion of any such investigation. Therefore, the second aim of the present study was to examine the relationship between the types of questions used and the amount of IRI obtained in interviews relating to suspects of filicide, child rape and adult murder.

Given that this is the first known study to examine various factors across actual interviews with suspects of filicide, child rape and adult murder, exploratory analyses were initially conducted to establish if the number of no-comment interviews, the amount of IRI obtained, and the type of questions asked, differed as a function of offence type. Based on previous research (see Chapter four of the present thesis), it was hypothesized that:

- (i) empathy would be less prevalent in child rape interviews compared to interviews with suspects of filicide and adult murder;
- (ii) the use of empathy would not elicit higher amounts of IRI (refer back to Chapter four of the present thesis, which also found this);
- (iii) the mean 'per minute' number of *inappropriate* questions (e.g., *closed, echo, leading, forced choice, multiple & opinion/statement*) would be higher than the mean 'per minute' number of *appropriate* questions (e.g., *open, probing & encouragers/ acknowledgements*);

(iv) the responses to *appropriate* questions would contain more items of IRI than the responses to *inappropriate* questions (as in Chapter four of the present thesis), and;

(v) interviews which were classified as empathic would contain more *appropriate* questions (as in Chapter four of the present thesis).

## **Method**

### **Participants**

Following approval from the University of Portsmouth, Department of Psychology Ethics Committee (see Appendix K), one large English police force (The Metropolitan Police; see Appendix L[ii]) agreed to provide transcripts of interviews (N=59) with suspects of filicide ( $n=20$ ), child rape ( $n=20$ ) and adult murder ( $n=19$ ). The interviews were conducted between 2003 and 2007, and contained two interviews from the year 2003, six each from 2004 and 2005, seventeen from 2006, and twenty seven from 2007. In some interviews, there were solicitors, appropriate adults and interpreters present in addition to the interviewing officers (see Table 5.1).

**Table 5.1.** Details of persons present at interviews.

	<b>Filicide</b>	<b>Child Rape</b>	<b>Adult murder</b>
Solicitor	18	16	16
Appropriate Adult	7	3*	1
Interpreter	7**	1	7

\* In one interview, an appropriate adult was present without a solicitor

\*\*In two interviews, there was a solicitor and appropriate adult present in addition to the interpreter

All interviewing officers had received a minimum of Tier 2 PEACE training (see Chapter one of the present thesis) and were regularly employed on investigations that involved interviewing suspects of the aforementioned crimes. All interviews were from investigations that had been categorised as ‘closed’ and had already been processed through the judicial system. The participating police force provided additional information including: (i) interview length; (ii) the interviewing officers’ gender; (iii) additional persons present, and; (iv) the gender of the victim.

### **Coding of interview transcripts**

The complete transcripts (N=59) were received in paper format and, following full anonymisation, detailed coding took place (see Appendix M for coding sheets used). The first variable coded was the presence of empathy. For the purpose of the present analyses, an empathic interview was defined as one containing at least one empathic *opportunity* that was *continued*, or one which contained *spontaneous* empathy. These factors were scored dichotomously (Yes/No). For an explanation of each category, see Chapter four (pp. 92-94) of the present thesis. Examples of empathic exchanges between interviewer and

interviewee in each category (e.g., *opportunities*, *continuers*, *terminators*, and *spontaneous* empathy) are provided in Table 5.2 (see also Chapter four, pp. 92-94 of the present thesis). The number of instances of *spontaneous empathy*, *empathic opportunities*, *empathic continuers*, and *empathic terminators* were counted in each interview (N=59).

**Table 5.2.** Exemplars of empathic exchanges and *spontaneous* empathy.

Empathy Type	Exemplar
<i>Opportunity &amp; Continuer</i>	1. '...I know what I've done is wrong....I know it was illegal...it was....I don't know why I did it at the time....I just don't know really?'
	2. '... That's alright ...(name removed)...just in your own time, tell me what you've done?'
<i>Opportunity &amp; Terminator</i>	1. '...I always feel very alone and I've never known my dad and always had very few friends...'
	2. 'How is your sister, what's the relationship like now?'
<i>Spontaneous empathy</i>	1. 'I think you might be getting tired now....are you okay to carry on?'
	2. 'All right. Take a little time....there's no rush and you know I'll not be alarmed by that, if you take your time'.

The next set of variables coded was the type of question(s) used by the interviewers. These were categorised into nine sub-types, divided into the two broad categories of *appropriate* and *inappropriate*. The number and type of questions were counted for each interview. For a full breakdown of each question type, see Chapter four (p.95) of the present thesis.

The final variable coded was the amount of IRI. The coding scheme was adapted from those used in previous studies (e.g., Hutcheson *et al.* 1995; Lamb *et al.*, 1996b; Milne & Bull, 2003; Yuille & Cutshall, 1986 – see also Chapter four,

p.95 of the present thesis). The scheme included items in the following categories: **Person information**; **Action information**; **Location information**; **Item information**; and, **Temporal information** (the full coding scheme can be found in Chapter 4, p.95 of the present thesis). Each item of IRI was counted once and repetitions were ignored. All items of IRI elicited in each category were summed to provide a total score for that category and all categories were then summed to provide a total IRI score.

Four raters independently coded 30% of the transcripts, including: (i) question type; (ii) prevalence of empathy; and, (iii) amount and type of IRI. Inter-rater reliability was assessed using the percentage of agreement method and was 94%. Any differences between the four raters were resolved by discussion and the first rater's codes were used for analysis (see Appendix M for coding sheets used).

### **Description of sample**

Initial analysis of the interviews found no evident breaches of the PACE Act (1984) (e.g., nothing said or done which would make the interviews inadmissible in evidence). Although two police officers were present in each interview, only the details relating to the main interviewer were recorded. A total of 44 interviews (75%) were conducted by male officers, with 15 (25%) conducted by female officers. The mean lengths of the interviews were: (i) filicide = 74mins (SE=9.76, range 12-169mins); (ii) sexual offences = 80.25mins (SE=13.01, range 15-203mins); (iii) adult murder = 115.11mins (SE=16.70, range 28-315mins).

## Results

### Data screening

As expected with real life data, exploratory analyses revealed several variables that would be considered outliers. For example, interview 16 was only 12 minutes in length, whereas interview 54 was 315 minutes in length. To correct for the influence of these outliers, non-parametric tests were therefore used in the analyses presented below. To control for the different interview lengths (range 12-315 minutes,  $M=89.36$ ), all interviews were re-coded to produce 'per minute' data. In other words, the totals for question types, IRI and use of empathy in each case were divided by the length (in minutes) of the interview.

### General

The second step in the analysis was to check for any systematic differences between 'comment' and 'no comment' interviews<sup>11</sup>. In other words, was there was anything systematic about either the type of offence, the gender of the interviewing officer, or the presence of a solicitor that might have led to a particular suspect choosing to utilise their right to go 'no comment'? The breakdown of 'comment' and 'no comment' interviews are detailed in Table 5.3. For the purposes of the analyses presented below, 'denials', 'partial admissions' and 'full admissions' were coded as 'comment' interviews.

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<sup>11</sup> In England and Wales, persons being formally interviewed as a suspect have a fundamental right in law not to answer any questions put to them by the police, although a court may draw an inference from their silence. These are referred to as 'No Comment' interviews.

**Table 5.3.** Number of ‘comment’ and ‘no comment’ interviews by offence type.

	Filicide	Child Rape	Adult murder	Totals
No Comment	9	6	8	<i>n</i> =23
Denial	9	10	8	<i>n</i> =27
Partial Admission	1	0	0	<i>n</i> =1
Full Admission	1	4	3	<i>n</i> =8
	<i>n</i> =20	<i>n</i> =20	<i>n</i> =19	<i>N</i> =59

Using a Chi-square, the first aspect of the exploratory analyses revealed that the offence type was not a factor in whether the interviewee decided to make ‘no comment’ during their interviews ( $\chi^2(2, N=59) = 1.06, p > .05$ ). However, it should be noted that there was a solicitor present in all 23 cases where an interviewee exercised their right to make ‘no comment’. Nine out of the 36 ‘comment’ interviews (4 ‘denials’ and 5 ‘full admissions’) were conducted with no solicitor present. The gender of the interviewer had no relationship with ‘comment’/‘no comment’ interviews ( $\chi^2(1, N=59) = .07, p > .05$ ), and neither did the gender of the interviewee ( $\chi^2(1, N=59) = .02, p > .05$ ).

### **The prevalence of investigation relevant information**

The next step of the exploratory analysis was to establish the prevalence of IRI elicited during each interview as a function of offence type. For this analysis all *no comment* interviews (*n* = 23) were excluded (because in these cases, no IRI would be present). The remaining 36 interviews contained a total of 7,742 items of IRI (*M*=215.06, *SE*=22.75), which was broken down as follows: *filicide* (*n*=11,

M=207.55, SE=29.77); *child rape* (n=14, M=203.64, SE=41.55); *adult murder* (n=11, M=237.09, SE=45.99).

**Table 5.4.** Mean total IRI reported in each category as a function of offence type

	<b>Filicide</b> (n=11)	<b>Child rape</b> (n=14)	<b>Adult murder</b> (n=11)
Person	119.18 (20.87)	74.64 (13.78)	103.45 (16.73)
Action	22.45 (6.77)	41.50 (11.34)	42.45 (16.97)
Location	22.64 (4.49)	30.79 (6.46)	33.82 (7.86)
Item	18.18 (4.80)	26.07 (5.53)	31.00 (5.88)
Temporal	17.55 (3.76)	32.71 (8.50)	26.45 (5.62)

**Note.** Standard errors in parentheses.

As shown in Table 5.4, interviewees reported more ‘person’ details across all offence types than any other type of IRI. However, Kruskal-Wallis tests revealed no significant effects of offence type on the number of items of IRI obtained: Person IRI ( $H(2) = 2.96$ ;  $p > .05$ ); Action IRI ( $H(2) = 1.58$ ;  $p > .05$ ); Location IRI ( $H(2) = 4.79$ ;  $p > .05$ ); Item IRI ( $H(2) = 3.05$ ;  $p > .05$ ); Temporal IRI ( $H(2) = 2.14$ ;  $p > .05$ ); Total IRI ( $H(2) = 4.07$ ;  $p > .05$ ).

### **The prevalence of empathy**

The next aspect of the analysis focussed on the presence of empathy. For the present purposes, an empathic interview was defined as one which contained at least one instance of *spontaneous* empathy, or one that contained at least one empathic *opportunity* that was *continued*.

## ***Spontaneous empathy***

In some interviews, officers used empathy without any prompting (or *opportunities*) from the suspect. This was termed *spontaneous* empathy (see Chapter two of the present thesis) and was scored dichotomously (Yes/No). From the entire sample ( $n=59$ ), 25 interviews contained at least one instance of *spontaneous* empathy. There was no meaningful difference between male and female interviewers in the extent to which they use *spontaneous* empathy. For example, of the total sample of male interviewers ( $n=44$ ), 18 (41%) used *spontaneous* empathy (filicide ( $n=8$ ); child rape ( $n=4$ ); adult murder ( $n=6$ )). Of the female interviewers, 7 out of 15 (46%) used *spontaneous* empathy (filicide ( $n=3$ ); child rape ( $n=1$ ); adult murder ( $n=3$ )). Nine instances occurred in 'no comment' interviews, with five of these being conducted by male officers and four by female officers.

A Chi-square analysis was conducted to establish if there was any relationship between the interviewing officers' use of *spontaneous* empathy and the offence type the suspect was being interviewed about. Although non-significant ( $\chi^2 (2) = 3.97$ ;  $p > .05$ ), which fails to support hypothesis one, there was a trend for interviewing officers to show fewer episodes of *spontaneous* empathy in child rape interviews (No=15; Yes=5), compared to adult murder (No=10; Yes=9) and filicide (No=9; Yes=11). Due to the low sample size, however, no analyses were possible comparing the presence of empathy in 'comment' versus 'no comment' interviews.

## ***Empathic opportunities, continuers and terminators***

To establish the prevalence of empathic *opportunities* provided by the suspect, all *no comment* interviews ( $n=23$ ) were excluded (because in these cases, no empathic *opportunities* would present themselves). Of the remaining 36 interviews, 20 contained a total of 72 *empathic opportunities* provided by the suspect (filicide  $n=6$ ; child rape  $n=9$ ; adult murder  $n=5$ ). The vast majority of these interviews were conducted by male officers ( $N=15$ ), which was broken down as: filicide ( $n=4$ ); child rape ( $n=6$ ) and adult murder ( $n=5$ ). For female interviewers ( $N=5$ ), this was broken down as: filicide ( $n=2$ ); child rape ( $n=3$ ) and adult murder ( $n=0$ ).

**Table 5.5.** Mean number of empathic *opportunities*, *continuers* and *terminators* as a function of offence type.

Category	Offence Type		
	Filicide ( $n=11$ )	Child Rape ( $n=14$ )	Adult murder ( $n=11$ )
Empathic <i>opportunities</i> *	1.91 (.86)	2.14 (.84)	1.55 (.90)
Empathic <i>continuers</i> *	1.36 (.67)	1.07 (.47)	0.27 (.19)
Empathic <i>terminators</i> *	0.55 (.28)	1.07 (.47)	1.27 (.90)

\***Note.** Standard errors in parentheses.

Table 5.5 shows the mean number of empathic *opportunities*, *continuers* and *terminators* as a function of offence type. Given that 39 (66%) out of the 59 interviews did not contain any examples of *opportunities*, *continuers* or *terminators* (23 'no comment' interviews, and 16 'comment' interviews), statistical

analyses were not performed using these variables. Interviews were instead categorised as 'empathic' or not, on the basis of whether they contained any instances of *spontaneous* empathy. This is because even in a 'no comment' interview, the interviewer still has the opportunity to display *spontaneous* empathy whereas, in a 'no comment' interview, no empathic *opportunities* (i.e., from the suspect) will present themselves to be either *continued* or *terminated*.

## **Empathy and IRI**

The next analysis was conducted to establish whether interviews, which were categorised as empathic contained more items of IRI than those which did not. Supporting hypothesis two, analyses using Mann-Witney tests revealed no significant effects of empathy on the number of items of IRI obtained: **Person IRI** ( $U=370$ ,  $N^1=25$ ,  $N^2=34$ ,  $p=.382$ ); **Action IRI**  $U=415$ ,  $N^1=25$ ,  $N^2=34$ ,  $p=.873$ ); **Location IRI**  $U=419$ ,  $N^1=25$ ,  $N^2=34$ ,  $p=.924$ ); **Item IRI**  $U=405.50$ ,  $N^1=25$ ,  $N^2=34$ ,  $p=.756$ ); **Temporal IRI**  $U=421$ ,  $N^1=25$ ,  $N^2=34$ ,  $p=.949$ ); **Total IRI**  $U=404.50$ ,  $N^1=25$ ,  $N^2=34$ ,  $p=.745$ ).

In summary, 25 interviews contained *spontaneous* empathy, with no significant difference in the amount of empathy used as a function of offence type. Those interviews in which *spontaneous* empathy was used ( $n=25$ ) did not contain any more items of IRI than those interviews in which spontaneous empathy was not used ( $n=34$ ).

## The use of *appropriate* and *inappropriate* questions

Questions were broadly categorised into nine different types, which were then divided into *appropriate* and *inappropriate* categories, with the number and type of questions counted for each interview (see Table 5.6). The *appropriate* to *inappropriate* question ratio (AIR) for the entire sample (N=59) was: filicide interviews (1:1.4); child rape (1:3); adult murder (1:2). The *open* to *closed* question ratio (OCR) for the entire sample was: filicide interviews (1:6); child rape (1:19); adult murder (1:15). Supporting hypothesis three, a Wilcoxon analysis revealed a significant result, showing that more *inappropriate* questions were asked per minute of interview than *appropriate* questions ( $W(58)=59$ ,  $Z=-5.95$ ,  $p<.001$ ). However, given the apparent difficulties that specialist detectives believe *other officers* would have with 'no comment' interviews (see Chapter three, pp. 64-66 of the present thesis), it was decided to explore this area further to establish the type of questions asked in both 'comment' and 'no comment' interviews. Wilcoxon analysis revealed significant results in that more *inappropriate* than *appropriate* questions were asked in both 'comment' interviews ( $W(35)=36$ ,  $Z=-4.66$ ,  $p<.001$ ) and 'no comment' interviews ( $W(22)=23$ ,  $Z=-3.832$ ,  $p<.001$ ).

**Table 5.6.** Mean number of questions asked 'per minute' in each condition (N=59).

Category	Question Type	Mean 'per minute' of questions*		
		Filicide	Child Rape	Adult Murder
<i>Appropriate</i>	Open	.21 (.08)	.09 (.02)	.09 (.02)
	Probing	.76 (.13)	.89 (.14)	.86 (.11)
	Encouragers/ Acknowledgements	.36 (.80)	.35 (.11)	.39 (.14)
	<b>Totals</b>	<b>1.39 (.22)</b>	<b>1.34 (.22)</b>	<b>1.35 (.22)</b>
<i>Inappropriate</i>	Echo	.06 (.23)	.08 (.02)	.10 (.02)
	Closed	1.11 (.13)	1.71 (.19)	1.42 (.18)
	Forced Choice	.06 (.01)	.06 (.01)	.07 (.01)
	Leading	.02 (.01)	.00 (.00)	.02 (.01)
	Multiple	.12 (.03)	.06 (.02)	.10 (.02)
	Opinion/statement	.59 (.10)	1.27 (.24)	1.02 (.26)
	<b>Totals</b>	<b>2.05 (.17)</b>	<b>3.25 (.39)</b>	<b>2.74 (.39)</b>

\***Note.** Standard errors in parentheses.

As part of the exploratory analysis, the present author wanted to establish if interviewing officers used different question types as a function of the suspected offence. In other words, did officers in both 'comment' and no 'comment interviews' (N=59), use more *appropriate* or *inappropriate* questions dependent upon the type of offence. To test for any differences within just 'comment' interviews ( $n=36$ ), a Kruskal-Wallis test was used. This revealed no significant difference in the use of *appropriate* questions per minute as a function of offence type ( $H(2)=0.54$ ;  $p>.05$ ). A second Kruskal-Wallis revealed a significant difference in the number of *inappropriate* questions per minute as a function of offence type ( $H(2)=8.25$ ;  $p<.05$ ). As shown in Table 5.6, interviewers asked the most

*inappropriate* questions per minute in sexual offences interviews (Mean Rank=24.07), followed by adult murder interviews (Mean Rank=18.00), then filicide interviews (Mean Rank=11.91). In relation to the 'no comment' interviews, ( $n=23$ ) further independent samples Kruskal-Wallis tests were conducted, which revealed no significant differences in either *appropriate* ( $H(2)=0.42$ ;  $p>.05$ ) or *inappropriate* ( $H(2)=4.13$ ;  $p>.05$ ) questions per minute as a function of offence type.

In order to establish if one category of question elicited higher amounts of IRI (e.g., *appropriate* or *inappropriate*), all 'no comment' interviews ( $n=23$ ) were excluded from the analysis (because in these cases, no IRI would be present). Supporting hypothesis four, a Wilcoxon test revealed that in 'comment' interviews, significantly more items of IRI were elicited from *appropriate* questions than *inappropriate* questions ( $W(35)=36$ ,  $Z=-3.69$ ,  $p<.001$ ).

Finally, the present author wanted to establish if interviewers who spontaneously showed empathy also used different question types. Analyses using a Mann-Whitney test on the entire sample ( $N=59$ ) revealed that interviews which contained examples of *spontaneous* empathy also contained a higher number of *appropriate* questions per minute, than those interviews that did not ( $U=262$ ,  $N^1=34$ ,  $N^2=25$ ,  $p<.05$ ). This finding supports hypothesis five. There was no difference in the number of *inappropriate* questions per minute as a function of whether the interview was rated as containing examples of *spontaneous* empathy or not ( $U=390$ ,  $N^1=34$ ,  $N^2=25$ ,  $p>.05$ ).

In summary, in interviews where the suspect chose to answer questions, there was no difference in the number of *appropriate* questions asked per minute of interview as a function of offence type. However, interviewers asked significantly more *inappropriate* questions per minute in interviews with child rape suspects, compared to filicide interviews. In those interviews where the suspect utilised his/her right to go 'no comment', we found no difference in the number of *appropriate* or *inappropriate* questions per minute of interview as a function of offence type. In other words, officers did not appear to be varying their questioning strategy as a function of whether the suspect responded or did not respond to the questions asked. Interviews in which *spontaneous* empathy was shown by the interviewer did not contain any more items of IRI than those interviews in which *spontaneous* empathy was not shown.

## **Discussion**

Given the limited research that has previously been conducted on interviews relating to sex offenders and adult murder, and the apparent usefulness of empathy in investigative interviews (Holmberg & Christianson 2002; Kebbell *et al.* 2006), the overall aims of the present study was to establish if the use of empathy or question type had any impact on the amount of IRI elicited from real-life interviews from offenders suspected of committing filicide, sexual offences and adult murder. The conclusion is that across all three offence types, the use of *appropriate* question types appears to be more beneficial in eliciting a greater amount of IRI than the use of empathy (at least in our sample).

Although research in this area is limited, there are two distinct areas emerging, with some focusing on either the offenders' perspective of the interview process (e.g., Holmberg & Christianson, 2002; Kebbell *et al.*, 2006), the obtaining of confessions (Beauregard, Deslauriers-Varin, & St-Yves, 2010; Kebbell *et al.* 2008), or both. The present author would argue that the primary goal of an interview is not to obtain a confession *per se*, rather, it is to obtain accurate, relevant and complete accounts to provide the investigation team with relevant information to enable them to proceed with the enquiry in line with ethical interviewing (Milne & Bull, 1999; Williamson, 1993). Whilst the importance of the offenders' perspective of their respective police interviews must be acknowledged, the analysis of real-life interviews is paramount and provides vitally important data that can be used to assist police forces worldwide on how to improve their interviews.

### ***The prevalence of empathy***

Fewer than half the interviews ( $n=20$ ; 34%) contained empathic *opportunities* by the suspect and two-thirds of these were in interviews conducted by male interviewers. Only 25 interviews contained *spontaneous* empathy (empathy initiated by the interviewer), with no significant difference in the amount used as a function of offence type, although a trend is present showing that this type of empathy is least prevalent in child rape interviews. There was also a trend towards officers using *spontaneous* empathy more frequently in filicide interviews and least frequently in child rape interviews; this offers some support for the findings by Holmberg and Christianson (2002) and Kebbell *et al.* (2006). Twenty interviews (34%) contained empathic *opportunities*, but there was no effect of

offence type on the number of empathic *opportunities* presented, or the number of *continuers* and *terminators* used in response. Regarding interviewer gender, there were no differences on the amount of empathic *opportunities* presented, or on the number of *continuers* or *terminators* used. No significant differences were found in the amount of IRI elicited as a function of whether the interview was classified as empathic or not. As such, no evidence was found to support the arguments made by Holmberg and Christianson (2002) and Kebbell *et al.* (2006) that empathic interviews should be 'better' on some measure than non-empathic ones. Of course, this could be due to various factors, including: (i) the relatively low use of empathy in the present study; (ii) that the definition of empathy put forward in the present study does not capture what Holmberg and Christianson, and Kebbell *et al.* mean by empathy, and; (iii) that in the present study, whether a suspect confessed or not, was not included in the analysis, contrary to the studies by Holmberg and Christianson, and Kebbell *et al.*

Empathy is not just about counting the number of times spontaneous empathy is used, or counting the number of empathic *opportunities*, *continuers* and *terminators* within interviews, researchers need to consider other important aspects, including the arrest and custody procedure which takes place before the investigative interview is undertaken. However, to our knowledge, the present research is the first that has used transcripts of interviews of suspects of all three offence types to provide data from real-life analyses.

## ***Question typologies***

As hypothesized, we found that significantly more items of IRI were elicited from *appropriate* questions. We also found that where suspects chose to answer questions, there was a significant effect of offence type on the number of *inappropriate* questions asked, with interviewers asking more *inappropriate* questions in interviews with child rape suspects at the ratio of 1:3, followed by adult murder interviews at the ratio of 1:2. For filicide interviews, the ratio was 1:1.4. In those interviews where suspects refused to answer questions (i.e., utilised their right to go 'no comment'), there was no difference in the use of *appropriate* or *inappropriate* questions.

## **Limitations of study and future directions**

Although this study was based on real-life, authentic, police interviews of persons accused of committing 'high-stake' crimes, the data obtained was from only one large English police force and the sample size was relatively small (N=59). Although a small number of interviews in the sample had accompanying audio-recordings, most did not, and we were only able to analyse question type, empathy and IRI on a purely literal level (Dickson & Hargie, 2006), which is somewhat limited. This is because various other factors may be present in audio/DVD recordings of interviews, such as intonation and non-verbal communication that is not available from just interview transcripts.

It is recommended that future research should not just focus on the investigative interview with the counting of questions, incidents of empathy and the

amount of IRI elicited, but should include non-verbal communication (from the police and suspect) from the initial arrest, custody procedure, through to, and including, the final interview. Such research could also include question semantics (e.g., the content) and pragmatics (e.g., the intent) to provide more detailed and deeper analyses. This will ensure research encapsulates the entire process and not just one aspect. We accept, however, that this could be difficult given the nature and sensitivity of such cases and the problems associated with academic researchers obtaining relevant and meaningful data. As shown in Chapter 3 of the present thesis, there appears to be no clear understanding of the definition of empathy by police officers.

### **Recommendations for practice**

Given the lack of ecologically valid research on the impact of empathy in police interviews to obtain items of IRI, it is perhaps understandable why police officers receive very little training (if any) on the usefulness of it. According to the psycho-medical literature, there is no doubt that empathy can be an effective tool, however, practitioners can only develop the skill if properly instructed on the processes involved (Barone *et al.*, 2005). The present research has found that use of empathy is limited in police interviews and its effectiveness to obtain items of IRI questionable. For those officers who may have received training on empathy, it is unclear to what level this training was provided? Thus, before advising that empathy is a useful tool, further research should be conducted on the effectiveness of such training, with National training provided if deemed appropriate and necessary.

## Chapter conclusion

The present study showed that the use of empathy in interviews had no impact on the amount of IRI obtained in interviews with suspects of filicide, rape and adult murder; this is similar to the results found in Chapter four and fails to support the findings of Holmberg & Christianson (2002) and Kebbell et al. (2006) that using empathy in interviews with sex offenders produces some kind of better quality interview. The present research also supports previous research regarding the use of different question types, which suggests that asking *appropriate* questions in interviews leads to significantly higher amounts of IRI that may be relevant to the investigation (see Chapter four of the present thesis; Phillips *et al.* 2011). The next chapter (an empirical research study) investigates specialist police officers ability to assess 'quality' in excerpts of actual police interviews with suspects of sexual offences.

## Chapter six

### **Specialist police officers' ability to detect 'quality' in investigative interviews with suspects of sexual offences.**

#### **Chapter Summary**

There are competing definitions surrounding what is a 'good quality' or 'effective' interview (Baldwin, 1994). For example, a psychologist may regard one particular interview as overbearing or coercive, whereas police officers, lawyers, or indeed suspects might well view it very differently. As such, the assessment of interviewing standards can be highly problematic (Baldwin, 1994). A questionnaire was designed to investigate police officers' beliefs about the quality of investigative interviews. This questionnaire consisted of four excerpts from real life interviews. They were selected so that two of the four contained proportionately more *appropriate* questions and the other two contained proportionately more *inappropriate* questions. In addition, two of the excerpts contained examples of empathy from the police officer and two did not. Respondents (N=47) were asked to read the four excerpts and provide ratings of the overall quality of the four excerpts followed by the appropriateness of the questions used by the interviewers. Finally, they were asked to rate the extent of empathy (if any) in the excerpts. They were then asked to identify any specific examples of empathy in each interview, and to provide a definition of a 'good quality' interview.

Respondents' ratings of the appropriateness of questions used were highest for the first excerpt, which was classified as *empathic* and which contained proportionately more *appropriate* questions. The lowest ratings were given to the excerpt classified as non-empathic, and in which the interviewer used

proportionately more *inappropriate* questions. Respondents' ratings of the extent of empathy shown were highest for the excerpt classified as *empathic* and which contained proportionately more *inappropriate* questions. The lowest rating of empathy was given to the excerpt classified as *non-empathic*, and in which the interviewer used proportionately more *inappropriate* questions. Officers were unable to reliably distinguish excerpts containing empathy from those that did not. Finally, respondents' ratings of the 'quality' of the interview excerpts were highest for the excerpt classified as *empathic* with proportionately more *appropriate* questions, with the lowest ratings of 'quality' given to the excerpt classified as *non-empathic*, and in which the interviewer used proportionately more *inappropriate* questions.

## Introduction

Milne and Bull (2006) argued that there are two main aims in any investigation: (i) to find out what (or if) anything happened; and (ii) to ascertain who did what. In all investigations, police officers also need to establish where the offence took place and what was used (if anything) to assist in the commission of the offence/s. McGurk *et al.* (1993) argued that the ultimate objective of a police interview is to obtain accurate, relevant and complete accounts from the subject of the interview, but what are relevant and complete accounts?

Previous research has measured and analysed the length and content of answers to different question types (Dent & Stephenson, 1979; Goodman & Aman, 1990; Bruck *et al.* 1995; Ceci & Bruck, 1995; Lamb, *et al.* 1996a; Sternberg, *et al.*, 1996; Myklebust & Bjorklund, 2006), together with the effectiveness of the PEACE model of interviewing (e.g., Clarke & Milne, 2001) and subsequent skills of officers (e.g., Baldwin, 1992a; 1993; Pearse & Gudjonsson, 1999). However, the acceptance of standards to measure 'quality' is problematic (Baldwin, 1994). Quality investigations require 'quality' investigative interviews (Schollum, 2005) and major enquiries regularly rely upon evidence obtained in the interview room (Maguire, 2003). Although in their report, Clarke and Milne (2001) argued that the overall quality of investigative interviewing had improved since the early 1990s, they concluded that there was still room for improvement, specifically in planning and preparation and better use of appropriate questioning by interviewers. As outlined in chapter two of the present thesis, Griffiths *et al.* (2011) found that police officers' questioning styles had developed and improved (although officers in Griffiths *et al.*'s study had completed advanced suspect and/or witness interview

training). They found that those officers were able to recognise different question typologies and appeared to understand at what point in the interview they should be used. In general, there is an accepted agreement amongst academic researchers that asking *open* questions elicits more accurate and more detailed accounts, thereby making the overall interview better quality (e.g., Bull, 2010; Davies, *et al.*, 2000; Lamb, *et al.*, 1998; Lamb, *et al.*, 2009; Myklebust & Bjørklund, 2006; 2009; Poole & Lamb 1998). Some researchers believe that a good quality interview is one where the interviewing officer/s use a more humane and empathic style (e.g., Holmberg & Christianson, 2002; Kebbell *et al.* 2006). Given the vast array of different literature surrounding this area, what constitutes a 'good quality' or 'effective' interview is notoriously difficult to define (Baldwin, 1992; 1993; Stockdale, 1993; Cherryman, 2000; Cherryman & Bull, 2001; Clarke & Milne, 2001).

### **Quality in investigative interviews: Legal versus forensic definitions**

Most people will have a different view as to what constitutes a 'good quality' or 'effective' interview as such things are largely in the eye of the beholder (Baldwin, 1994). For example, there are different variables to account for, including (but not exhaustive): (i) in what context the interview is taking place (e.g., police suspect/victim interview, patient-doctor interaction etc.) – for example, in a patient-doctor interview, 'quality' might be assessed in how well the doctor can facilitate diagnosis (Hargie & Dickson, 2004); (ii) individual personalities – for example, specific types of questions may have to be asked in some situations, which some may then class as of poorer 'quality' than others (Shepherd, 2007), and; (iii) the age of those involved (e.g., adult or child; Lamb *et al.* 2002). Indeed,

even if researchers are fortunate enough to have access to audio or videotapes and/or transcriptions of investigative interviews, these alone cannot tell the complete story. Such videotapes would not, for example, provide information about the interactions that may have taken place prior to the interview, which may in turn have an impact on the interview itself (for example, discussions between a suspect and police officers whilst s/he is being transported to the police station or whilst in custody).

Anyone attempting to make an evaluation of investigative interviewing practices soon discovers that there are very few ground rules (e.g., conflicting definitions of question typologies) as interviewers will interview in their own way (hopefully in accordance with interview guidelines), depending upon the training they have received. As a consequence, it is difficult to assess the 'quality' of any given interview as benchmarks are applied inconsistently by different individuals (but see section below). This means that there can be no guarantee that different people would reach the same assessments of the quality of any particular interview (Baldwin, 1993). For example, lawyers may focus upon whether any fundamental breaches of the PACE Act 1984 have occurred (which may result in the interview being excluded in any subsequent judicial hearing<sup>12</sup>), or whether they believe the interview has been conducted inappropriately. A police officer on the other hand, may decide that an interview is of good quality if the interviewing officer has asked *appropriate* questions, used empathy, or obtained a confession (or partial confession; Milne & Bull, 1999). The latter has been found to be the case by many researchers, with many police officers in the past admitting that trying to get a confession was the main purpose of an interview with a suspect

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<sup>12</sup> In accordance with Sections 76 and 78.

(e.g., Moston, Stephenson & Williamson, 1990; Stockdale, 1993; Baldwin, 1993; Stephenson & Moston, 1994; Plimmer, 1997).

Although improvements in interview training have previously suggested that confessions are now no longer perceived as important (Roy, 2005) as they were in the pre-PACE era, this may not be the case. Confessions often lead forensic examiners to the location of evidential material, which can often help establish proof beyond reasonable doubt (the cornerstone of the British justice system) and a confession can be viewed as the key element for conviction (Roy, 2005)<sup>13</sup>. Anecdotal evidence also strongly suggests that whilst police officers have attempted to move away from a confession-based interview towards a 'search for the truth' investigative interview, obtaining a confession can, in some cases, make their job somewhat easier and also negates the requirement for an officer to attend court to give evidence as the suspect will invariably plead guilty (Clarke & Milne, 2001). Furthermore, a confession will reduce the need for the police to interview additional witnesses or to obtain further evidence with which to charge the suspect for an offence. According to the recent change in the principles of investigative interviewing (see Chapter one, p.31 of the present thesis), confessions still appear to be important to police investigators. The new principle number six states that, 'Investigators should recognise the positive impact of an early admission in the context of the criminal justice system'. This appears to encourage interviewers to interview with the ultimate aim of seeking a confession.

Assessing the 'quality' of interviews is not solely an issue for the police as evidenced by the numerous different contexts in which interviews are used. These

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<sup>13</sup> See Gudjonsson (2003), for an explanation of associated problems with confession based evidence.

include: (i) research purposes (e.g., academic research; Shepherd, 2007); (ii) as a therapeutic technique (e.g., exploring an individual's current attitude and emotions; Memon & Bull, 1999; Oxburgh *et al*, 2006); (iii) for medical purposes (e.g., interactions between doctors and patients; Vannatta, Smith, Crandall, Fischer, & Williams, 1996). Interestingly, Pawson and Tilley (1997) argue that a realistic and valid evaluation or analysis considers 'what works' in different situations and contexts. Therefore, there may be no single agreed upon definition of what 'interview quality' actually means in all these different contexts or situations; indeed, there is no real reason to argue that there should be a common definition. However, this has not stopped various researchers attempting to do so within their own area of expertise. This chapter now turns to interview quality in police interviews focussing on the issue of 'process versus product', which is one way of resolving some of these issues

### **Investigative interview quality: Process versus product**

Stockdale (1993) argued that assessing police (or forensic) interview quality should focus on two different aspects: (i) the interview as a *process*, and; (ii) the interview as a *product*. With regard to interview *process*, she believed that the primary measures of interview quality should be taken from an analysis of the interview process itself, with the primary indices of quality being available from: (a) internal quality control procedures (i.e., direct supervision and monitoring of interviews); and (b) external quality control checks (i.e., complaints from witnesses, suspects etc. and feedback from the Crown Prosecution Service - CPS). The assessment of the quality of the interview *product* will normally take the form of a written record of interview (e.g., the suspect's interview) and can be

derived from: (i) internal sources (e.g., monitoring of interviews), and; (ii) other components of the Criminal Justice System (CJS) (e.g., CPS and the Courts).

When assessing interview quality, regardless of whether it is with a suspect or victim/witness, Stockdale (1993) argued that assessors should be looking for evidence, or Performance Indicators (PIs), consisting of the following: planning & preparation of the interview; knowledge & compliance with PACE 1984/Codes of Practice; appropriate use of questioning skills; effective use of communication and listening skills; appropriate interview structure and style; recognition of, and effort to fulfil, evidential requirements; confidence and control; fairness and an open mind; no action taken/nothing said (or omitted) which is likely to render the interview unreliable/inadmissible; effort to further the investigation and maintain its integrity, and; a balanced, accurate and reliable written record of the interview/statement. From this list, Stockdale (1993) produced a Performance Indicator Evaluation Form (PIEF), which consisted of ten separate categories broadly corresponding to each stage of an investigative interview conducted in accordance with the principles of the PEACE interview course.

McGurk *et al.* (1993) concurred with Stockdale (1993) and argued that prior to any evaluation of interviewing skills being undertaken, it was necessary to develop a series of Performance Indicators (PIs). These PIs were based upon factors that were viewed as being directly related to the success of an interview, and which could be easily (and unambiguously) applied by other researchers in similar evaluation processes. The PIs for suspect and witness interviews include (i) *planning for the interview*; (ii) *introducing the interview*; (iii) *questioning techniques*; (iv) *good communication skills*; (v) *structuring the interview*; (vi)

*listening skills, and; (vii) covering the points to prove.* For suspect interviews, there were additional PIs: (i) *introducing the interview;* (ii) *obtaining the suspect's version of events;* (iii) *having an open mind, and;* (iv) *closing the interview.* It is unclear from the literature why it is that only suspect interviews should be considered important to have these additional PIs, when it they are equally important for witnesses as well.

More recently, Westcott, Kynan and Few (2006) carried out a case study of a joint police-social services project and defined 'quality' as being any improvement in interview practice (e.g., rapport, free narrative, use of open questions, amount of detail elicited from the interviewee and, closure details) and each transcript was coded using a modified version of the typology of questions used by Lamb *et al.* (2002). The majority of those discussed above focused upon generic offender interviews such as crime defined as 'high volume' (e.g., theft, burglary, etc. - see Baldwin, 1993; McGurk *et al.*, 1993; Stockdale, 1993; Clarke & Milne, 2001). However, very few studies (but see Bull & Cherryman, 1995; Cherryman, 1999; Holmberg & Christianson, 2002; Westcott *et al.* 2006; Kebbell *et al.* 2006), have been carried out using investigative interviews of specific offender groups (e.g., suspected sex offenders).

Therefore, according to the aforementioned literature, a 'good quality' interview appears to be one in which not only includes all the above PIs, but also one in which: (i) the use of a humane (or empathic) interviewing style is used, and; (ii) *appropriate* (or *productive*) questions are asked. The present study relates to actual police interviews with suspected sex offenders to establish how respondents would rate: (i) the appropriateness of the questions used; (ii) the

extent of empathy shown, and; (iii) the overall quality of each interview excerpt, and what they would define as a 'good quality' interview. A further aim of the study was to examine whether respondents, irrespective of their ratings of empathy, were able to identify instances of empathy in the excerpts.

## **Method**

### **Design**

The research was based on information obtained via specially designed questionnaires. Each questionnaire consisted of four excerpts from actual interview transcripts of suspected sex offenders presented in counterbalanced order (see Materials section for further details). The excerpts were chosen so that two contained examples of empathy, one with proportionately more *appropriate* questions, the other with proportionately more *inappropriate* questions. The other two excerpts contained no examples of empathy, but one contained proportionately more *appropriate* questions, the other with proportionately more *inappropriate* questions (see Materials section below).

### **Respondents**

Following approval from the National Policing Improvement Agency (NPIA; see Appendix E) and the University of Portsmouth, Department of Psychology Research Ethics Committee (see Appendix N), over 200 specialist detectives from various Home Department Police Forces across England and Wales (including: Greater Manchester Police, Hampshire Police, Northumbria Police, and The

Metropolitan Police), were contacted and 47 detectives agreed to participate in the study. Given the demanding day-to-day jobs of such respondents, a 24% response rate was deemed acceptable, given the response rates from other similar studies (e.g., Cherryman & Bull, 2001). In total, 31 male detectives and 16 female detectives responded, with an overall mean age of 42.57 years (range=26-56; SE=1.07). The mean length of service for participating officers was 17.74 years (range=4-35, SE=1.10). All participating detectives had to be at least Tier 2 PEACE trained<sup>14</sup> (see Chapter one of the present thesis) and regularly employed on investigations that involved interviewing suspects of sexual offences (adult and child). From the total number of participants (N=47),  $n=22$  (47%) were trained at Tier 2;  $n=17$  (36%) were trained at Tier 3, and;  $n=8$  (17%) were trained at Tier 5. The reason that there were no Tier 4 respondents in the current sample is likely to be because such officers do not actively participate in investigative interviews as they are supervisors and assessors.

## **Materials**

A questionnaire, containing six sections, was designed (see Appendix O for a copy) to obtain biographical data and for respondents' to review four excerpts from actual police interviews to establish the extent of 'appropriate questions', 'empathy', and overall 'quality' in the interview excerpts. The interview excerpts came from interviews of suspected sex offenders, from cases that had progressed through the English criminal justice system and were categorised as 'closed'. The interview excerpts used also came from interviews that had been previously used and coded (see Chapter five of the present study). In the first three sections,

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<sup>14</sup> The reason that Tiers of training, rather than the more recent PIP levels were used to categorise respondents, was because that some of the interviews used in the analysis overlapped with the roll-out of the PIP.

respondents were asked to provide demographic details regarding their age, gender, length of service, type and length of training received, and the number of interviews they had conducted with suspects in the past 18 months.

In the fourth section, respondents were asked to read each of the four interview excerpts. Using five-point Likert scales, police officers were asked to give three ratings: (i) for overall quality; (ii) the appropriateness of the questions asked, and; (iii) the extent of empathy shown by the interviewer. The specific questions were: (a) 'How would you rate the overall 'quality' of this interview' (where a score of one meant 'very poor quality' and a score of five meant 'very good quality'); (b) 'In your opinion, are the questions used by the interviewer mostly... (please circle the number which best reflects your answer)' (where a score of one meant the questions were 'inappropriate' and a score of five meant the questions asked were 'appropriate'), and; (c) 'In your opinion, to what extent did the interviewer show empathy in the interview' (where a score of 1 meant 'not at all' and a score of five meant a great deal'). The questions were the same for each excerpt. Respondents were asked to place a circle around the most appropriate number on the Likert scale, which best described their answers after each particular question. They were also requested to provide written (qualitative) responses where required. The order of the presentation of the interview excerpts was systematically varied to control for order effects.

To establish which interviews participating officers believed were of good 'quality', each of the four interview excerpts used was chosen based on two factors: (i) the amount of empathic *continuers* and *spontaneous* empathy found, and; (ii) the ratio of *appropriate* to *inappropriate* questions used by the interviewing

officer. As such, two excerpts (one and two) were classified as empathic (i.e., containing at least one empathic *opportunity* that was *continued* or one that contained *spontaneous* empathy; see Chapters four and five of the present thesis for coding scheme and definitions), with a proportionately higher amount of *appropriate* to *inappropriate* questions, and one with a proportionately higher amount of *inappropriate* to *appropriate* questions. In excerpt one, the examples of empathy included one empathic *opportunity* (EO) and one empathic *continuer* (EC):

Suspect (EO) "I know what I've done is wrong. I know it was illegal. It was. I don't know why I did it at the time? I just don't know really?"

Police Officer (EC) "Alright Alec, thank you. Just in your own time, tell me what you've done?"

For excerpt two, the empathy included three examples of *spontaneous* empathy (SE):

Police Officer (SE) "I do have to ask the questions, I know it's not a very nice subject to talk about".

Police Officer (SE) "It's been a couple of times? Okay. If we talk about (1<sup>st</sup> *victim's name*) first. Do you want a tissue?"

Police Officer (SE) “....(*suspect's name*), there are some tissues there. I'll let you compose yourself for a second. I know it's a very hard subject to talk about. It really is. It takes a lot of courage to talk about it. With (*1<sup>st</sup> victim's name*), how many times have you....?”

The other two excerpts (three and four) contained a proportionately similar amount of *appropriate* and *inappropriate* questions, but were classified as non-empathic. Table 6.1 shows the categorisation of each excerpt, the type of empathy identified through coding, and the separation between *appropriate* and *inappropriate* questions.

In the fifth section of the questionnaire, respondents were asked to identify any specific examples of empathy in each interview excerpt (scored dichotomously: Yes/No). If they answered 'Yes', they were asked to provide the page and line number of where they believed empathy was shown. In the sixth and final section of the questionnaire, respondents were asked to provide a definition of what they believed constituted a 'good quality' interview.

**Table 6.1.** Categorisation of each interview excerpt with total questions asked.

<b>Interview excerpt</b>	<b>Empathy Type</b>	<b>Appropriate questions</b>	<b>Inappropriate questions</b>	<b>Total questions</b>
1. Empathic with <i>appropriate</i> questions	1 x <i>opportunity</i> 1 x <i>continuer</i>	20 (54%)	17 (46%)	<b>37</b>
2. Empathic with <i>inappropriate</i> questions	3 x <i>spontaneous</i>	6 (17%)	29 (73%)	<b>35</b>
3. Non-empathic with <i>appropriate</i> questions	None	15 (55%)	12 (45%)	<b>27</b>
4. Non-empathic with <i>inappropriate</i> questions	None	6 (18%)	26 (72%)	<b>32</b>

It was extremely difficult to find interviews with proportionately higher amounts of *appropriate* to *inappropriate* questions given that, overall, there were significantly more *inappropriate* questions asked than *appropriate* questions (see Chapter five, pp.121-124 of the present thesis). The questionnaire was piloted using four serving police detectives, but no adverse comments were received, thus, no changes were made to its design.

## **Procedure**

Following authority being granted from the NPIA (see Appendix E), potential respondents were contacted direct by the present author and asked to participate. Informed consent was obtained (see Appendix P), anonymity ensured, and participants were sent the questionnaire and excerpts electronically and securely. Participants were instructed to complete the questionnaire and read the excerpts in private, with no help or assistance from friends or colleagues. The questions were the same regardless of which interview excerpt they were referring to. On

submission of the completed questionnaire, participants were sent a letter debriefing them on the study (see Appendix Q).

## **Results**

The aim of this study was to examine the effects of the balance of *appropriate* and *inappropriate* questions, the extent of empathy shown and the overall 'quality' of the interview excerpts. A further aim was to examine whether officers were able to pick out empathic exchanges from the interview excerpts.

### **Appropriateness of questions**

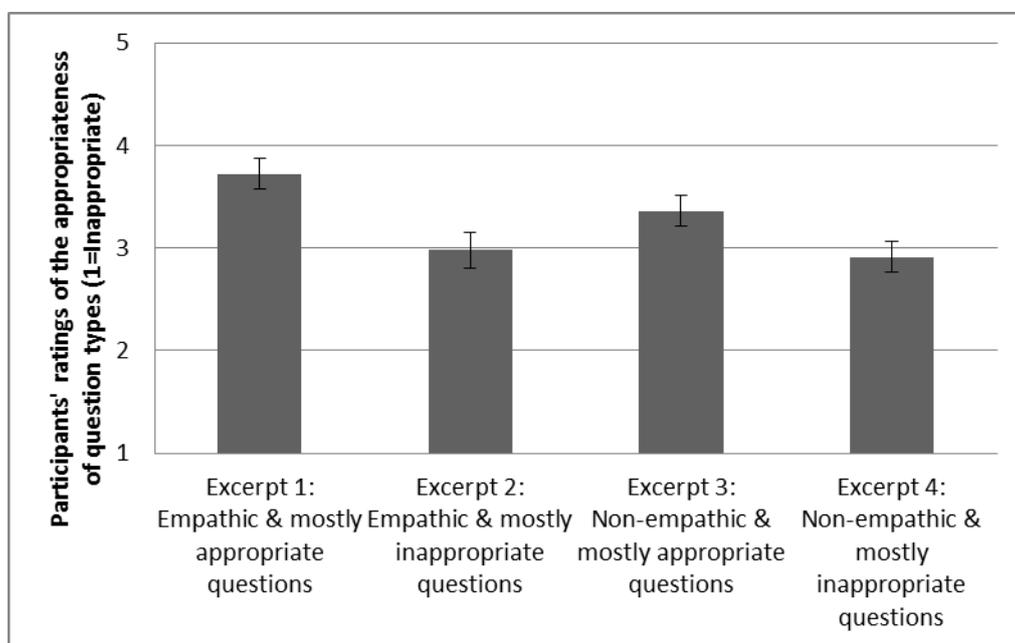
For this section, respondents were asked to complete both quantitative and qualitative responses. As such, this section has been split to provide the results for each aspect of the analysis.

#### ***Quantitative analysis***

As shown in Figure 6.1, respondents' ratings of the appropriateness of questions used in the interview excerpt were highest for excerpt one, which was classified as empathic with proportionately more *appropriate* questions. The next highest was the excerpt three, which was classified as non-empathic, but in which the interviewer used proportionately more *appropriate* questions, followed by excerpt two which was also classified as empathic, but contained proportionately more *inappropriate* questions. The lowest rating was for excerpt four, which was

classified as non-empathic, and in which the interviewer used proportionately more *inappropriate* questions.

A repeated measures ANOVA revealed that participants' scores of the appropriateness of questions used differed significantly across all four excerpts ( $F_{3,138} = 6.61, p < .005, \text{partial } \eta^2 = .15$ ). LSD post-hoc contrasts revealed that ratings of excerpt one were significantly higher than all the other excerpts ( $p < .05$ ). Excerpt two was rated as containing significantly fewer *appropriate* questions than excerpt one ( $p < .005$ ). Excerpt three was rated as containing significantly more *appropriate* questions than excerpts two and four ( $p < .05$ ). Excerpt four was rated as containing significantly less *appropriate* questions than excerpts one ( $p < .005$ ) and three ( $p < .05$ ), but was not rated as containing significantly less *appropriate* questions than excerpt two ( $p > .05$ ).



**Figure 6.1.** Mean ratings of 'appropriateness' for each of the four interview excerpts (bars show standard error).

## ***Qualitative analysis***

### Excerpts one and three

For excerpts one and three, which contained proportionately more *appropriate* questions, the respondents' provided widely different qualitative answers regarding the questions used. Table 6.2 provides a summary of the responses provided in both excerpts. For excerpt one, many respondents ( $n=22$ ) were positive about the appropriateness of questions asked during the interviews (although  $n=11$  provided somewhat conflicting/confusing responses; see table 6.1). Other respondents ( $n=9$ ) were more negative of the questioning style used and the remaining respondents ( $n=16$ ) were more 'neutral' in their response. For excerpt three, many respondents ( $n=16$ ) were positive about the appropriateness of questions asked during the interviews (although  $n=2$  provided conflicting/confusing responses; see table 6.2). Other respondents ( $n=23$ ) were more negative of the questioning style used, with the remaining respondents for excerpt three ( $n=8$ ) being more 'neutral' in their response.

**Table 6.2.** Exemplar of qualitative responses provided for appropriateness of questions in excerpts one and three.

Type of response	Exemplar response (with excerpt and participant number)
<b>Positive</b>	<p>“Excellent interview. Allowed the interviewee to speak freely. The interviewer also summarised the interviewee’s answers before moving onto other topics” (excerpt 1, participant 34).</p> <p>“Lots of open questions and encouragements from the interviewer. These appear to be focussed and relevant. Again, these (questions) appear non-judgemental” (excerpt 3, participant 13).</p>
<b>Neutral</b>	<p>“Some questions were appropriate, others were not...” (excerpt 1, participant 14).</p> <p>“There was nothing particularly inappropriate” (excerpt 3, participant 41).</p>
<b>Negative</b>	<p>“Some leading questions, some closed questions, questions seem to be more like summaries of previous answers rather than probing for fine grain detail. Putting words in suspect’s mouth re. videos – no detail of what suspect means” (excerpt 1, participant 1).</p> <p>“Several closed questions, some assumptions, some leading. Responses given not then probed further” (excerpt 3, participant 1).</p>
<b>Conflicting</b>	<p>“Use of TED questions, some incorrectly (e.g., ‘Tell me where’.....just use ‘Where’) and use of clarifying/summarising....” (excerpt 1, participant 45).</p> <p>“Officer uses ‘Tell’ and then ‘trailer’ type interviewing or ‘mirror’ words – ‘so just tell me’, ‘Images....’, then leading statements. Some open questions, and even some true open questions (excerpt 1, participant 7).</p> <p>“...the questions are made up of open questions such as tell me....and closed questions where clarification is needed. There are also a number of closed questions relating to the interviewer wanting answers to simple questions such as, ‘what time does she go to bed?’” (excerpt 3, participant 43).</p>

### Excerpts two and four

For excerpts two and four, which contained proportionately more *inappropriate* questions, the respondents’ provided widely different qualitative answers regarding the questions used. Table 6.3 provides a summary of the responses provided in both excerpts. For excerpt two, some respondents ( $n=12$ ) were positive about the appropriateness of questions asked during the interviews

(although  $n=3$  provided somewhat conflicting/confusing responses; see table 6.2 for examples). Other respondents ( $n=22$ ) were more negative of the questioning style used, with the remaining respondents ( $n=13$ ) being more 'neutral' in their response. For excerpt four, some respondents ( $n=11$ ) were positive about the appropriateness of questions asked during the interviews (although  $n=2$  provided conflicting/confusing responses; see table 6.3 for examples). Most respondents ( $n=26$ ) were more negative of the questioning style used, with the remaining respondents for excerpt three ( $n=10$ ) being more 'neutral' in their response.

**Table 6.3.** Exemplar of qualitative responses provided for appropriateness of questions in excerpts two and four.

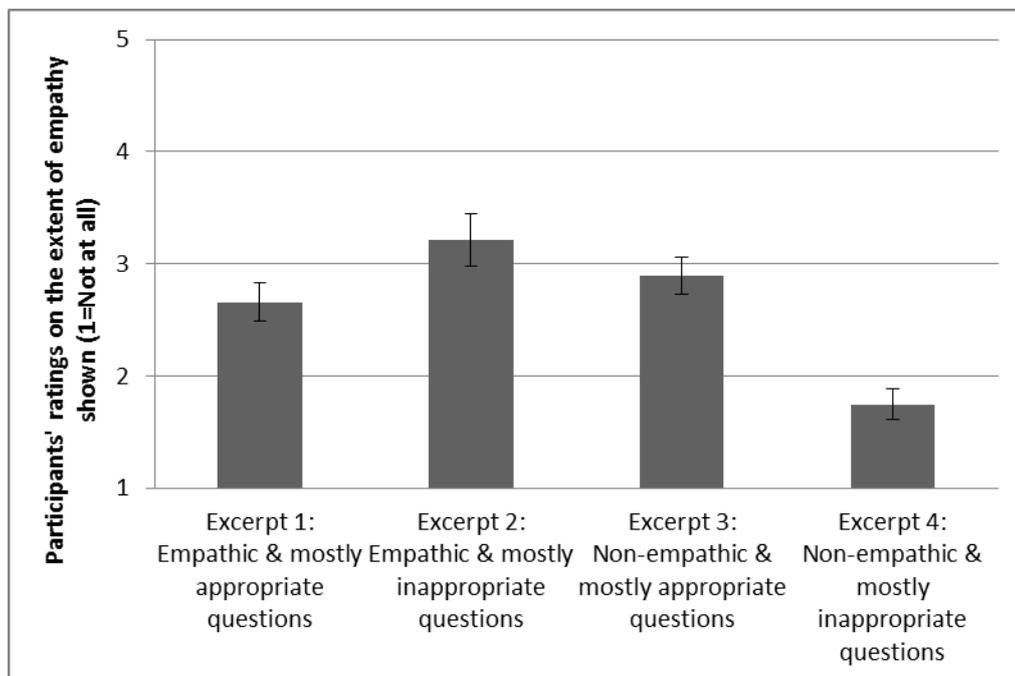
Type of response	Exemplar response (with excerpt and participant number)
<b>Positive</b>	“Used productive, open questions in a structured manner” (excerpt 2, participant 9)
	“Straight-forward questions in a non-judgemental manner” (excerpt 4, participant 13)
<b>Neutral</b>	“They get to the point of the allegation” (excerpt 2, participant 23).
	“They were all relevant to the investigation” (excerpt 4, participant 44)
<b>Negative</b>	“There are no open questions, only closed and leading questions. The officer tells the suspect that other people didn’t like him which ridiculed and undermined him. His opening gambit is to tell him that he’s there because of a serious offence then he expands to say what the boys are alleging and asks, “Why would they say that?”. To ask questions of a suspect in such a challenging way right at the start of the interview is wholly inappropriate. The officer elicited one-line answers to his questions because of the nature of questioning he used. In my opinion, the interviewer was very unskilled and took advantage of the fact that the suspect did not have a legal representative present” (excerpt 2, participant 28).
	“More of a challenging interview than an open-minded investigative interview. Does not follow PEACE interview model” (excerpt 4, participant 33)
<b>Conflicting</b>	“Questions are appropriate to the subject, but not appropriate to illicit the information required” (excerpt 2, participant 25).
	“Some open questions, but the interviewer doesn’t actually ask many ‘proper’ questions – just wants suspect to confirm/deny statement content” (excerpt 4, participant 1)

### Use of empathy

As shown in Figure 6.2, respondents’ ratings of the extent of empathy shown by the interviewer in each excerpt were highest for excerpt two, which was classified as empathic with proportionately more *inappropriate* questions. The next highest was excerpt three, which was classified as non-empathic, but in

which the interviewer used proportionately more *appropriate* questions, followed by excerpt one which was also classified as empathic, but contained proportionately more *appropriate* questions. The lowest rating was for excerpt four, which was classified as non-empathic, and in which the interviewer used proportionately more *inappropriate* questions.

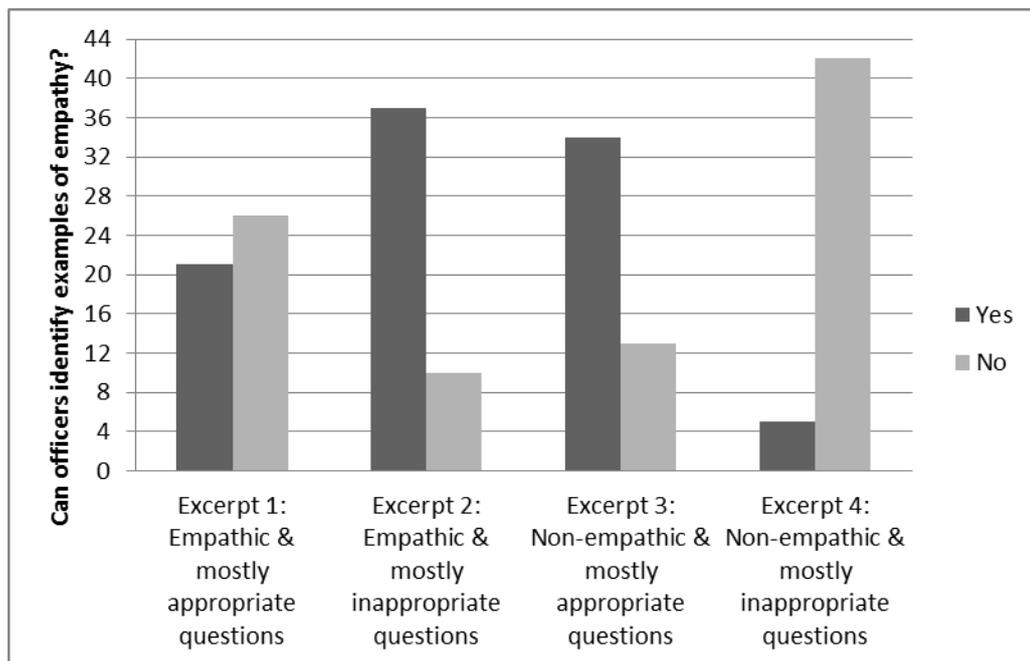
A repeated measures ANOVA revealed that participants' scores on the extent of empathy shown differed significantly across all four excerpts ( $F_{3,138} = 14.22, p < .005, \text{partial } \eta^2 = .23$ ). LSD post-hoc contrasts revealed that ratings of excerpt one were significantly higher than excerpt four ( $p < .05$ ). Excerpt two was rated as containing significantly more empathy than excerpt four ( $p < .005$ ), with excerpt three rated as containing significantly more *empathy* than excerpt four ( $p < .005$ ). Finally, excerpt four was rated as containing significantly less *empathy* than excerpts one, two and three (all  $p < .005$ ).



**Figure 6.2.** Mean ratings of the extent of empathy shown by the interviewer in each of the four interview excerpts (bars show standard error).

## The identification of empathy

Respondents were asked if they could identify any examples of empathy in each interview excerpt. This was scored dichotomously (Yes/No), but respondents were also asked to provide specific examples from the excerpts. Exact bi-nomial sign tests were conducted for each excerpt. As shown in figure 6.3, for excerpt one, there was no significant difference in respondents' beliefs on whether examples of empathy were present or not ( $p>.05$ ). For excerpts two and three, significantly more respondents reported that empathy was present ( $p<.005$  for both), and in excerpt four, significantly more respondents believed empathy was not present.



**Figure 6.3.** Officers' beliefs on whether empathy was shown (Yes/No) by the interviewing officer in each of the four interview excerpts.

Respondents were also asked whether they could identify specific examples of empathy in the excerpts; each excerpt is detailed below:

### Excerpt one

This was categorised as *empathic* containing proportionately more *appropriate* questions (54% *appropriate* and 46% *inappropriate*) and contained an empathic *opportunity* (EO) and an empathic *continuer* (EC). Twenty six respondents (55%) were unable to identify any examples of empathy in this excerpt. Nine (19%) believed other examples of empathy were present, and seven (15%) picked out the EC, but not the EO. Three (6%) stated that they could not pick out specific examples of empathy, but stated that the interview appeared empathic throughout. Only two respondents (5%) did not write any qualitative comments for this excerpt.

### Excerpt two

This was categorised as *empathic* containing proportionately more *inappropriate* questions (17% *appropriate* and 73% *inappropriate*) and contained three examples of *spontaneous* empathy (SE). Eleven respondents (23%) were unable to identify any examples of empathy in this excerpt. Ten (21%) believed other examples of empathy were present, but three of this ten also correctly picked out the last example of SE. Of the 27 respondents (56%) who correctly identified empathy within this excerpt, four correctly identified all three examples of *spontaneous* empathy, eight identified the first and last examples, six identified the first example only, one identified the second example only, and eight identified the third example only.

### Excerpt three

This was categorised as *non-empathic* containing proportionately more *appropriate* questions (55% *appropriate* and 45% *inappropriate*). Twelve respondents reported that they believed that there were no examples of empathy. Interestingly, however, the remaining 35 respondents believed that examples of empathy were present. Interestingly, they are all examples of question type (both *appropriate* and *inappropriate*), and do not include EOs or ECs. Contained within Table 6.4 are indicative examples that respondents believed were empathic.

**Table 6.4.** Indicative exemplars of what respondents believed were examples of empathy in excerpt three.

<b>Empathy exemplar</b>	<b>Participant number</b>
"What happened after that?"	Participant 18
"Do you want to tell me a bit more about the family set-up and what's been going on at home?"	Participants 26, 29 & 32
"How big is your flat?"	Participants 33 & 34
"And you're originally from Algeria....who else lives in that household, there's you...I just want to get a picture...you, (name of suspect's wife) and (name of suspect's daughter..."	Participant 3
"Moving away from the depression side, I think we can picture what's happening with you and you're wife. Tell me where everybody sleeps in your flat"	Participants 8, 13 & 43
"Okay, so there's quite a lot of people, how big is You're flat?"	Participant 13 & 41
"(name), so that's Dad is it?"	Participant 18
"Have you got any idea why this would be made up against you?"	Participant 29

The remaining respondents were very generic in explaining what they thought were examples of empathy, by just highlighting pages of the excerpts they thought were empathic, all of which contained the examples outlined in Table 6.4.

#### Excerpt four

This was categorised as *non-empathic* containing proportionately more *inappropriate* questions (18% *appropriate* and 26% *inappropriate*). Thirty-nine respondents (83%) concurred and believed that there were no examples of empathy, however, the remaining eight respondents (17%) believed other examples of empathy were present. The examples of empathy respondents suggested were widely different throughout. Contained within Table 6.5 are indicative examples that respondents believed were empathic.

**Table 6.5.** Indicative exemplars of what respondents believed were examples of empathy in excerpt four.

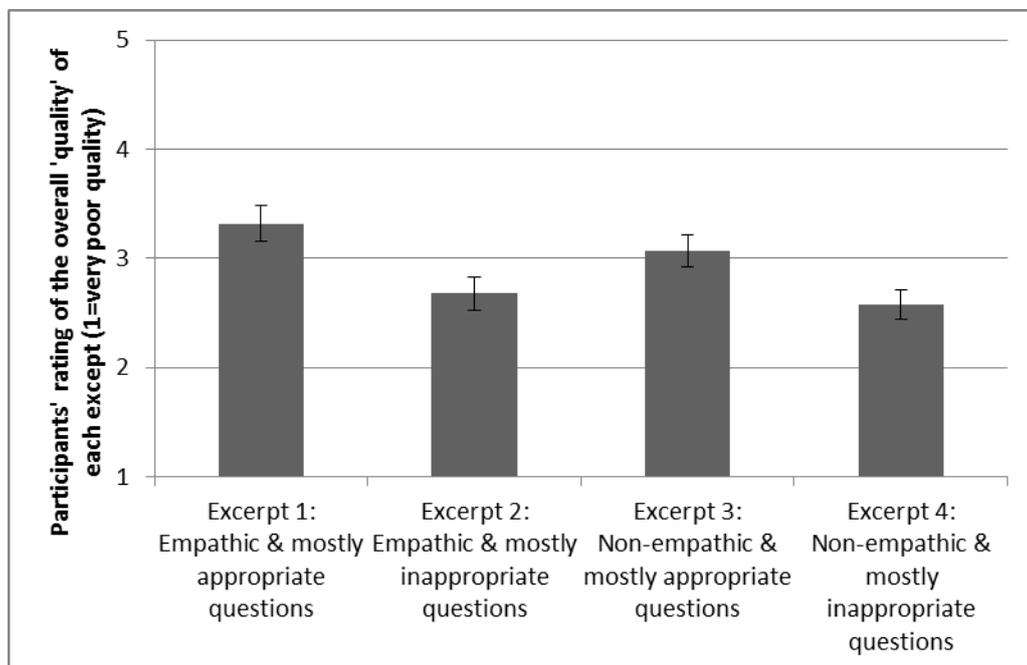
Empathy exemplar	Participant number
<p>“We’re talking about the telephone, we’re talking about a [details removed] and there’s no small coincidence that you’ve got a white or a pale coloured [details removed], you know? You are somebody who enjoys the use of [details removed]. You possibly bought (name of wife) some of these [details removed]. There’s lots of things starting to build up which corroborate (name of daughter)’s story, to be quite honest with you, yeah?”</p>	Participants 3, 32 & 43
<p>“You are somebody who is....enjoys pornography. You’re somebody who actively takes pictures of yourself of women pulling their [details removed] open. You’re somebody who has a collection of pornography in your front room. These are all things that corroborate the allegations”.</p>	Participants 3, 32 & 43
<p>“Then why on earth is (name of step-daughter) Making this allegation? Why do you think (name of step-daughter) has made this allegation?”</p>	Participant 29
<p>“Well this is the problem we’ve got, isn’t it (name of suspect)? There’s a lot of people here who are confirming certain things that (name of step-daughter) is saying., and her friend is very graphic in her account, okay?”</p>	Participant 29

### Overall ‘quality’ of interviews

As shown in Figure 6.4, respondents’ ratings of the ‘quality’ of the interview excerpts were highest for excerpt one, which was classified as empathic with proportionately more *appropriate* questions. The next highest was the excerpt three, which was classified as non-empathic, but in which the interviewer used proportionately more *appropriate* questions, followed by excerpt two which was also classified as empathic, but contained proportionately more *inappropriate* questions. Excerpt four, which was classified as non-empathic, and in which the

interviewer used proportionately more *inappropriate* questions, received the lowest ratings of 'quality'.

A repeated measures ANOVA revealed that participants' scores of interview quality differed significantly across all four excerpts ( $F_{3,138} = 6.78, p < .005$ , partial  $\eta^2 = .12$ ). LSD post-hoc contrasts revealed that 'quality' ratings of excerpt one were significantly higher than for excerpts two and four ( $p < .005$ ). Excerpt two was rated as being of significantly lower quality than excerpt one ( $p < .005$ ). Excerpt 3 was rated as being higher quality than excerpt four ( $p < .01$ ), but otherwise did not differ from excerpts one and two ( $p > .05$ ). Excerpt four was rated as being of significantly lower quality than excerpts one ( $p < .005$ ) and three ( $p < .01$ ), but was not rated as being of significantly lower quality than excerpt two ( $p > .05$ ).



**Figure 6.4.** Mean ratings of overall 'quality' for each of the four interview excerpts (bars show standard error).

## ***Definitions of 'quality'***

Respondents were asked to explain, qualitatively, how they would define a 'good quality' investigative interview. Four participants did not complete this section. All answers to this question, some of which contained just a few words, others a full page, were analysed using conceptual analysis (Budd, Thorp, & Donohew, 1967). In this method of analysis, a concept is chosen for examination (in this case, definitions of 'quality' interviews), and the analysis involves quantifying and tallying the occurrence of terms or words used within a text or texts (Joffe & Yardley, 2003). Although analysis revealed 30 occurrences of phrases/words, there were seven main recurring phrases/words that respondents used to define a 'good quality' interview: (i) the use of open questions; (ii) the use of empathy; (iii) interviewers should be non-judgmental; (iv) interviews should be planned; (v) interviews should be structured; (vi) the use of rappport, and; (vii) interviewers should be 'probing'. Table 6.6 shows all the words/phrases used by respondents which they believed characterises a 'good quality' interview, together with the number of respondents who mentioned each word/phrase. It should be noted that many respondents mentioned more than one word/phrase. One respondent provided a very detailed (one full, typed, page) response, which culminated in the following:

In conclusion, the use of an interview model (e.g., PEACE) on its own does not provide assurance that every interview will be of good quality. The use of properly considered pre-planning, a non-judgemental approach by the interviewer, the use of empathy when suitable, and the extensive use of

open questions, even in a 'no-comment' interview, will all contribute to an interview becoming one of 'good quality' (participant 36).

**Table 6.6.** Phrases used to define a 'good quality' interview, with number of respondents who mentioned the phrase

Theme	Number of respondents	Theme	Number of respondents
Officers should use <u>open questions</u>	17	Officers should have <u>knowledge of the offence</u>	3
Officers should use <u>empathy</u> and <u>respect/support</u> the suspect	15	Officers should <u>maintain control</u> of the interview	3
Officers should be <u>non-judgemental</u>	11	The <u>use of silence</u>	2
Interviews should be <u>planned</u>	10	Officers should be <u>assertive</u>	2
Interviews should be <u>structured</u>	10	Always <u>challenge the 'account'</u>	2
The use of <u>rapport</u>	10	Be <u>open minded</u>	2
Officers should be ' <u>probing</u> '	9	<u>Identify topics</u>	2
<u>Allow time</u> for suspect to give his/her account	5	No <u>over-speaking</u>	1
Ensure officer covers ' <u>points to prove</u> '	5	Maintenance of <u>eye contact</u>	1
Officer should have <u>knowledge of the available evidence</u>	4	Officers should be <u>inquisitorial</u>	1
Officers should use <u>clear questions</u>	4	Use ' <u>mirroring</u> ' questions	1
Officers should ensure that the <u>principles of PEACE are maintained</u>	4	Be <u>non-aggressive</u>	1
Officers should have <u>good listening skills</u>	4	No ' <u>fitting-up</u> ' the suspect	1
Officers should allow for the suspect to give a <u>free recall</u>	4	Officers should be ' <u>engaging</u> '	1
		The use of <u>tactical disclosure</u>	1
		One carried out by <u>Tier 3</u> or <u>Tier 5</u> qualified interviewer	1

## Discussion

This exploratory research study aimed to investigate specialist police officers' ability to detect various aspects of investigative interviewing using four excerpts of actual police interviews with suspected sex offenders.

### Appropriateness of questions

Although respondents were unaware of the categorisation of the excerpts, their ratings for the appropriateness of questions in excerpts one and three, which were categorised as containing proportionately more *appropriate* questions) were significantly higher than their ratings of excerpts two and four (which were categorised as containing proportionately more inappropriate questions). This supports the findings of Griffiths *et al.* (2011) who argued that officers were able to identify different types of questions. Officers in their study had received similar training (i.e., Tier 2 and above) to respondents in the present study. Overall, respondents provided generally positive qualitative comments in relation to excerpts one ( $n=22$ ) and three ( $n=16$ ), however, for excerpt one, many ( $n=11$ ) provided comments which appeared to be conflicting and/or confusing, with some appearing not to understand the differences between some types of appropriate questions (i.e., TED and 5WH questions). Although concerning, this is not at all surprising considering the conflicting definitions of these question types in the literature (see Chapter 1 of the present thesis). Overall, respondents provided more negative responses regarding the questioning style for excerpt two ( $n=22$ ) and excerpt four ( $n=26$ ). Very few respondents provided confusing/conflicting comments for excerpts two ( $n=3$ ) and four ( $n=2$ ).

## Use of empathy

Interview excerpts one and two were categorised as being empathic, with excerpts three and four categorised as non-empathic. Although non-significant, respondents rated excerpt two as being more empathic than excerpt one, and more empathic than all other excerpts. This was an interesting finding, because excerpt two contained three examples of *spontaneous* empathy only (see Chapter 5 of the present thesis) and over half of the respondents ( $n=27$ ; 56%) correctly identified either one example ( $n=15$ ), two ( $n=8$ ), or all examples of empathy ( $n=4$ ). Two examples of the *spontaneous* empathy related to the police officer offering tissues in relation to the suspect trying to compose himself. The other example related to the police officer explaining that the topic was not easy to talk about. Perhaps officers viewed this as being more 'typical' examples of empathy and were easier to pick out?

Excerpt one, contained only one EO and one EC, with over half the respondents ( $n=26$ ; 55%) unable to identify any examples of empathy. However, many ( $n=7$ ; 15%) were able to detect the EC. The concept of identifying EOs and ECs is new to this field of work (i.e., policing and investigations) so this finding is, therefore, not surprising. There is very little training given to police officers on the use of empathy and the overwhelming majority have never been trained in how to identify this type of empathy (see Chapter two of the present thesis). Interview excerpts three and four were categorised as *non-empathic*, yet over three quarters of respondents ( $n=35$ ; 74%) believed empathy was present. What was of great interest was the fact that almost all respondents ( $n=32$ ) who thought excerpt three was empathic ( $n=32$ ), highlighted *appropriate* and *inappropriate* questions as

examples of empathy. Excerpt four received significantly fewer ratings for empathy than all other excerpts, with only a few respondents believing empathy was present ( $n=8$ ; 17%). This excerpt was also categorised as containing proportionately more *inappropriate* questions. However, it should be noted that respondents, overall, were able to pick out examples of *spontaneous* empathy followed by empathic *continuers*. Thus, perhaps one particular kind of empathy is easier to pick out than others.

From the quantitative and qualitative findings of respondents' ratings and subsequent answers given on the presence of empathy, it would appear that with the exception of excerpt two, which contained three examples of SE, many respondents judged an empathic interview to be one that contained proportionately more *appropriate* questions. This was also reflected in the way in which respondents rated the overall quality of the interview excerpts. It is to this area that the discussion now turns to.

### **Overall 'quality' of interview excerpts**

Respondents were requested to rate the overall 'quality' of the four interview excerpts, following which, they were asked to provide a definition of what they perceived to be a 'good quality' investigative interview. Respondents rated excerpts one and three were rated as being of higher quality than excerpts two and four. Interestingly, excerpts one and three were both categorised as containing proportionately more *appropriate* questions (excerpt one = 54% *appropriate*, 46% *inappropriate*; excerpt three = 55% *appropriate*, 45% *inappropriate*), with excerpt one being categorised as being empathic, and excerpt

three was categorised as being non-empathic. In their qualitative responses, all respondents stated something about questioning types. Therefore, it would appear that in this sample of detectives, the impression of 'quality' seems to have been driven more by the extent of *appropriate* questions, rather than the use of empathy or other factors. This finding appears to be supported by the definitions provided by respondents, in which Conceptual Analysis revealed the main theme emerging from the qualitative analysis was the use of open questions, followed by the use of empathy.

### **Limitations of study and future directions**

As with all research using real-life data, there are of course limitations. The sample size could be considered small (N=47), however, the response rate was deemed appropriate when considering other similar research (e.g., Cherryman & Bull, 2001; Oxburgh *et al.* 2006). The present study utilised a questionnaire relating to officers perceptions and belief regarding what constituted quality in interviews. However, although the interview excerpts came from actual police interviews of sex offenders, which is a strength of the present study, they were relatively short (three pages in length) and perhaps not fully representative of a complete investigative interview. As such, not all potentially relevant variables could be controlled (or examined) in this study. For example, many respondents believed that additional material should have been provided/included, including antecedent information and longer transcripts. The categorisation of the interviews (e.g., empathic, non-empathic and question typologies) in this study were based on the present researcher's previous police and academic professional experience and there may well be other ways of classifying questions

and identifying empathy that could be examined in future research. As such, these points may have somewhat limited the research, but future research should consider getting police officers to review full transcripts (with audio tapes/DVDS) so that the academic and police world can gain a fuller and richer understanding of interview techniques and the views from those who conduct such interviews on a daily basis. That said, it must be recognised how busy detectives are in very austere times. Consequently, respondents: (i) may well have completed the questionnaire in a rush; (ii) may have not given it their full attention, or; (iii) may not have identified some of the subtleties in wording (e.g., for the EOs and ECs). A further possible limitation of the present study is that it would appear from the analysis that different 'types' of empathy are easier (e.g., *spontaneous* empathy) or more difficult (e.g., EOs then ECs) to identify from interview transcripts. This point should be considered in the design of future research.

The final limitation is that officers completed the questionnaire without supervision from the researcher. Although it was made explicitly clear to respondents that they had to complete the questionnaire alone and with no help from friends and/or colleagues, there is no guarantee that this happened. Future research using a similar methodology should consider having the researcher (or a member of the research team) being present during the completion of the questionnaire.

### **Recommendations for practice**

This research adds to the limited available literature on assessing quality in investigative interviews (e.g., Baldwin, 1992a; Baldwin, 1993; Stockdale, 1993;

Cherryman, 1999; Cherryman & Bull, 2001; Clarke & Milne, 2001), and specifically to the literature pertaining to suspected sex offenders (e.g., Beauregard *et al.* 2010; Benneworth, 2007; Holmberg & Christianson, 2002; Kebbell *et al.* 2006; Chapters 4 and 5 of the present thesis). However, one thing that has become clear is that police officers (at least from this sample) do not fully understand empathy, its uses and how it manifests itself during investigative interviews with suspected offenders. In addition, although many officers could correctly identify *appropriate* questions, there appeared to be some confusion over what constituted different types of questions (see Chapter 1 of the present thesis where this area is covered in detail). Such matters should be addressed in future training courses to ensure complete understanding of the effectiveness and limitations of different question types, but also on the understanding and use of empathy (but see also Chapters 4 and 5 of the present thesis).

## **Conclusions**

This chapter has shown that officers are mostly able to detect which interviews contained *appropriate* questions, which supports the findings of Griffiths *et al.* (2011). The main finding is that officers (at least in this sample) appear to use the appropriateness of questions as a determinant of overall quality in interviews. However, one reason why respondents used appropriate questions as a proxy for quality is that empathy *per se* was difficult to spot. The next chapter provides an overall discussion of the thesis, concluding with recommendations and implications for practice, including the implications the use of empathy has on investigative interviewing.

## **Chapter seven**

### **Final discussion and conclusions**

#### **Chapter summary**

The interviewing of suspected sex offenders has always been fraught with difficulty as this cohort are believed to be 'unique' in terms of offending behaviour (Abel *et al.* 1984; Marshall, 2001; but see also Benneworth, 2007; Oxburgh *et al.* 2006). Sexual offences are also frequent in nature (Home Office, 2010), but have a conviction rate (less than 5%; Home Office, 2010) which is much lower than other crimes (Greenfield, 1997). Thus, it is an area that requires particular attention by academic researchers and police officers alike and was the focus of the present thesis. This final chapter introduces the key conclusions from the empirical research contained within the present thesis, acknowledges the limitations and challenges associated with this kind of research, suggests recommendations for future research and discusses the implications for police practice.

#### **Interviews with suspects**

This thesis has outlined the advantages of the PEACE model of interviewing over other more coercive forms of interrogation (e.g., the Reid Technique; Inbau *et al.* 2001) and the changes that the British police service has undergone over the past 25 years in relation to investigative interviewing *per se* and the training of police officers. Although Griffiths and Milne (2006) found that advanced interview training appeared to improve officers' interviewing

performance overall, and for up to one year after officers completed the training, many authors believe that such enhancements are less robust (Griffiths & Milne, 2006; Lamb *et al.* 2008). While some aspects of training programmes may be effective in terms of teaching interviewers what they 'ought to do' in interviews, the training appears to be having very little impact overall (but see Powell, 2002).

Although empirical research and the PEACE model of interviewing notes the importance of evaluation of interviews by officers and supervisors, this important aspect rarely gets the attention it deserves (Powell, 2002). As outlined in Chapter one of the present thesis, one of the biggest problems is that, currently, there is no widely accepted evaluation or classification system within police organisations, or indeed the academic literature, which provides guidelines on how to effectively analyse information gained from interviews for overall 'quality'. The other problem is that there can be a lack of agreement between those who are asked to evaluate the same interviews (Cherryman, 2000; Cherryman & Bull, 2001). There is a need for consistency in evaluating information, especially for crimes where the stakes are high (e.g., child rape & filicide; see Chapters four and five of the present thesis). Indeed, as found in the present thesis, many officers use the questioning style in an interview as a proxy for overall 'quality' (see Chapter six of the present thesis). It is to this area that the discussion now turns.

### **Questioning techniques**

One reason for officers using the questioning style of an interview as a measure of overall quality is that the majority of the academic research has focussed on this particular area (i.e., the use and impact of different types of

questions in investigative interviews). In addition, the police service continues to receive criticism from academic researchers concerning poor questioning techniques used in investigative interviews across all types, including children and adults, whether witness or suspect (e.g., Baldwin, 1993; Davies *et al.* 2000; Lamb, Hershkowitz & Sternberg, 1996; Fisher *et al.* 1987; Myklebust & Bjørklund, 2006; Chapters four and five of the present thesis). But what must be remembered is that asking truly 'open' forms questions (e.g., those categorised as TED questions in the literature) is not the general way humans converse with one another. For example, in everyday conversations and interactions, most people will use a 'question-and-answer' style of conversation, using *closed* and other forms of questions (Wright & Powell, 2006). That said, it must be recognised that the importance of asking *open* questions in order to elicit greater and more accurate accounts has been emphasised by many researchers (e.g., Bull, 2010; Davies, *et al.* 2000; Lamb, *et al.* 1998; Lamb, *et al.* 2009; Myklebust, 2009; Myklebust & Bjørklund, 2006; Poole & Lamb 1998, see also Chapters four and five of the present thesis). Regarding which question type elicits more IRI, the study outlined in Chapter four of the present thesis found that responses to *appropriate* questions contained more items of IRI than *inappropriate* questions. Furthermore, as shown in Chapter five, the questioning strategy appears to differ as a function of offence type, with interviewers using significantly more *inappropriate* questions in interviews with suspects of child rape than they did in interviews with suspects of filicide or adult murder.

However, despite the wealth of research identifying the benefits of *open* (or *appropriate*) questions, this thesis has highlighted and provides support to wider concerns that the use of such questions is rare during investigative interviews with

suspects. Indeed, many researchers (including the present author) have found that interviews typically consist of mainly *inappropriate* questions (Aldridge & Cameron, 1999; Craig, *et al.* 1999; Lamb, *et al.* 1996; Lamb, *et al.* 2009; Myklebust & Bjørklund, 2006; Sternberg *et al.* 2001; Chapters four and five of the present thesis).

As outlined in the present thesis (see chapters one, four and five), TED questions are likely to function as *open* and *appropriate* questions. However, as an officer gains in skill and experience, it is highly likely that they will find alternative, fully effective phrasings (e.g., *facilitators*) for asking such questions. Given this situation, a researcher or professional evaluating an individual interview might mark the interviewer down for not asking TED or 5WH questions, whereas, in fact the utterance may be successful in performing its *function* in that specific interview of seeking IRI in relation to a particular investigation. This is an area that requires further academic research and will be discussed later in this chapter. Despite this, what has become clear from the available literature is that all police investigative interviews (whether witness or suspect) need to be conducted ethically. Thus, there should be no use of coercive questioning or other techniques – the ultimate function should be to gain detailed responses from the interviewee that may be relevant to the investigation (e.g., IRI; Chapter four of the present thesis).

### **Police officers' perceptions of interview techniques**

The prevailing culture within the police service may not allow officers to be self-critical and admit their own limitations or weaknesses (Cherryman & Bull,

2001). Research has also shown that officers generally rate themselves as being more skilled than their colleagues (Cherryman & Bull, 2001). The results from empirical research conducted in Chapter three of the present thesis support these findings. Chapter three introduced and discussed two different scenarios that can increase the perceived 'difficulty' of investigative interviews. The first is when a suspect utilises his/her legal right to go 'no comment'. The second relates to issues surrounding planning/preparation and the development of a questioning strategy. Respondents reported that they believed *other officers* would find all interviews in the sample (adult rape, adult murder, child rape and filicide) more difficult to conduct than they would *personally*. A similar pattern emerged from the findings in relation to how stressful officers would find such interviews, with respondents, again, rating *other officers* as being likely to find such interviews significantly more stressful than themselves.

One of the more striking and interesting findings of the study conducted in Chapter three of the present thesis was how important respondents believed a confession to be in interviews. Respondents rated *other officers* as believing a confession was important in such interviews (more important than they did themselves). Although worrying, it comes as little surprise when considering the (relatively) new principles of investigative interviewing (Chapter one, pp.30-31 of the present thesis), which advises investigators to recognise the positive impact of an early admission during an investigative interview. This is not only inconsistent with the information-gathering approach of the PEACE model of interviewing (Williamson, 1993; Chapter one of the present thesis), but clearly suggests to police officers that interviews should be conducted with the aim of seeking a confession. This is, undoubtedly, of major concern and, when speaking personally

to many respondents, the present author found that many police officers share this concern and hold the belief that officers may see this principle as encouraging interviewing to 'gain a confession'. To avoid a return to the days of a confession being viewed as 'higher value' than finding out the truth (Rigg, 1999), this area should be investigated further and the principles revisited and updated to return to being in line with Williamson's (1993) notion of ethical interviewing.

### **The use of empathy in interviews with suspects**

Using an empathic (or humane), as opposed to dominant interviewing style, may increase admissions by suspects in specific interviews (e.g., interviews with sex offenders and murderers; Holmberg & Christianson, 2002; Kebbell *et al.* 2006). Whilst recognising that these studies were important in understanding the role that an empathic (or humane) interviewing style might have in police interviews, they were based purely on offenders' perceptions and memory of their police interview, some of which took place up to 10 years previously. The empirical research studies outlined in Chapters four and five of the present thesis utilised a novel way of coding interview transcripts for the use and prevalence of empathy in actual police investigative interviews of suspects. Whereas the studies by Holmberg and Christianson (2002) and Kebbell *et al.* (2006) examined admissions as a *function* of the use of an empathic (or humane) interviewing style, the studies presented in the present thesis utilised the amount of IRI as a way of measuring the effectiveness (or impact) of empathy by the interviewer. This was done given that the PEACE model of interviewing used by officers in England and Wales is about a search-for-the-truth, rather than admissions or confessions by the suspect.

Using a sample of interview transcripts with suspected sex offenders, the results from the research outlined in Chapter four found that empathy was used relatively infrequently by interviewing officers and that it had no impact on the amount of IRI elicited from those interviews. Similar results were found from the analysis in Chapter five of the present thesis, which used a wider sample of suspects, including filicide, child rape and adult murder. However, it has to be noted that in the study outlined in Chapter four of the present thesis, only half of the interviews analysed were categorised as empathic, and in Chapter five, this number was even lower with only 20 out of 59 cases categorised as empathic. In addition to the relatively low levels of empathy found, this also tends to indicate that officers may, perhaps, not have a full understanding of what empathy means and how they could use it to their advantage. This is not surprising given that the use of empathy is not part of any general training given to officers (with the exception of some sporadic *ad hoc* training given by trainers within CEOP (see Chapter four of the present thesis). Furthermore, from the available literature, there is also no training provided on the identification and communication of empathy and the subsequent empathic responses during interviews (see Chapters two, four and five of the present thesis).

Chapter five of the present thesis also found a trend towards officers using *spontaneous* empathy less frequently in child rape interviews compared to filicide and homicide interviews. Holmberg and Christianson (2002) and Kebbell *et al.* (2006) have suggested that empathic interviews should be 'better' on some measure than non-empathic ones, but in neither of the analyses of real life transcripts presented in the current thesis, were significant differences found in the amount of IRI elicited as a function of whether the interview was classified as

empathic or not. As such, no evidence was found to support their arguments although the findings in the present thesis offer some support to the idea that empathy *per se* might be worth examining in more detail.

Chapter three highlighted that officers would show the least amount of empathy in cases involving child rape, but more important was the finding that many participants ( $n=39$ ) stated in their qualitative answers that they would either not show any empathy whatsoever, or would find it very difficult to do so in interviews involving crimes against children. This offers support to the findings from Cherryman and Bull (2001), who found that empathy/compassion was seen as, “missing in police in general” (p. 209). One of the research questions in Chapter three was whether or not officers understood the difference between empathy and sympathy. This question was included to test the suggestion that empathy is sometimes confused with sympathy (Shepherd, 2007). Respondents provided a wide variety of qualitative answers to this question, but overall, it was found in Chapter six, that no consistent definition was provided by officers, with many conflicting definitions, some akin to sympathy, others more aligned to empathy. In addition, many respondents indicated that empathy should never be used in interviews under any circumstances, whilst others suggested it could be used, but not in cases involving child victims.

These findings are perhaps to be expected, given that some police training manuals (e.g., Centrex, 2004; Home Office, 2011) although suggesting that empathy should be used in interviews, do not provide further explanation of what empathy actually *is*. However, as outlined above (see also Chapter five of the present thesis), it is unknown whether the *ad hoc* training that is sometimes made

available to officers explains how to use empathy, or just advises officers to implement it as per the extant guidelines, which, as we have seen, are very limited. This may be due, in part, to the disagreements in the literature (outlined in Chapter Two) concerning the differences between empathy and sympathy, as well difficulties in establishing consistent definitions of both. As discussed in Chapter two, within a police context, a working definition of empathy may be more about having the ability to understand the perspective of the interviewee, and to appreciate the emotions and distress of the other (Davis, 1983). Thus, perhaps a more operational (short) way of explaining to officers is that they should attempt to 'understand the suspect's plight' in a particular situation. However, empathy is a motivated behaviour and is not always automatically triggered, but more often than not, it is triggered voluntarily (Decety & Jackson, 2004), thus, effective training must be provided to enhance social-cognitive interventions (in this case, the police interview).

### **What constitutes 'quality' interviews**

There are many competing definitions surrounding what is deemed a 'good quality' or 'effective' interview (Baldwin, 1994), with some (e.g., lawyers) perhaps arguing for the maintenance of PACE, whereas police officers may argue 'quality' is based on questioning techniques (see chapter six of the present thesis).

Chapter six highlighted that making an evaluation of investigative interviewing practices are very difficult as there are no ground rules with which to adhere. However, it would appear (at least from the sample within Chapter six of the present study) that officers view 'quality' as being more related to the extent of *appropriate* questions asked, rather than the use of empathy or other factors.

## **Limitations of thesis research**

As with any applied research, there will of course, be limitations. This thesis is no exception. The questionnaire used to collect data for chapter three related to very short, mock-crime scenarios and perhaps were not as ecologically valid as the excerpts that were used in the study outlined in Chapter six of the present thesis. Future research should consider the limitations for using mock-crimes or mock-crime scenarios and the implications this may have on the ecological validity of future research.

When asking police forces to participate in academic research, although there is general enthusiasm from police officers, given their busy schedules and daily pressures, the return rates from questionnaire studies has always been traditionally very low, with some research returning a rate of around 20% (Cherryman & Bull, 2001). The study outlined in Chapter three of the present thesis did marginally better with a return rate of 36%, however, the research outlined in Chapter six of the present thesis had a return rate of 24%, both of which were deemed acceptable. This could have been due to officers completing the questionnaires without supervision from the researcher. Future research, using a similar methodology, should consider having the researcher (or a member of the research team) being present during the completion of the questionnaire. This would ensure that each questionnaire was completed under similar conditions.

Although the sample sizes in the studies outlined in Chapters four and five of the present thesis were relatively small (Chapter four N=26; Chapter five N=59),

they consisted of actual police interview transcripts with suspects of child rape, filicide and adult murder, and not questionnaires. As such, and given the nature of the crime and the understandable reluctance by many police forces to release interview transcripts of such a sensitive nature, these sample sizes were, again, deemed respectable. Furthermore, whilst a small number of interviews in both samples had accompanying audio-recordings, most did not, and the present author was only able to analyse question type, empathy and IRI on a purely literal level (Dickson & Hargie, 2006), which, as discussed in those chapters, is somewhat limited.

Although the interview excerpts used in the study outlined in Chapter six of the present thesis were also from actual police interview transcripts, many respondents believed that additional material should have been provided/included, including antecedent information and longer transcripts. Future research should consider getting police officers to review full transcripts (with audio tapes/DVDs) so that the academic and police world can gain a fuller and richer understanding of interview techniques and the views from those who conduct such interviews on a daily basis. Regarding the analysis of empathy, a further possible limitation is that it would appear that different 'types' of empathy are easier (e.g., examples of *spontaneous* empathy) or more difficult (e.g., EOs then ECs) to identify from interview transcripts. This point should be considered in the design of future research. Analysing interview transcripts is one way of coding for examples of empathy, but there are of course limitations with this approach. It is not possible, from audio tapes, to code for non-verbal characteristics such as behaviour or tone of questions, or for question semantics and pragmatics, which may provide more detailed and deeper analysis. Using audio/DVD recordings would be a much more

effective way of conducting future analysis, however, gaining access to such data is notoriously difficult given the nature of such cases.

### **Recommendations for future research**

Further research is required which evaluates both the *phrasing* and *function* of question types during police interviews. Academic researchers also have a valuable role in enhancing the working relationship with practitioners to achieve research-based practice and practice-based research. One part of this role is to ensure a strong theoretical foundation is achieved at all levels of training, with effective on-going evaluation of professional interviewers throughout their respective careers. Poole and Lamb (1998) noted that an interviewer's ability to maintain the use of *open-ended* questions is the best predictor of a good investigative interview and the most defining characteristic of an expert interviewer. However, despite the widespread consensus about the desirable quality of a good interview, we know this does not guarantee that interviewers will comply with asking *appropriate* questions, even by investigators who are confident that their interviews closely follow best-practice guidelines (Lamb, et al., 2008). Training and levels of competence by interviewers dominate theoretical arguments regarding this phenomenon (Powell, et al. 2005), however, it is imperative that practitioners are confident and competent at using both TED and 5WH questions before progressing onto using *facilitator* or *echo* questions. Both psychology and linguistics have a fundamental role to play in such training and evaluation. It would seem a good way forward would be to have a greater collaboration between psychologists and linguists in researching and developing new interviewing protocols. Indeed, under the auspices of the iIRG, the present author is currently

researching this particular area in consultation with forensic linguists with a view of developing a new coding frame for investigative interviews.

Given the outcomes of the present research, the author would argue that current methods of evaluative scoring of interview questions should also focus on the *function* of the question(s). Naturally, this raises issues of the reliability of scoring schemes. In addition, scoring question *function* is likely to be more vulnerable to inter-rater variation than scoring typologies, and higher rates of reliability may involve detailed analysis of audio/DVD recordings of the interviews. However, given the highly sensitive nature of some police interviews, gaining access to such data may, in itself, prove problematic. This is an area that academic researchers and practitioners can work effectively together to resolve.

The majority of suspects in the samples obtained from the studies outlined in Chapters four and five denied their involvement in the alleged crime, and information relating to how many of them planned to deny or confess prior to the interview was unknown (Kebbell *et al.* 2006). Both of these factors mean that no speculation was possible whether poor questioning techniques had a direct result on the amount of denials, or whether empathic interviewing had any impact on confessions (see Soukara, Bull, Vrij, Turner & Cherryman, 2009 for a review on factors which may influence a suspect to confess). This is an area that requires further research.

Regarding empathy, given the discrepancies with definitions, police officers' inability to identify specific examples of empathy in interview transcripts (see Chapter six), and the fact that empathy is an internally motivated process (Decety

& Jackson, 2004), perhaps another way forward is to train officers in: (i) how to identify empathy during interviews; (ii) how it can manifest itself during interviews, and; (iii) how to identify and communicate empathy effectively during investigative interviews. Indeed, this is a view echoed by some researchers who have conducted research on interviews with victims of sexual offences (see Maddox, Lee & Barker 2010 for a review). Conducting such training would provide academic researchers with the knowledge to assess whether or not empathy is, as some researchers suggest (Holmberg & Christianson, 2002; Kassin & Gudjonsson, 2004; Kebbell et al. 2006), a useful tool to be used during investigative interviews. Another problem, however, is with the term 'empathy' itself. As has been found, it is a term that is occasionally confused (Shepherd, 2007; Chapter six of the present thesis), but furthermore, one definition of empathy to "share and experience" the feelings of another human being (Greenson, 1967, p.368) could be deemed as inappropriate during an investigative interview, specifically in terms of the PACE Act (1984).

### **Thesis conclusions**

Although significantly more *inappropriate* questions were asked by interviewers overall, when *appropriate* questions were asked by interviewers, significantly more items of IRI were found. Interestingly, although many more *inappropriate* questions were asked by officers (at least in the present research), participants involved were able to identify those interviews which contained *appropriate* questions. Furthermore, there were no significant differences in the amount of IRI obtained within interviews that were categorised as empathic, nor were there any differences in the amount of IRI obtained as a function of offence

type (child rape, adult murder, filicide). It is not suggested here that interviewers should not use an empathic style of interviewing, rather, in the studies conducted as part of this thesis, the use of empathy had no impact on the amount of IRI. It was found that police officers showed the least amount of empathy in interviews with suspects of child rape, but, rather worryingly, many officers did not believe that empathy should be used during any investigative interview. There was much confusion regarding the meaning of empathy, with many respondents not able to provide a coherent distinction between 'empathy' and 'sympathy'. When asked to define what a 'good quality' investigative interview should be, although many different definitions were provided, there were many who seemed to believe that quality was driven more by the extent of *appropriate* questions asked.

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## Appendices

- Appendix A. Published article – Oxburgh, G. E., Williamson, T. A., & Ost, J. (2006).
- Appendix B. Published article – Oxburgh, G. E., & Dando, C. J. (2011).
- Appendix C. Published article – Oxburgh, G. E., Myklebust, T., & Grant, T. A. (2010).
- Appendix D. Published article – Oxburgh, G. E., & Ost, J. (2011).
- Appendix E. Letter of authority from NPIA (for Chapters three and six).
- Appendix F. University of Portsmouth, Department of Psychology Ethics Committee Approval for research relating to Chapter three.
- Appendix G. Investigative interviewing of suspected sex offenders and murderers – participant questionnaire (for Chapter three).
- Appendix H. Consent form (for Chapter three).
- Appendix I. De-brief letter (for Chapter three).
- Appendix J. Published article – Oxburgh, G. E., Ost, J., & Cherryman, J. (2010).
- Appendix K. University of Portsmouth, Department of Psychology Ethics Committee Approval for research relating to Chapters four and five.
- Appendix L. Letters of authority from Cumbria Constabulary [i] and The Metropolitan Police [ii]; for Chapters four and five).
- Appendix M. Coding sheets (used for Chapters four and five).
- Appendix N. University of Portsmouth, Department of Psychology Ethics Committee Approval for research relating to Chapter six.

Appendix O. Investigative interviewing of suspects – interview excerpts – participant questionnaire (for Chapter six):

1. Empathic with mostly *appropriate* questions
2. Empathic with mostly *inappropriate* questions
3. Non-empathic with mostly *appropriate* questions
4. Non-empathic with mostly *inappropriate* questions

Appendix P. Consent form (for Chapter six).

Appendix Q. De-brief letter (for Chapter six).

21<sup>st</sup> June 2011

Dear Gavin,

**Re: Police Officers' perceptions on interview style when interviewing murderers and sex offenders: Questionnaire**

Please accept this letter of endorsement from the ACPO Research Sub-Committee on Investigative Interviewing for the dissemination of a questionnaire to determine the views of serving police officers with regards to the investigative interviews of suspected murderers and sex offenders. This questionnaire is to be distributed in accordance with the ethical considerations set out in your proposal.

I understand that these interviews are to be obtained from a variety of Forces within England and Wales with agreement already confirmed by Hampshire, GMP, Thames Valley and the Metropolitan Police Service. I appreciate that you are looking for a minimum response rate of 100 questionnaires but to increase the meaningfulness of any statistical tests carried out on the data, it is suggested that this minimum rate is increased if possible.

Please can I also ensure that I have advance viewing of any research reports and/or presentation based on the analysis of these questionnaires? This will enable the ACPO National Steering Group to be made aware of any possible implications with regard to the continued development of the interviewing strategy and/or training requirements?

As you are aware this group has been established to identify, evaluate and recommend any new research and learning in respect of Investigative Interviewing to the police service of England and Wales. I look forward to receiving the results and a presentation of the findings from the research would be welcomed by the ACPO group on completion of the analysis.

May I take this opportunity to wish you well in your research.

Yours sincerely,

Dr Nicky Miller  
Chair ACPO Research Sub-Committee, Investigative Interviewing.

<b>Participant Number</b> (Research purposes only):
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<b>Questionnaire No:</b>
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**INVESTIGATIVE INTERVIEWING OF SUSPECTED SEX OFFENDERS & MURDERERS**

**PARTICIPANT QUESTIONNAIRE**

**Name of Researcher:** Gavin E. Oxburgh

**Affiliation:** International Centre for Research in Forensic Psychology,  
University of Portsmouth, UK.

**Contact Details:** [gavin.oxburgh@port.ac.uk](mailto:gavin.oxburgh@port.ac.uk)

**Section 1 - Personal details**

Age:..... Gender:.....

Current specialist area:..... Years in this area:.....

Previous specialist areas:..... Years in this area:.....

..... Years in this area:.....

..... Years in this area:.....

Total length of service (in years).....

**Section 2 - Training received**

2.1. Please complete the table below indicating the type of most recent **interview training** you have received during your career to date. Please state your most recent first:

Date	Training Course	PIP Level/Tier/Type

The following questions relate to training in the investigative interviewing of suspects. Using the scale after each question, place a circle around the appropriate number on the scale, which best describes your response to each question:

2.2. How important do you think specialist training is in the interviewing of suspects?

1	2	3	4	5
Not at all important				Very important

2.3. How important do you think police officers in general view specialist training in the interviewing of suspects?

1	2	3	4	5
Not at all important				Very important

### **Section 3 - Interview experience**

The following questions relate to the number of investigative interviews of suspects you have carried out since January 2010. Using the scale after each question, place a circle around the appropriate number on the scale, which best describes your response to each question:

3.1. How many investigative interviews of suspects have you carried out, as the main interviewer, during the past twelve months?

1	2	3	4	5	6
Fewer than 10	11 to 20	21 to 30	31 to 40	41 to 50	More than 50

3.2. How many investigative interviews of suspects have you carried out, as the second interviewer, during the past twelve months?

1	2	3	4	5	6
Fewer than 10	11 to 20	21 to 30	31 to 40	41 to 50	More than 50

### **Section 4 – Interviews with suspects**

The following sections relate to your experiences (and those of your colleagues) when interviewing suspects accused of committing **four different** specified offences outlined in the following scenarios. Using the scale after each question, place a circle around the appropriate number on the scale, which best describes your answer (and those of your colleagues) with regards to each question. **Please note that although the scenarios appear similar, there are differences regarding the offence the suspect is accused of committing:**

Interview 1

'You have been required to interview an adult male suspected of murdering another adult. The incident occurred last night in your local town and you have one statement from a reliable witness which, although providing little information about the actual event, does place the suspect at the scene and, as such, you have sufficient grounds under the Police and Criminal Evidence Act (1984) to interview the suspect. There is no other evidence at this time.'

Please answer the following questions in relation to the interview strategy you would adopt in the above scenario:

4.1. How technically difficult (in terms of planning & preparation, questioning strategy) do you think it will be to interview this suspect?

1	2	3	4	5
Not at all difficult				Very difficult

4.2. How technically difficult (in terms of planning & preparation, questioning strategy) do you think police officers in general would find interviewing this suspect?

1	2	3	4	5
Not at all difficult				Very difficult

4.3. How stressful do you think it will be to conduct this interview?

1	2	3	4	5
Not at all stressful				Very stressful

4.4. How stressful do you think police officers in general would find interviewing this suspect?

1	2	3	4	5
Not at all stressful				Very stressful

4.5. How difficult (in terms of planned questioning strategy) will you find this interview if the suspect utilises his option to go 'No Comment'?

1	2	3	4	5
Not at all difficult				Very difficult

4.6. How difficult (in terms of planned questioning strategy) do you think police officers in general will find this interview if the suspect utilises his option to go 'No Comment'?

1	2	3	4	5
Not at all difficult				Very difficult

4.7. How important do you think it will be to obtain a confession in this interview?

1	2	3	4	5
Not at all important				Very important

4.8. How important do you think police officers in general will think the obtaining of a confession is in this interview?

1	2	3	4	5
Not at all important				Very important

## Interview 2

'You have been required to interview an adult male suspected of sexually assaulting a child. The incident occurred last night in your local town and you have one statement from a reliable witness which, although providing little information about the actual event, does place the suspect at the scene and, as such, you have sufficient grounds under the Police and Criminal Evidence Act (1984) to interview the suspect. There is no other evidence at this time.'

Please answer the following questions in relation to the interview strategy you would adopt in the above scenario:

4.9. How technically difficult (in terms of planning & preparation, questioning strategy) do you think it will be to interview this suspect?

1	2	3	4	5
Not at all difficult				Very difficult

4.10. How technically difficult (in terms of planning & preparation, questioning strategy) do you think police officers in general would find interviewing this suspect?

1	2	3	4	5
Not at all difficult				Very difficult

4.11. How stressful do you think it will be to conduct this interview?

1	2	3	4	5
Not at all stressful				Very stressful

4.12. How stressful do you think police officers in general would find interviewing this suspect?

1	2	3	4	5
Not at all stressful				Very stressful

4.13. How difficult (in terms of planned questioning strategy) will you find this interview if the suspect utilises his option to go 'No Comment'?

1	2	3	4	5
Not at all difficult				Very difficult

4.14. How difficult (in terms of planned questioning strategy) do you think police officers in general will find this interview if the suspect utilises his option to go 'No Comment'?

1	2	3	4	5
Not at all difficult				Very difficult

4.15. How important do you think it will be to obtain a confession in this interview?

1	2	3	4	5
Not at all important				Very important

4.16. How important do you think police officers in general will think the obtaining of a confession is in this interview?

1	2	3	4	5
Not at all important				Very important

### Interview 3

'You have been required to interview an adult male suspected of murdering his own child. The incident occurred last night in your local town and you have one statement from a reliable witness which, although providing little information about the actual event, does place the suspect at the scene and, as such, you have sufficient grounds under the Police and Criminal Evidence Act (1984) to interview the suspect. There is no other evidence at this time.'

Please answer the following questions in relation to the interview strategy you would adopt in the above scenario:

4.17. How technically difficult (in terms of planning & preparation, questioning strategy) do you think it will be to interview this suspect?

1	2	3	4	5
Not at all difficult				Very difficult

4.18. How technically difficult (in terms of planning & preparation, questioning strategy) do you think police officers in general would find interviewing this suspect?

1	2	3	4	5
Not at all difficult				Very difficult

4.19. How stressful do you think it will be to conduct this interview?

1	2	3	4	5
Not at all stressful				Very stressful

4.20. How stressful do you think police officers in general would find interviewing this suspect?

1	2	3	4	5
Not at all stressful				Very stressful

4.21. How difficult (in terms of planned questioning strategy) will you find this interview if the suspect utilises his option to go 'No Comment'?

1	2	3	4	5
Not at all difficult				Very difficult

4.22. How difficult (in terms of planned questioning strategy) do you think police officers in general will find this interview if the suspect utilises his option to go 'No Comment'?

1	2	3	4	5
Not at all difficult				Very difficult

4.23. How important do you think it will be to obtain a confession in this interview?

1	2	3	4	5
Not at all important				Very important

4.24. How important do you think police officers in general will think the obtaining of a confession is in this interview?

1	2	3	4	5
Not at all important				Very important

Interview 4

'You have been required to interview an adult male suspected of sexually assaulting another adult. The incident occurred last night in your local town and you have one statement from a reliable witness which, although providing little information about the actual event, does place the suspect at the scene and, as such, you have sufficient grounds under the Police and Criminal Evidence Act (1984) to interview the suspect. There is no other evidence at this time.'

Please answer the following questions in relation to the interview strategy you would adopt in the above scenario:

4.25. How technically difficult (in terms of planning & preparation, questioning strategy) do you think it will be to interview this suspect?

1	2	3	4	5
Not at all difficult				Very difficult

4.26. How technically difficult (in terms of planning & preparation, questioning strategy) do you think police officers in general would find interviewing this suspect?

1	2	3	4	5
Not at all difficult				Very difficult

4.27. How stressful do you think it will be to conduct this interview?

1	2	3	4	5
Not at all stressful				Very stressful

4.28. How stressful do you think police officers in general would find interviewing this suspect?

1	2	3	4	5
Not at all stressful				Very stressful

4.29. How difficult (in terms of planned questioning strategy) will you find this interview if the suspect utilises his option to go 'No Comment'?

1	2	3	4	5
Not at all difficult				Very difficult

4.30. How difficult (in terms of planned questioning strategy) do you think police officers in general will find this interview if the suspect utilises his option to go 'No Comment'?

1	2	3	4	5
Not at all difficult				Very difficult

4.31. How important do you think it will be to obtain a confession in this interview?

1	2	3	4	5
Not at all important				Very important

4.32. How important do you think police officers in general will think the obtaining of a confession is in this interview?

1	2	3	4	5
Not at all important				Very important

**Section 5 – General questions**

The following questions relate to general aspects of interviewing. Using the scale after each question, place a circle around the appropriate number on the scale, which best describes your response to each question:

5.1. How relevant do you think your previous experience as an interviewer will be in obtaining good quality interviews from suspects accused of committing the crimes you have previously answered questions about (e.g. adult murderers, child sex offenders, filicide and adult sex offenders)?

1                      2                      3                      4                      5  
Not at all                      Very  
relevant                      relevant

5.2. How relevant do you think police officers in general view previous interviewing experience in terms of obtaining good quality interviews from suspects accused of committing the crimes you have previously answered questions about (e.g. adult murderers, child sex offenders, filicide and adult sex offenders)?

1                      2                      3                      4                      5  
Not at all                      Very  
relevant                      relevant

5.3. To what extent do you adopt different strategies when interviewing suspects of different kinds of offences?

1                      2                      3                      4                      5  
Never                      Always

Please provide a reason for your answer.....  
.....  
.....  
.....  
.....  
.....

5.4. To what extent do you think police officers in general adopt different strategies when interviewing suspects of different kinds of offences?

1                      2                      3                      4                      5  
Never                      Always

Please provide a reason for your answer.....  
.....  
.....  
.....

5.5. From the offences you have previously been answering questions about, please rank the order in which you think you would be most likely to get emotionally involved in during the suspect interview (e.g. place a '1' next to the crime you think you would be **most** likely to get more emotionally involved in, followed by a '2' for the second most likely, then a '3' for the third most likely, and finally place a '4' next to the crime you would be **least** likely to get emotionally involved in):

- An adult male suspected of murdering another adult
- An adult male suspected of murdering his own child
- An adult male suspected of sexually assaulting another adult
- An adult male suspected of sexually assaulting a child

Please provide a reason for your answer.....  
.....  
.....  
.....  
.....  
.....

5.6. From the offences you have previously been answering questions about, please rank the order in which you think police officers in general would be most likely to get more emotionally involved in during the suspect interview (e.g. place a '1' next to the crime you think police officers in general would be **most** likely to get more emotionally involved in, followed by a '2' for the second most likely, then a '3' for the third most likely, and, finally, place a '4' next to the crime you think police officers in general would be **least** likely to get emotionally involved):

- An adult male suspected of murdering another adult
- An adult male suspected of murdering his own child
- An adult male suspected of sexually assaulting another adult
- An adult male suspected of sexually assaulting a child

Please provide a reason for your answer.....  
.....  
.....  
.....  
.....  
.....

The following questions relate to the use of empathy in interviews with suspects. *Empathy can defined defined as the ability to share and to experience the feelings of another human being (Greenson, 1967).*

5.7. From the offences you have previously been answering questions about, please rank the order in which you would show the most empathy during the suspect interview (e.g. place a '1' next to the crime you think you would show the most empathy in during the suspect interview, followed by a '2' for the second most likely, then a '3' for the third most likely, and, finally, place a '4' next to the crime you would be **least** likely to show empathy in during the suspect interview):

- An adult male suspected of murdering another adult
- An adult male suspected of murdering his own child
- An adult male suspected of sexually assaulting another adult
- An adult male suspected of sexually assaulting a child

Please provide a reason for your answer.....  
.....  
.....  
.....  
.....  
.....

5.8. From the offences you have previously been answering questions about, please rank the order in which you think police officers in general would show the most empathy during the suspect interview (e.g. place a '1' next to the crime you think police officers in general would show the most empathy during the suspect interview, followed by a '2' for the second most likely, then a '3' for the third most likely, and, finally, place a '4' next to the crime you think police officers in general would be **least** likely to show empathy in during the suspect interview):

- An adult male suspected of murdering another adult
- An adult male suspected of murdering his own child
- An adult male suspected of sexually assaulting another adult
- An adult male suspected of sexually assaulting a child

Please provide a reason for your answer.....  
.....  
.....  
.....  
.....  
.....

5.9. If you have ever used empathy in suspect interviews relating to the crimes previously mentioned, please provide an example of the empathy used below:

.....  
.....  
.....  
.....  
.....

5.10. Please write a brief explanation of your understanding of the difference between 'empathy' and 'sympathy'?

Response:.....  
.....  
.....  
.....  
.....  
.....  
.....

**Section 6 – Further involvement**

If you would like to be involved further in this (and other future) research, please write your contact details below. **Any further information that you provide will be treated in the strictest of confidence and the researcher will not divulge the identity of any participant involved in further research, or information that may give clues to the identity of specific participants or other persons:**

Name:..... Address:.....

Telephone No:.....

E-Mail:.....

Thank you for taking the time to complete this questionnaire – your co-operation is very much appreciated. If you have indicated your wish to be involved further, the researcher will contact you in the near future.

## Participant Consent Form

**Title of Research:** Police officers' perceptions on interview style when interviewing murderers and sex offenders.

**Research Team:** Gavin Oxburgh (Principle Investigator), Dr James Ost, Dr Julie Cherryman and Dr Paul Morris, all University of Portsmouth.

**Description of procedure:** The purpose of this study (using a questionnaire) is to determine the views of serving police officers with regard to investigative interviews of suspected murderers and sex offenders. All information gained will be used as part of a doctoral research programme entitled, '*Towards a more effective framework for offender interviews in sexual offences investigations*'.

You are under no obligation to complete the questionnaire, which will take approximately 10 minutes to complete. If you agree to take part, you will be required to sign this consent form. You should be aware that all information recorded on this form will be kept confidential and that only the research team will have access to it. Your anonymity will be maintained and we will not be asking for your name or collar number, unless you decide to provide those details. In addition, the researcher will not report any information (in written reports or otherwise) that links specific data from this questionnaire to specific individuals. Furthermore, the researcher will not divulge the identity of any participant involved in this questionnaire, or information that may give clues to the identity of specific participants or other persons.

All data collected will be kept in a locked filing cabinet within the researcher's office for a period of at least five years after the appearance of any associated publications. Any aggregate data (e.g., spread-sheets) will be kept in electronic form for up to five years, after which time they will be destroyed.

Your participation is voluntary and you have the right to withdraw your participation at any time and for any reason, although it will not be possible to withdraw after 20<sup>th</sup> of April 2011. You can obtain general information about the results of this research by contacting the Principle Investigator (details above) after 1<sup>st</sup> August 2011, although it is departmental policy not to provide individual feedback on questionnaire performance. All data collected will be used for the purposes of research and teaching purposes.

I confirm that I have read and understood the above information relating to the study and agree to take part in the research.

-----	-----	-----
Name of Participant	Date	Signature
-----	-----	-----
Name of Researcher	Date	Signature

## Participant De-brief Form

**Title of Research:** Police officers' perceptions on interview style when interviewing murderers and sex offenders.

**Research Team:** Gavin Oxburgh (Principal Investigator), Dr James Ost, Dr Julie Cherryman and Dr Paul Morris, all University of Portsmouth.

**Description of procedure:** Thank you very much for participating in our study. The purpose of this questionnaire was to determine the views of serving police officers with regards to the investigative interviewing of suspected murderers and sex offenders. The reason we are collecting these data is to inform a recent debate in the Psychological literature surrounding the use of 'empathic' interviewing styles.

Some research (e.g. Holmberg & Christianson, 2002; Kebbell, *et al.* 2006) has investigated convicted murderers and sex offenders' perceptions of their police interviews. The authors suggest that police adopt one of two styles when interviewing: *humane* or *dominant*. Their research found that the latter approach was used mostly in interviews with suspected sex offenders, and was characterized by a more aggressive and hostile approach by the police, whereas in interviews with murderers, the former approach contained more admissions of guilt and was characterized by officers being more friendly and co-operative. Similar findings were also found by Kebbell *et al.*, (2006) in that suspected offenders were more likely to confess to a crime if the police were more empathic and treated them with humanity. However, using a novel approach for coding the presence of empathy, an exploratory study that we have conducted (Oxburgh, Ost & Cherryman, 2010) found that the use of empathy in interviews had no impact on the amount of relevant information obtained. This is why we asked you in several places in the questionnaire about your use, and understanding of, what empathy is. Furthermore, Psychological research suggests that interviewers will find it more difficult to empathise with interviewees suspected of certain crimes, like child sexual offences (Oxburgh, Williamson & Ost, 2006). This is why we were interested in your perceptions of how interviewers would react when faced with suspects accused of different kinds of offences.

**Obtaining feedback:** If you would like to discuss your experience of the study with me you can do this after completion of the study, or via supervisor's email address (provided below). We anticipate the preliminary results of this study will be available by the end of August 2011.

**How to withdraw your data:** If, having participated, you decide you would prefer to withdraw your data you can do so by contacting me at the email address below, and quoting the participant number at the top of this sheet. Please note that it will not be possible to withdraw data after 20<sup>th</sup> April 2011. If you have any questions or concerns about your participation please do not hesitate to get in touch with me at the email address below. If your questions or concerns are not dealt with to your satisfaction you can contact the Chair of the Psychology Research Ethics Committee in confidence by writing to: Chair of Psychology Department Research Ethics Committee, Department of Psychology, King Henry I Street, Portsmouth, Hampshire, PO1 2DY.

Gavin Oxburgh  
[gavin.oxburgh@port.ac.uk](mailto:gavin.oxburgh@port.ac.uk)

# CUMBRIA CONSTABULARY

Phone: 01768 217302  
Facsimile: 01768 217455

Please ask for: Jonathon Rush

My Reference: GO/jr  
Your Reference:

Chief Constable:  
Michael Baxter

Police Headquarters  
Carleton Hall  
PENRITH  
Cumbria CA10 2AU



Gavin Oxburgh  
Psychology Department,  
University of Portsmouth  
King Henry Building  
King Henry 1 Street  
Portsmouth  
PO1 2DY

4 April, 2005

Dear Gavin

## Research in Emotions in Police Officers.

In relation to your letter dated 4<sup>th</sup> March 2005 to my Chief Constable Mr Baxter and our recent e-mail exchanges, please find enclosed the following:- Interview tapes for 7 persons interviewed in Cumbria.

Full details as follows:-

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

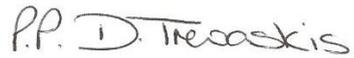
All details removed for anonymity purposes

Unfortunately as I have previously informed you I was unable to get the tapes for the 6 people interviews in North Cumbria due to them being destroyed in the recent flood in Carlisle.

I am also willing to facilitate any interviews you may require with the Police Officer who interviewed the Sex Offenders.

Could you please return the enclosed receipt and ensure that they are kept in a secure location. When your research has ended I would appreciate they be returned.

Yours sincerely

A handwritten signature in black ink that reads "P.P. D. Treaskis". The signature is written in a cursive style with a large initial "P.P." and a distinct "D." before the surname "Treaskis".

Jonathon Rush  
Detective Superintendent Operations  
Cumbria Constabulary



Working together for a safer London

Gavin Oxburgh

**Chris Bourlet**  
*Detective Superintendent*

Room I.2.12  
Indigo Block  
Cobalt Square  
1 South Lambeth Road  
London  
SW8 1SU

Telephone: 020 7230 8204  
Facsimile: 020 7230 8773  
chris.bourlet@met.police.uk

Date: 15 June 2005

Dear Gavin,

Thank you for your letter dated March 2005 regarding your PhD proposals. I understand that you have been liaising with DCI Dave Marshall from the MIT(E) team.

I think this work will be helpful in improving interviews with victims of child abuse and therefore I am supportive of your research. My only conditions are that the security of the material, both in transit and storage, is maintained and that confidentiality is ensured.

DCI Marshall will continue to be your point of contact.

Good luck with the research and we look forward to seeing your results.

Yours sincerely,

A handwritten signature in black ink that reads "Chris Bourlet".

Chris Bourlet  
Detective Superintendent

**Suspect Interview Coding Sheets**

Section 1 – Background Information

Suspect Interview length:.....minutes. Interview Number.....

Force/Department.....

***Details of interviewer 1*** (please circle most appropriate response/s where required):

**Gender:** Male/Female    **Age:** .....

**Length of service:** 0–5 yrs/6–10 yrs/11-15 yrs/16-20 yrs/more than 20 yrs

**Number of interviews carried out on similar topic:** less than 20/21-40/more than 41

**Interviewer training received:** Basic PEACE (Tier 1)/Tier 2/Tier 3/Tier 4/Tier 5

**When did officer receive the training?** Less than 2 yrs/Between 3 & 5 yrs/More than 5 yrs

If more than 5 years ago, has the officer attended any update training? Yes/No

If 'Yes, please state training received:.....

***Details of interviewer 2*** (please circle most appropriate response/s where required):

**Gender:** Male/Female    **Age:** Under 30 years/over 30 years

**Length of service:** 0–5 yrs/6–10 yrs/11-15 yrs/16-20 yrs/more than 20 yrs

**Number of interviews carried out on similar topic:** less than 20/21-40/more than 41

**Interviewer training received:** Basic PEACE (Tier 1)/Tier 2/Tier 3/Tier 4/Tier 5

**When did officer receive the training?** Less than 2 yrs/Between 3 & 5 yrs/More than 5 yrs

If more than 5 years ago, has the officer attended any update training? Yes/No

If 'Yes, please state training received:.....

***Details of interviewee*** (please circle most appropriate response/s where required):

**Gender:** Male/Female    **Age:** 10 yrs or under/11 to 15 yrs/16 yrs or older

**Does the interviewee have any learning difficulties:** Yes/No

If 'Yes', please state:.....

**Does the interviewee have any previous convictions?** Yes/No

If 'Yes', please state (include details of sentencing):.....

***General details of interview*** (please circle most appropriate response/s where required):

**Did interview relate to historical abuse?** Yes/No    **Was interview:** Video-taped/audio-taped

**Was anyone else present during the interview?** Yes/No

If 'Yes', how many other people were present? 1 2 3 4

**What was the role(s) of these additional persons?**

Solicitor/Appropriate Adult/Social Worker/Other

If 'other', please state:.....

**For what offence(s) was the suspect interviewed:**

Intra-familial abuse/extra-familial abuse/internet sex crimes/adult sexual abuse/other

If, 'other', please state:.....

What were the exact offences:.....

**Was the interviewee charged for offence/s s/he was interviewed over?** Yes/No

If 'Yes', what was the charges(s)?.....

**Was the interviewee prosecuted for the offences?** Yes/No

If 'Yes', what was the verdict? Guilty/Not Guilty/Not Proven (Scotland)

If 'Guilty', what was the sentence:.....

**What was the nature of the evidence available to the interviewers prior to the interview of suspect? Please state extent and details below (e.g. CCTV, witnesses, DNA etc):**

.....

**Details of alleged victim** (please circle most appropriate response/s where required):

**Gender:** Male/Female **Age:**.....

**Had Interviewer(s) met with victim before interview of suspect?** Yes/No

If 'Yes', what was the nature of the meeting (e.g. interview, home visit etc)?:

.....

If 'No', where did interviewing officers (of the suspect) gain information/evidence about the nature of the allegation made by the victim?

Victim statement/victim video

**What was the relationship of the suspect to the victim?**

Male sibling/female sibling/father/step-father/mother/step-mother/uncle/aunt/  
grand-father/grand-mother/other (e.g. stranger, care home worker etc)

If other, please state:.....

Section 2 – Coding of Interviews

**Suspect's initial stance:** No comment/denial/partial admission/fully co-operative, but no admission of interview crime/full admission of interview crime given

**Interview outcome:** No comment/denial/partial admission/fully co-operative, but no admission of interview crime/full admission of interview crime given/full or partial admission of other, non-interview, crime

**2.1. Question Type – Interviewer(s)**

**Open Questions** (good/productive - those allowing a full range of responses. These questions encourage longer and more accurate answers from interviewers – normally 'tell', 'explain', 'describe' (TED)).

Item No.	Page/Line No.	Item No.	Page/Line No.

**Total =**

**Probing Questions** (good/productive - more intrusive and requiring a more specific answer, usually commencing with, 'who', 'what', 'why', 'where', 'when', 'which', or 'how'. These are appropriate when obtaining further details following an initial account.

Item No.	Page/Line No.	Item No.	Page/Line No.

**Total =**

**Encourager/acknowledgments** (where suspect answers a previous question with a short answer – usually no more than one short sentence (e.g. ‘okay, right fine’, or ‘I see, okay’ – or acknowledges a previous question with a ‘yes’, ‘no’, ‘don’t know’, ‘okay’).

Item No.	Page/Line No.	Item No.	Page/Line No.

**Closed Questions** (generally poor/unproductive - questions, which give an evasive interviewee the easy option in giving less detailed answers or close down the range of responses available to an interviewee - generally gets a, ‘yes’ or ‘no’ answer).

Item No.	Page/Line No.	Item No.	Page/Line No.

**Total =**

**Leading Questions** (poor/unproductive - questions, which suggest an answer in a formal content to the interviewee.

Item No.	Page/Line No.	Item No.	Page/Line No.

**Total =**

**Multiple Questions** (poor/unproductive - ones, which constitute a number of sub-questions asked all at once. Difficult for interviewee to know which one s/he should answer – any question which contains 2 or more sub-questions).

Item No.	Page/Line No.	Item No.	Page/Line No.

**Total =**

**Forced Choice Questions** (poor/unproductive - only offer the interviewee a limited number of possible responses – was it a red or blue car?).

Item No.	Page/Line No.	Item No.	Page/Line No.

**Total =**

**Opinion/Statement** (poor/unproductive - poses an opinion or putting statements to an interviewee as opposed to asking a question *per se*).

Item No.	Page/Line No.	Item No.	Page/Line No.

**Total =**

**2.2. Crimes admitted or denied**

**Denials of Interview Crime** (any denial by a suspect of involvement in the crime he/she was being interviewed about)

<b>Item No.</b>	<b>Page/Line No.</b>	<b>Item No.</b>	<b>Page/Line No.</b>

**Total =**

**Denials of Non-Interview Crime** (any denial by a suspect of involvement in a crime he/she was not originally cautioned for at the start of the interview)

<b>Item No.</b>	<b>Page/Line No.</b>	<b>Item No.</b>	<b>Page/Line No.</b>

**Total =**

**Admission/Confessions of Interview Crime** (any admission or confession by a suspect of the crime he/she was being interviewed about)

Item No.	Page/Line No.	Item No.	Page/Line No.

**Total =**

**Admission/confession of Non-Interview Crime** (any denial by a suspect of involvement in a crime he/she was not originally cautioned for at the start of the interview)

Item No.	Page/Line No.	Item No.	Page/Line No.

**Total =**

**2.3. Investigation Relevant Information Obtained During Interview**

**Person (the Who?):**

Any information about people (e.g. names, age, clothing, appearance, shoes, hair, tatoos, voice, accent, injuries, profession etc). Can refer to witnesses, suspects, self, victim, bystander etc.

Item No.	Page/Line No.	Item No.	Page/Line No.

**Action (The 'How')**

Any information that describes an action in some way (e.g. 'I went to the house', 'I gave her a cuddle', 'I smashed the brick over her head'). Could include offence related or unrelated actions. Could include:

- (i) any form of physical activity or motion, direct or implied, before, during or after alleged crime was committed
- (ii) any negation of such activity (as long as the agent of action was the subject)

Item No.	Page/Line No.	Item No.	Page/Line No.

**Location (the Where?):**

Information relating to places (e.g. address, streets, houses, descriptions of same, etc). Could include where the offence took place, where suspect, victim or witness lives, work addresses, alibi addresses etc.

<b>Item No.</b>	<b>Page/Line No.</b>	<b>Item No.</b>	<b>Page/Line No.</b>

**Item (the What?):**

Any information that describes an item used, or mentioned, by the suspect. Could include weapons, drugs, alcohol animals, furniture items etc. NOT PERSON SPECIFIC ITEMS LIKE TATOOS.

Item No.	Page/Line No.	Item No.	Page/Line No.

**Temporal (the When?):**

Any information that relates to dates, times, before, after, later, following etc. Not person specific age (in years - this should go into Person information)

Item No.	Page/Line No.	Item No.	Page/Line No.

**2.4. Empathic Utterances: Statements, Continuers, Terminators and Spontaneous Empathy**

Item No.	Page/Line No.	Item No.	Page/Line No.

**Section 3 - Totals Table**

Question Type – Interviewer	Open	Probing	Encourager	Closed	Echo	Leading	Multiple	Forced Choice	Opinion
Investigation Relevant Info	Person		Action	Location		Item		Temporal	
Empathic Utterances	Opportunity		Continuer		Terminator		Spontaneous		
Total Word Count - Interviewer									
Total Word Count – Suspect									



**Interview Extract One – Empathic with mostly appropriate questions**

**Background:** The interview adhered to the Police and Criminal Evidence Act (1984). All introductions and legal rights were given at the beginning of the interview. The suspect understood the caution, did not want a legal advisor present at the interview and was happy to talk to the officers about the alleged offence.

Person Speaking	Quest. Type	Content
Police Officer	O/S	So we'll just try and keep it like that. Just a few rules of the interview.
Suspect		Okay.
Police Officer	O/S	So whenever we're speaking here today, the questions that I'm thinking that I'm gonna be asking questions about is where you live.
Suspect		Yes
Police Officer	O/S	About where you work and ( <i>suspect's name</i> ), I'm gonna be asking you questions about what you know about the downloading.....
Suspect		.....yes....
Police Officer	O/S	...of indecent images of children.
Suspect		Yes
Police Officer	O/S	And I'm gonna be asking you questions about what you know of boys being raped.
Suspect		Yes.
Police Officer	Open	So in your own time, start wherever you want to start and just tell me about what you know about boys being raped.
Suspect		Well, as far as I know, it's all down to the legal age of consent. I think it used to be...was it 18, and it was brought down to 16 I believe. To me, rape is normally like that or if someone's not willing to...say... Participate, or is attacked, or something like that. I know there are different areas of indecent assault or rape and that's my understanding of it. Okay. Do you want me to go further?
Police Officer	E/A	Yeah.
Suspect		I know what I've done is wrong. I know it was illegal. It was. I don't know why I did it at the time? I just don't know really?
Police Officer	Open	Alright Alec, thank you. Just in your own time, tell me what you've done?
Suspect		Well, I have illegally downloaded pictures of boys in various acts of sexual activities with other boys and also believe there's some with men as well. I've also downloaded some....obviously we call them videos....off of the Internet and also there has been a website where people send webcams of boys from the computer and things like that, which I've downloaded only for my own use, not to show anybody. Not to sell onto anybody. Not to distribute or anything like that. Purely for my own use.
Police Officer	Open	Tell me, where did you download the material?
Suspect		From the PC at my work.

<b>Police Officer</b>	Probe	And where is that?
<b>Suspect</b>		Cos I'm not on the Internet at home.
<b>Police Officer</b>	Probe	And where is that PC?
<b>Suspect</b>		It's in ( <i>suspect says name of the town</i> ).
<b>Police Officer</b>	Open	So just tell me?
<b>Suspect</b>		Oh, the address? Sorry. It's....I work for ( <i>suspect says the name of the company</i> ) and....is he writing it?
<b>Police Officer</b>	E/A	Yeah
<b>Suspect</b>		<i>Suspect provides full postal address of the company.</i>
<b>Police Officer</b>	Closed	Alright, so, just to get it right in my own mind, you admit that you've been downloading.
<b>Suspect</b>		Yes.
<b>Police Officer</b>	Closed	Images?
<b>Suspect</b>		Yes.
<b>Police Officer</b>	Multiple	And you're alright, and it's been of boys?
<b>Suspect</b>		Yes.
<b>Police Officer</b>	Closed	And with men in different sexual acts, I think is the word that you used?
<b>Suspect</b>		Yes.
<b>Police Officer</b>	Multiple	And you knew that it was wrong and you said that you knew it was illegal?
<b>Suspect</b>		Yes.
<b>Police Officer</b>	Closed	But that you done it and it wasn't to give to anybody else?
<b>Suspect</b>		No.
<b>Police Officer</b>	O/S	It was for your own use and you done it from a PC in your work, which is ( <i>police officer gives company and town name as previously stated by suspect</i> )?
<b>Suspect</b>		Correct.
<b>Police Officer</b>	Closed	And you done it there because you're not on the Internet at home?
<b>Suspect</b>		Correct.
<b>Police Officer</b>	Closed	And it's the PC that you used at work?
<b>Suspect</b>		Correct.
<b>Police Officer</b>	Probe	And tell me ( <i>suspect's name</i> ), which PC was it at your work?

<b>Suspect</b>		It's the one by my desk. The one I personally use.
<b>Police Officer</b>	Open	And can you describe that to me?
<b>Suspect</b>		It's a silver box, probably about 2 foot high, by about 6 to 8 inches wide. It's got a small sticker on the top where it's serviced. That's about....just a normal standard. That is the actual....that is what we call the....what do you call it? We call it a server.
<b>Police Officer</b>	E/A	Yeah.
<b>Suspect</b>		But that's....you know....the working of the actual computer itself. Obvioulsy, I've got a keyboard, mouse and a monitor.
<b>Police Officer</b>	O/S	So it's that one? Mmmmmm....so, if you're going into your office....
<b>Suspect</b>		Yes.
<b>Police Officer</b>	Open	Just describe to me?
<b>Suspect</b>		If you go into our office.
<b>Police Officer</b>	Probe	Which is on which....?
<b>Suspect</b>		I sit. As you immediately go through the office doors, I sit to the right. Behind me, there's the couple of boards, like notice boards. Okay? It's an 'L' shaped desk like that.
<b>Police Officer</b>	E/A	Yeah, no that's fine.
<b>Suspect</b>		An 'L' shaped desk.
<b>Police Officer</b>	E/A	Yeah
<b>Suspect</b>		And you have to walk round to where I sit and the PC. If you sit at my desk, facing from the desk, the PC is just to the left-hand side.
<b>Police Officer</b>	Closed	Okay and ( <i>suspect's name</i> ), can you remember when you downloaded that information?
<b>Suspect</b>		Over a period of time.
<b>Police Officer</b>	Closed	Right, over a period of time?
<b>Suspect</b>		Yes.
<b>Police Officer</b>	Open	And ( <i>suspect's name</i> ), tell me about that period of time?
<b>Suspect</b>		I could probably. A long while ago I would think, not just recently. You know, sometimes I would download it, then I would clear them off. Other times I would keep some. Just lately, I have downloaded and saved them. All the others I would download and then delete them, but the last....probably couple of months....I've actually downloaded and then transferred them onto the CD ROMs to bring home to see if they would work on my laptop/PC. But my laptop is very old and unfortunately, will only play only one of them.
<b>Police Officer</b>	Multiple	So it's something that you've been downloading? You've been doing it for a while?
<b>Suspect</b>		Downloading them and then deleting them afterwards, but just recently

		I've been downloaded them and saved them onto CD ROMs.
<b>Police Officer</b>	<b>Echo</b>	CD ROMs?
<b>Suspect</b>		Yeah.
<b>Police Officer</b>	<b>Closed</b>	And so you've been downloading them? You said you've been downloading them and also videos. Was that right?
<b>Suspect</b>	<b>E/A</b>	Well you....yeah, it's not video's as such. I don't know what they call them, but you can actually download. They call them....they call them a video, but it's actually....you actually save them onto a disk or something like that.
<b>Police Officer</b>	<b>O/S</b>	Okay.
<b>Suspect</b>		Yes.
<b>Police Officer</b>	<b>Closed</b>	And you've been downloading them, but you've been doing it for a while and you've been deleting them, but only recently in the past?  <i>...the interview continued....</i>

**Interview Extract 1 questions**

4.1. How would you rate the overall 'quality' of this interview?

1                      2                      3                      4                      5  
Very poor                                                                                                          Very good  
quality                                                                                                          quality

Please provide a reason for your answer (if you need more space, please write on the back of this questionnaire clearly stating the question number your answer relates to):

.....  
.....  
.....  
.....  
.....

4.2. In your opinion, are the questions used by the interviewer mostly (please circle the number which best reflects your answer):

1                      2                      3                      4                      5  
Inappropriate                                                                                                          Appropriate

Please provide a reason for your answer (if you need more space, please write on the back of this questionnaire Clearly stating the question number your answer relates to):

.....  
.....  
.....  
.....  
.....

4.3. In your opinion, to what extent did the interviewer show empathy in the interview (please circle the number which best reflects your answer):

1                      2                      3                      4                      5  
Not at all                                                                                                          A great deal

**Interview Extract 2**

Please read interview extract 2

**Interview Extract Two – Empathic with mostly inappropriate questions**

**Background:** The interview adhered to the Police and Criminal Evidence Act (1984). All introductions and legal rights were given at the beginning of the interview. The suspect understood the caution, did not want a legal advisor present at the interview and was happy to talk to the officers about the alleged offence.

Person Speaking	Quest. Type	Content
Police Officer	O/S	Obviously, you're here because of a serious offence against you.
Suspect		Yeah
Police Officer	Probe	Well all three boys have said that you have stuck your finger up their anus. Why would they say that?
Suspect		I dunno.
Police Officer	O/S	And little ( <i>victim's name</i> ) has stated that when he got knocked by one of his brothers in the past couple of couple of days, I believe it was Saturday, that he'd hurt him like ( <i>suspect's name</i> ) had hurt him and when he asked about that, little ( <i>victim's name</i> ) said how you had stuck your finger in his bottom. And that's not the type of thing that a little four-year old would come out with. When I spoke to ( <i>victim's name</i> ) today, he said, when he was asked about you, he said you weren't very nice.
Suspect		How?
Police Officer	O/S	He said you're not very nice when asked about you. Asked about Nan, Nan's okay. But ( <i>suspect's name</i> ) is not very nice.
Suspect		He was on the PlayStation all day and all night and I was hardly in there.
Police Officer	Probe	As I say ( <i>victim's name</i> ) said that this happened, why would he say such a thing?
Suspect		
Police Officer	Closed	How do I know?
Suspect		Does anyone else stay at the house?
Police Officer	O/S	Nope.  And when we've asked the boys to describe you, they've described you as being thin, brown hair, they say long hair, but when they say long, they mean about an inch long hair and you've got spots. They've described you as being about five foot ten in height and their cousin ( <i>suspect's name</i> ). They haven't got any other cousins called ( <i>suspect's name</i> ).
Suspect		They have.
Police Officer	O/S	Not that sleeps in that bedroom.
Suspect		Not in there, cos he don't live there no more.
Police Officer	O/S	And there wasn't another ( <i>suspect's name</i> ) staying there on Friday night.
Suspect		No.

<b>Police Officer</b>	<b>Closed</b>	As I said, he's only four years old, it's not the type of story he would make up is it? Do you think it's the type of story he would make up?
<b>Suspect</b>		I ain't saying nothing.
<b>Police Officer</b>	<b>O/S</b>	Okay. Because of what ( <i>victim's name</i> ) said, I spoke to his two older brothers and that's ( <i>two brother's names</i> ). One is 9 years old, the other 10 years old. I spoke to the younger of the two and he described how two weeks ago...
<b>2<sup>nd</sup> Police Officer</b>	<b>O/S</b>	Two to three weeks ago.
<b>Police Officer</b>	<b>Closed</b>	Two to three weeks ago he was staying at your home and he was in your bed and he described how you had put your finger up his bottom. Have you ever done that?
<b>Suspect</b>		No response.
<b>Police Officer</b>	<b>O/S</b>	Have you ever done that ( <i>suspect's name</i> )?
<b>Suspect</b>		No response.
<b>Police Officer</b>	<b>O/S</b>	He also described how you put your hand down the front of his tracksuit bottoms under his pants and touched his penis. When asked about it, he described that...have you ever touched his penis?
<b>Suspect</b>		No response
<b>Police Officer</b>	<b>E/A</b>	When asked whether it was on top of his underpants you touched his penis, or under, he said you had literally touched his penis. He said that had happened a few times, about five or six times.  ...long silence....
<b>Suspect</b>		Yeah, can I ask a question?
<b>Police Officer</b>	<b>Closed</b>	Yeah
<b>Suspect</b>		What would happen if I admit it?
<b>Police Officer</b>	<b>O/S</b>	What would happen if you're here?
<b>Suspect</b>		No, if I admit to everything?
<b>Police Officer</b>	<b>Closed</b>	I don't know. What I have to do, I'll be quite upfront with you Gary, is my isn't to decide what happens, my job is actually to gain the evidence or evidence of anything that's happened. It's in your best interest to tell the truth. Once I've got all my evidence together, it then becomes someone else's decision what happens. But it always works out better for you if you're to tell the truth.
<b>Suspect</b>		Yeah, fine, I admit it.
<b>Police Officer</b>	<b>O/S</b>	Shall we start again?
<b>Suspect</b>		Mmmm.
<b>Police Officer</b>	<b>O/S</b>	Okay ( <i>victim's name</i> ) described how you put your finger up his anus. Have you ever done that?

<b>Suspect</b>		No response.
<b>Police Officer</b>	O/S	( <i>suspect's name</i> ), I do have to ask the questions, I know it's not a very nice subject to talk about.
<b>Suspect</b>		No, it ain't, especially not when it's happened to you.
<b>Police Officer</b>	Open	But if we discuss the boys first, then we can discuss what's happened to you. Okay? Because I'd rather you told me in your own words what had happened.
<b>Suspect</b>		Yes, I done it, I admit it, tell you everything.
<b>Police Officer</b>	Probe	Tell me about what you have done to the boys?
<b>Suspect</b>		Stuck me fingers up their arseholes, that's it. Me.
<b>Police Officer</b>	Closed	How many times have you done this?
<b>Suspect</b>		I dunno, wished I didn't.
<b>Police Officer</b>	Closed	Are we talking on more than one occasion ( <i>suspect's name</i> )?
<b>Suspect</b>		No response
<b>Police Officer</b>	Echo	Are we talking on more than one occasion?
<b>Suspect</b>		It's been a couple of times.
<b>Police Officer</b>	O/S	It's been a couple of time? Okay. If we talk about ( <i>1<sup>st</sup> victim's name</i> ) first. Do you want a tissue?
<b>Suspect</b>		Yes. Get it over and done with.
<b>Police Officer</b>	Probe	( <i>suspect's name</i> ), there are some tissues there. I'll let you compose yourself for a second. I know it's a very hard subject to talk about. It really is. It takes a lot of courage to talk about it. With ( <i>1<sup>st</sup> victim's name</i> ), how many times have you....?
<b>Suspect</b>		Once.
<b>Police Officer</b>	Closed	Just the once and when was that?
<b>Suspect</b>		On the night he stayed.
<b>Police Officer</b>	Probe	The night he stayed, is that Friday night?
<b>Suspect</b>		Yeah.
<b>Police Officer</b>	Closed	Yeah okay, and ( <i>2<sup>nd</sup> victim's name</i> )?
<b>Suspect</b>		A couple.
<b>Police Officer</b>	Closed	A couple of times. Can you remember when the last time was?
<b>Suspect</b>		The last time he stayed.
<b>Police Officer</b>	Closed	Okay and times before that?
<b>Suspect</b>		Inaudible

<b>Police Officer</b>	<b>Closed</b>	Is that a 'no', sorry, I missed that?
<b>Suspect</b>		Once before that and that's it.
<b>Police Officer</b>	<b>O/S</b>	Once before that, and have you ever touched (2 <sup>nd</sup> victim's name) penis? You're shaking your head, have you?
<b>Suspect</b>		No response.
<b>Police Officer</b>	<b>Probe</b>	As I said, this is your time to tell us what's gone on so we can try and sort out what's gone on. Have you ever touched (2 <sup>nd</sup> victim's name) penis before?
<b>Suspect</b>		Yes.
<b>Police Officer</b>		What did you do then?
		...the interview continued...

**Interview Extract 2 questions**

4.4. How would you rate the overall 'quality' of this interview?

1                      2                      3                      4                      5  
Very poor                                                                                                          Very good  
quality                                                                                                          quality

Please provide a reason for your answer (if you need more space, please write on the back of this questionnaire clearly stating the question number your answer relates to):

.....  
.....  
.....  
.....  
.....

4.5. In your opinion, are the questions used by the interviewer mostly (please circle the number which best reflects your answer):

1                      2                      3                      4                      5  
Inappropriate                                                                                                          Appropriate

Please provide a reason for your answer (if you need more space, please write on the back of this questionnaire clearly stating the question number your answer relates to):

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.....  
.....  
.....

4.6. In your opinion, to what extent did the interviewer show empathy in the interview (please circle the number which best reflects your answer):

1                      2                      3                      4                      5  
Not at all                                                                                                          A great deal

**Interview Extract 3**

Please read interview extract 3

**Interview Extract Three – Non-empathic with mostly appropriate questions**

**Background:** This interview adhered to the Police and Criminal Evidence Act (1984). All introductions and legal rights were given at the beginning of the interview. The suspect understood the caution, **but exercised his right to have a legal advisor present at the interview** and was happy to talk to the officers about the alleged offence.

Person Speaking	Quest. Type	Content
Police Officer	Open	Okay, she's basically told her aunty that she's been sexually abused by yourself in the form of digital penetration using your finger, to put your finger inside her vagina and her bottom, in her anus and other inappropriate behaviour, which has been going on for approximately 18 months. The last incident happening about two months ago. Do you want to tell us about this allegation?
Suspect		This is not true. An allegation made up by them against me.
Police Officer	Probe	Have you got any idea why this would be made up against you?
Suspect		I didn't like certain things about ( <i>name of suspect's step son</i> ).
Police Officer	Open	Do you want to tell me a bit more about the family set-up and what's been going on at home?
Suspect		My wife suffered depression and this led, you know, to the children being unhappy and unstable in the house. Last Tuesday, my wife was unwell and a doctor had been called around 11pm. My wife was unwell on that night, she was screaming, she said I can't cope anymore, I had enough. ( <i>name of suspect's daughter</i> ) called her aunty and told her to come over and to see her sister and sort out something and at the same time, a doctor had been called.
Police Officer	Probe	What happened after that?
Suspect		My sister-in-law told the doctor you know my sister is not well and you know that she said I think it's serious this time, she can't take any more, she can't cope any more. I told the doctor it's not that bad you know, I can help her, we can help her and support her and she can come over this, and I also pointed out to the doctor, she's breast feeding our little baby who is 6 months and this is maybe because of, you know, kind of depression for the ante-natal and also because my daughter is not happy in our accommodation, we have some sort of problems where we live. My sister-in-law, she wanted to take ( <i>name of suspect's daughter</i> ) to live with her and also ( <i>name of suspect's step son</i> ). I wasn't happy about this idea. I was thinking it better for ( <i>name of suspect's daughter</i> ) to stay next to her Mum to help her in this difficult time. And besides that, she is also going to school. And her sister, she told me, no problem, because ( <i>victim's name</i> ), she told me it's okay, no problem, because (inaudible) you need to go because school, you go late and school phone house and tell me why you late, and you need to go to school, don't have the excuse to go to your Aunty.
Police Officer	Probe	How long have you lived at that address?
Suspect		Four years.
Police Officer	Probe	And how long have you been married to ( <i>name of suspect's wife</i> ), your wife?
Suspect		Yeah ( <i>name of suspect's wife</i> ).

<b>Police Officer</b>	Probe	How long have you been married to her?
<b>Suspect</b>		Same, four years and three/four month.
<b>Police Officer</b>	Multiple	And you're originally from Algeria? Who else lives in that household, there's you....I just want to get a picture....you, ( <i>name of suspect's wife</i> ) and ( <i>name of suspect's daughter</i> )....
<b>Suspect</b>		....( <i>name of suspect's son</i> ), and then we have ( <i>name of suspect's daughter</i> ) and ( <i>name of suspect's daughter</i> ), she's two year's old.
<b>Police Officer</b>	Probe	Okay, so there's ( <i>name of suspect's daughter</i> ), who's 14, ( <i>name of suspect's son</i> ) is how old?
<b>Suspect</b>		Eight.
<b>Police Officer</b>	Probe	And the other child?
<b>Suspect</b>		( <i>name of suspect's daughter</i> ), she's two.
<b>Police Officer</b>	Closed	( <i>name of suspect's daughter</i> ), she's two and then the baby?
<b>Suspect</b>		The baby is seven months.
<b>Police Officer</b>	Closed	So are you the father to the baby?
<b>Suspect</b>		Yeah and the small daughter ( <i>name of suspect's daughter</i> ).
<b>Police Officer</b>	Closed	And the father to the two year old, the other children are your step children?
<b>Suspect</b>		Yeah, and ( <i>name of suspect's step-daughter</i> ), she have a different dad to ( <i>name of suspect's son</i> ).
<b>Police Officer</b>	Probe	Okay, so there's quite a lot of people, how big is your flat?
<b>Suspect</b>		Sorry?
<b>Police Officer</b>	Probe	How big is your flat?
<b>Suspect</b>		We have a two-bedroom flat, because she have depression, she want to move where we live and she want to go out where we live because we have problem for her and she make it too much in her head and she start after arguing with me, arguing with my daughters about behaviour in school, I say okay, you need to be patient with the children, leave them, go (inaudible) and ( <i>name of suspect's daughter</i> ), she was unhappy how was her mum, she's angry with her (inaudible – rustling sound), she have problem in school with this and doctors say, how you behaving you Muslim, how you dress, you can't go like that, respect yourself. And her mum, she start angry more when we talking to her. And she tell me, 'look, look you make my mum angry and against me'. I say, I'm not making her against you, just I'm talking to you, and your mum, I talk to her slowly, slowly, you small, you a teenager because like this year, you meet boy in school (inaudible) and her aunty, she told my wife, she's normal, that's her age, leave her how she wants. My wife, I told her (inaudible), she wasn't happy. She make bog problem for her.
<b>Police Officer</b>	Probe	I was going to say, how do you get on with ( <i>name of suspect's step-daughter</i> )?

<b>Suspect</b>		Because I was okay with her before, I don't have any problem, we playing, we do loads of things, me and my daughter, we don't have any problem (inaudible) I talk to her. You know your mum she is sick, you need help your mum, don't make her more problem because sometimes, she don't want to clean, she tell me always I clean, and I say yes, me too, I clean just for make you happy (inaudible) and she do it slowly, slowly, sometime she cook, when she cook, she cook nice and sometimes she don't want to do it and my wife, she's angry with her and say, 'that's your job' rather you can manage with other woman, single not have any problem (inaudible).
<b>Police Officer</b>	<b>Closed</b>	That's being a typical teenager, she's 14 isn't she, nearly 15?
<b>Suspect</b>		Yeah, nearly 15 this year, this month she's doing 15. She starts tomorrow, she have relation with other girl (inaudible) but listen to music, rock, my wife no like it, she don't listen. Because she goes on when can I listen to music'
<b>Police Officer</b>	<b>Probe</b>	But you and her, what does she call you at home?
<b>Suspect</b>		Abbi, same dad.
<b>Police Officer</b>	<b>Closed</b>	Abbi....so that's dad is it?
<b>Suspect</b>		Yeah.
<b>Police Officer</b>	<b>Closed</b>	So, she calls you dad. So just the two of you, not her and your wife....have the two of you got on as step-father and step-daughter?
<b>Suspect</b>		Normal, just say to me she's not happy, she think me I make her mum worse against her because of me, because way I'm talking. She make me a problem, because my wife, she tell me stay away (inaudible) because she angry with her and she tell me you better stay away because she going to be blaming you. It's better she can put her in big trouble (inaudible) I'm not going to smack her, I'm not going to do anything. When she, my wife, she start screaming, I don't want people listen.
<b>Police Officer</b>	<b>Closed</b>	So you're having a few problems with your wife and her depression?
<b>Suspect</b>		Yeah lots and lots of problems, because my wife, she told me (inaudible) because she was married with dad of ( <i>name of suspect's step son</i> ), it wasn't maybe far away she divorced. Maybe he can't cope with her and she told me it's better you go and look other way, it's better go away from house, go and find another woman and I say no, we married, the best way is for me, too much pressure for me, me, I can go and stay with my family, because I afraid depression my wife and my daughter, she would go out from house from her mum depression.
<b>Police Officer</b>	<b>Open</b>	Moving away from the depression side, I think we can picture what's happening with you and your wife. Tell me where everybody sleeps in your flat?
<b>Suspect</b>		Because we have big room, it was me and my wife, we have this big room, after we change, my wife, she told me, it's better we give the room for children and we take small room, where is ( <i>name of</i>

		<i>suspect's step son</i> ) and ( <i>name of suspect's daughter</i> ) because ( <i>name of suspect's daughter</i> ), she sleep with ( <i>name of suspect's step son</i> ) and we put ( <i>name of suspect's daughter</i> ) with her we have bed for ( <i>name of suspect's step son</i> ), ( <i>name of suspect's daughter</i> ) ( <i>name of suspect's son</i> ).
<b>Police Officer</b>	Closed	Right, so the three children are in one room?
<b>Suspect</b>		And we take small room, me and my wife, sometime before, sometime ( <i>name of suspect's daughter</i> ), she come sleep with us, sometime ( <i>name of suspect's step-son</i> ), because my wife, she think you take everything away from children, you understand?
<b>Police Officer</b>	Probe	Yeah, so you got the three children in one room, and you and your wife....and baby?
<b>Suspect</b>		Yeah, and baby with us, beside this room and next room, the door is open and you can see everything what's happened next door.
<b>Police Officer</b>	Closed	And when the children go to bed, do they leave their door open?
<b>Suspect</b>		Yeah, the door is open, yeah. Only worries you know when you have relation with your wife, you close door and that's normal for children (inaudible).
<b>Police Officer</b>	Closed	And do the children go to bed at different times?
<b>Suspect</b>		Different times, sometimes ( <i>name of suspect's step-son</i> ) go early, sometime ( <i>name of suspect's daughter</i> ), she feel tired (rustling sounds).
<b>Police Officer</b>	Probe	What about ( <i>name of suspect's daughter</i> ), what time does she go to bed roughly?
<b>Suspect</b>		She go too much late, because sometimes she reading book or she was on Internet.
		...the interview continued....

**Interview Extract 3 questions**

4.7. How would you rate the overall 'quality' of this interview?

1                      2                      3                      4                      5  
Very poor                      Very good  
quality                      quality

Please provide a reason for your answer (if you need more space, please write on the back of this questionnaire clearly stating the question number your answer relates to):

.....  
.....  
.....  
.....  
.....

4.8. In your opinion, are the questions used by the interviewer mostly (please circle the number which best reflects your answer):

1                      2                      3                      4                      5  
Inappropriate                      Appropriate

Please provide a reason for your answer (if you need more space, please write on the back of this questionnaire clearly stating the question number your answer relates to):

.....  
.....  
.....  
.....  
.....

4.9. In your opinion, to what extent did the interviewer show empathy in the interview (please circle the number which best reflects your answer):

1                      2                      3                      4                      5  
Not at all                      A great deal

**Interview Extract 4**

Please read interview extract 4

**Interview Extract Four – Non-empathic with mostly inappropriate questions**

**Background:** This interview adhered to the Police and Criminal Evidence Act (1984). All introductions and legal rights were given at the beginning of the interview. The suspect understood the caution, **but exercised his right to have a legal advisor present at the interview** and was happy to talk to the officers about the alleged offence.

Person Speaking	Quest. Type	Content
Police Officer	Closed	So there's no one time you remember being – taking her shopping as an apology for what you might have been doing to her?
Suspect		No, no, no. I do remember one day she come up and she says, 'You never buy me anything Dad, I want to go out and buy me something'. And we went to ( <i>name of shopping centre</i> ) or something. Mind you, it's only across the road like, do you know what I mean? But she was just having a moan like, 'Poor me', again like, do you know what I mean? Like I always preferred ( <i>step-daughter's name</i> ) than her for some reason.
Police Officer	Closed	( <i>step-daughter's name</i> ) talks about a time after she'd moved out of London, that she decided she wanted to move back in with you, to the extent that she actually left school, the school that she was attending, and she was going to come back and move in with you and go to school back in London. Do you remember this occurring?
Suspect		She was always threatening one way or the other, she couldn't....
Police Officer	O/S	But, this went further than a threat, she actually left school, it was arranged that she was leaving school.
Suspect		I don't remember her leaving school, but she was always, sort of, on about – she couldn't really make up her mind where she'd be, do you know what I mean like?
Police Officer	Closed	Did you ever arrange for her education to recommence in the London area?
Suspect		I can't remember, I just can't remember, that's going back too long ago like.
Police Officer	O/S	Because she said that actually happened, she left school and she came up to London. First night, it happened again, you had sex with her and she thought, 'No, I can't put up with this', so she went back home and went and returned to her normal school.
Suspect		No, no, never had sex with ( <i>step-daughter's name</i> ).
Police Officer	Closed	But do you remember a time when she was going to move up permanently with you and then it didn't work out after just a few days (over-speaking)?
Suspect		She....but that was regular with ( <i>step-daughter's name</i> ), she was like, 'Oh, is it alright if I come?' and I'll go, 'Oh well, you know'. It was like, 'Make up your mine', you know? Because it's not fair on ( <i>partner's name</i> ) or me, do you know what I mean like? You don't know where you're going like.
Police Officer	Probe	Okay, so, when's the last time you saw ( <i>step-daughter's name</i> )?
Suspect		No idea, about 18 years ago or something?
Police Officer	Probe	Where was the last time you saw her?

<b>Suspect</b>		The last time I saw her must have been....I don't know....could have been down in Cornwall, if you know what I mean like?
<b>Police Officer</b>	Closed	Okay, can you remember what happened?
<b>Suspect</b>		Nom I had to go down and convalesce.
<b>Police Officer</b>	Closed	Was this after your stroke?
<b>Suspect</b>		Yeah.
<b>Police Officer</b>	Probe	Okay and when did you have your stroke?
<b>Suspect</b>		Hang on a minute, wasn't my stroke, it was my leg. Was it my leg? I don't know whether it was my leg or my stroke? But I had to go down and....I stayed down there for a week.
<b>Police Officer</b>	Probe	And where did you stay?
<b>Suspect</b>		In ....(inaudible).
<b>Police Officer</b>	Probe	Who did you stay with?
<b>Suspect</b>		I was on my own.
<b>Police Officer</b>	Closed	Okay, and did you see ( <i>step-daughter's name</i> ) then?
<b>Suspect</b>		I saw ( <i>step-daughter's name</i> ) and (2 <sup>nd</sup> <i>step-daughter's name</i> ).
<b>Police Officer</b>	Closed	And that's the last time?
<b>Suspect</b>		Yeah. That's if I got that right, but there's about more or less, because ( <i>step-daughter's name</i> ) used to have a little – a flat there like, do you know what I mean? But when I went down for the baby like that, just banged my toes on the toolbox (inaudible).
<b>Police Officer</b>	Closed	( <i>step-daughter's name</i> ) talks about a situation, I think about 14 years ago, when she believed you were going to be coming down to an area near where she lived and she didn't want you anywhere near her, and she disclosed to a friend of hers, again called ( <i>same name as daughter</i> ), that you'd abused her as a child. She didn't go into detail with ( <i>step-daughter's name</i> ), but she disclosed some. And a statement's been taken from her friend ( <i>same name as daughter</i> ) - ( <i>step-daughter's name</i> )'s friend ( <i>same name as daughter</i> ), and she remembers this as well, and she remembers that she rang you up, so the friend rang you up, and she said – she warned you not to come down to the area or she would tell ( <i>ex-wife's name</i> ), your ex-wife, what you had done to ( <i>step-daughter's name</i> ), okay?
<b>Suspect</b>		I don't remember that at all.
<b>Police Officer</b>	O/S	Her friend ( <i>same name as daughter</i> ), says that you turned round and you said....bear with me. Excuse me, just finding the point in the statement. She gave you that warning and she said....gave you that warning and you said, 'I don't know what you mean'. She said, 'Yes you do', and you said, 'I don't know what your problem is, it's not like it's incest or anything, she's not even my daughter.
<b>Suspect</b>		( <i>step-daughter's name</i> )'s always been my daughter in that respect. I never sort of said, '( <i>step-daughter's name</i> )'s like (inaudible).

<b>Police Officer</b>	O/S	Right, but this girl is saying that when she rang you, you said, 'It's not like it was incest, she's not even my daughter'.
<b>Suspect</b>		No, I didn't say that at all.
<b>Police Officer</b>	Closed	Do you deny saying that?
<b>Suspect</b>		No, I do deny saying that.
<b>Police Officer</b>	Closed	Because that to me is suggesting that you were saying, 'Yeah, I did have sex with her but it wasn't incest because we're not blood'. Yeah?
<b>Suspect</b>		Yeah, I know what you mean like, yeah.
<b>Police Officer</b>	Closed	So did you say that to her?
<b>Suspect</b>		I didn't. I didn't have sex with ( <i>step-daughter's name</i> ). And I certainly didn't (inaudible) conspiracy or something like.
<b>Police Officer</b>	O/S	Well, this is the problem we've got, isn't it ( <i>name of suspect</i> ). There's a lot of people here who are confirming certain things that ( <i>step-daughter's name</i> ) saying, and her friend ( <i>same name as daughter</i> ) is very graphic in her account, okay.
<b>Suspect</b>		Yeah, I don't understand it at all.
<b>Police Officer</b>	O/S	We're talking about the telephone, we're talking about a vibrator and there's no small coincidence that you've got a white or a pale coloured vibrator, you know? You are somebody who enjoys the use of sex toys. You possibly bought ( <i>name of wife</i> ) some of these love eggs, these sex balls. There's lots of things starting to build up which corroborate ( <i>same name as daughter</i> )'s story, to be quite honest with you, yeah?
<b>Suspect</b>		Yeah, yeah, but I don't understand it at all like, because I'd never do that. I'd never have sex with a child, let alone my own daughter, so you know what I mean like?
<b>Police Officer</b>	O/S	You are somebody who is....enjoys pornography. You're somebody who actively takes pictures yourself of women pulling their vaginas open. You're somebody who has a collection of pornography in your front room. These are all things that corroborate the allegations.
<b>Suspect</b>		Yeah, yeah, I can see what you mean.
<b>Police Officer</b>	Closed	Is what ( <i>step-daughter's name</i> )'s saying true?
<b>Suspect</b>		No, it's definitely not true. On my mother's grave, it's not.
<b>Police Officer</b>	Closed	Is some of it true and she's exaggerating?
<b>Suspect</b>		No, I've never, ever flipping made love to ( <i>step-daughter's name</i> ), never, I just couldn't.
<b>Police Officer</b>	Closed	Have you had sex with ( <i>step-daughter's name</i> )?
<b>Suspect</b>		I have not, on my mother's grave. On my family's grave (several inaudible words) you know.

<b>Police Officer</b>	<b>Closed</b>	I asked you earlier on if there was any big thing, any big falling-out that you'd had with ( <i>step-daughter's name</i> ), indeed both the girls, and you said, 'No, just kind of drift apart, they know I'm here, they can contact me if they want me. If anything happens to me, I'd phone ( <i>name of suspect's wife</i> )', that's what you said to me, yeah?
<b>Suspect</b>		Yeah.
<b>Police Officer</b>	<b>Probe</b>	Then why on earth is ( <i>step-daughter's name</i> ) making this allegation? Why do you think ( <i>step-daughter's name</i> ) has made this allegation?
<b>Suspect</b>		I've got no idea at all like, just like....I am so traumatised by this like, I just can't....I can't even take it in, do you know what I mean like? I have no idea why ( <i>step-daughter's name</i> ) is doing this?
<b>Police Officer</b>	<b>O/S</b>	She tells us that the catalyst for her reporting this is that a friend's daughter has suffered abuse and was able to report it to the police, and that made her feel slightly ashamed of herself because she allowed the abuse that you conducted upon her to go unreported, and that's the catalyst for her reporting this. So, she gives a reason for why she reported this.
<b>Suspect</b>		But, I have never done....I have never had sex with her. It wouldn't even enter my flipping head.
<b>Police Officer</b>	<b>Closed</b>	But you can't give me a reason why she'd make this up?  ...the interview continued....

**Interview Extract 4 questions**

4.10. How would you rate the overall 'quality' of this interview?

1                      2                      3                      4                      5  
Very poor                                                                                                          Very good  
quality                                                                                                          quality

Please provide a reason for your answer (if you need more space, please write on the back of this questionnaire clearly stating the question number your answer relates to):

.....  
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.....

4.11. In your opinion, are the questions used by the interviewer mostly (please circle the number which best reflects your answer):

1                      2                      3                      4                      5  
Inappropriate                                                                                                          Appropriate

Please provide a reason for your answer (if you need more space, please write on the back of this questionnaire clearly stating the question number your answer relates to):

.....  
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.....  
.....  
.....

4.12. In your opinion, to what extent did the interviewer show empathy in the interview (please circle the number which best reflects your answer):

1                      2                      3                      4                      5  
Not at all                                                                                                          A great deal

**Section 5 – Use of empathy**

This section relates to the possible use of empathy in the interview extracts. Please answer the following questions relating to each interview extract:

**Interview Extract 1**

5.1. Can you identify any specific examples of empathy in **Interview Extract 1?**

Yes/No

If, 'yes', please explain below where you think empathy was shown by the officer:

Page number/s:.....

.....

Line number/s:.....

.....

**Interview Extract 2**

5.2. Can you identify any specific examples of empathy in **Interview Extract 2?**

Yes/No

If, 'yes', please explain below where you think empathy was shown by the officer:

Page number/s:.....

.....

Line number/s:.....

.....

**Interview Extract 3**

5.3. Can you identify any specific examples of empathy in **Interview Extract 3**?

Yes/No

If, 'yes', please explain below where you think empathy was shown by the officer:

Page number/s:.....

.....

Line number/s:.....

.....

**Interview Extract 4**

5.4. Can you identify any specific examples of empathy in **Interview Extract 4**?

Yes/No

If, 'yes', please explain below where you think empathy was shown by the officer:

Page number/s:.....

.....

Line number/s:.....

.....

**Section 6 – Explanation of a 'quality' interview**

6.1. Please explain how you would generally define a 'good quality' suspect interview (if you need more space, please write on the back of this questionnaire clearly stating the question number your answer relates to):

.....  
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## Participant Consent Form

**Title of Research:** Specialist police officers' ability to detect 'quality' in high-stake interviews with suspects of sexual offences.

**Research Team:** Gavin Oxburgh (Principle Investigator), Dr James Ost, Dr Julie Cherryman and Dr Paul Morris, all University of Portsmouth.

**Description of procedure:** The purpose of this research is to investigate specialist police officers' ability to assess 'quality' in excerpts of real-life interviews with suspects of sexual offences. All information gained will be used as part of a doctoral research programme entitled, '*Towards a more effective framework for offender interviews in sexual offences investigations*'.

You are under no obligation to participate in the research, which will take approximately 20 minutes to complete. If you agree to take part, you will be required to sign this consent form. You should be aware that all information recorded on this form will be kept confidential and that only the research team will have access to it. Your anonymity will be maintained and we will not be asking for your name or collar number, unless you decide to provide those details. In addition, the researcher will not report any information (in written reports or otherwise) that links specific data from this questionnaire to specific individuals. Furthermore, the researcher will not divulge the identity of any participant involved in this questionnaire, or information that may give clues to the identity of specific participants or other persons.

All data collected will be kept in a locked filing cabinet within the researcher's office for a period of at least five years after the appearance of any associated publications. Any aggregate data (e.g., spreadsheets) will be kept in electronic form for up to five years, after which time they will be destroyed.

Your participation is voluntary and you have the right to withdraw your participation at any time and for any reason, although it will not be possible to withdraw after 30<sup>th</sup> of June 2011. You can obtain general information about the results of this research by contacting the Principle Investigator (details above) after 1<sup>st</sup> August 2011, although it is departmental policy not to provide individual feedback on questionnaire performance. All data collected will be used for the purposes of research and teaching purposes.

I confirm that I have read and understood the above information relating to the study and agree to take part in the research.

-----  
Name of Participant

-----  
Date

-----  
Signature

-----  
Researcher

-----  
Date

-----  
Signature

## Participant De-brief Form

**Title of Research:** Specialist police officers' ability to detect 'quality' in high-stake interviews with suspects of sexual offences.

**Research Team:** Gavin Oxburgh (Principal Investigator), Dr James Ost, Dr Julie Cherryman and Dr Paul Morris, all University of Portsmouth.

**Description of procedure:** Thank you very much for participating in our study. The purpose of this research is to investigate specialist police officers' ability to assess 'quality' in excerpts of real-life interviews with suspects of sexual offences. All information gained will be used as part of a doctoral research programme entitled, '*Towards a more effective framework for offender interviews in sexual offences investigations*'. The reason we are collecting these data is to inform a recent debate in the Psychological literature surrounding the use of 'empathic' interviewing styles.

Some psychological research (e.g. Oxburgh, Williamson & Ost, 2006; Soukara, Vrij & Bull, 2002) suggests that police interviewers find it difficult to empathise with those suspected of committing child sexual offences. Using a novel approach for coding the presence of empathy in interviews, Oxburgh, Ost and Cherryman (2010) found that the use of empathy in interviews with child sex offenders had no impact on the amount of investigation relevant information obtained and that police officers use relatively very little empathy during interviews with this cohort of offenders. However, current police training documents and best practice guidelines in England and Wales (e.g. Centrex, 2004, Home Office, 2002; 2007; 2011) make limited reference to the use of empathy by interviewing officers, and it is unclear as to the extent of training officers receive in this area. Our argument is that without in-depth training, can officers truly understand what empathy actually is, how it can manifest itself during interviews, and how they can identify and communicate empathy effectively during interviews? This is why we asked you to review interview excerpts for 'quality', to ascertain what interviews were, in your opinion, good quality. We were specifically looking at whether you believed any interview excerpt contained empathy, but also whether the questions asked by the interviewing officer/s were appropriate.

**Obtaining feedback:** If you would like to discuss your experience of the study with me you can do this after completion of the study, or via supervisor's email address (provided below). We anticipate the preliminary results of this study will be available by the end of August 2011.

**How to withdraw your data:** If, having participated, you decide you would prefer to withdraw your data you can do so by contacting me at the email address below, and quoting the participant number at the top of this sheet. Please note that it will not be possible to withdraw data after 30<sup>th</sup> June 2011.

If you have any questions or concerns about your participation please do not hesitate to get in touch with me at the email address below. If your questions or concerns are not dealt with to your satisfaction you can contact the Chair of the Psychology Research Ethics Committee in confidence by writing to: Chair of Psychology Department Research Ethics Committee, Department of Psychology, King Henry I Street, Portsmouth, Hampshire, PO1 2DY.

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