

Social psychology

Methods and aims of investigative interviewing of adult witnesses: An analysis of professional practices

Méthodes et objectifs de l'audition des témoins adultes : analyse des pratiques professionnelles

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Abstract

Eyewitnesses provide crucial evidence for the investigation of criminal cases. We analysed professional police interviewers' behaviour by conducting a literature review. Our results indicate that the interviewing techniques used by untrained and trained investigators are predominantly inappropriate and harmful to memory recall. The way investigators curtail and select witnesses' responses suggests that they look for specific information. As a subsequent step, we analysed investigative interviewing in terms of professional objectives, identifying the types of information that the police inquire about during the interview. Based on our results, we conclude future research should perform a fine-grained analysis of professional interviewing procedures with the aim of producing effective interviewing techniques that meet investigators' real-world objectives.

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Keywords: Investigative interview; Eyewitness; Standard police interview; Cognitive interview; Police report

Résumé

Les témoins oculaires apportent des informations déterminantes pour l'élucidation des affaires criminelles. Nous proposons une analyse de l'activité professionnelle du recueil du témoignage via une revue de littérature. Nous constatons que les enquêteurs utilisent de façon prépondérante des techniques de questionnement délétères du point de vue mnésique, et ce, même après formation aux techniques de recueil du témoignage.

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La façon dont les enquêteurs limitent et sélectionnent les propos du témoin suggère qu'ils recherchent des informations spécifiques pour l'enquête. Nous analysons alors les objectifs professionnels de l'audition, en identifiant les informations recherchées par les enquêteurs à travers l'audition. De futures études devront considérer ces types d'informations et approfondir cette analyse en vue d'améliorer l'utilisabilité des outils de recueil du témoignage.

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Mots clés : Audition judiciaire ; Témoin oculaire ; Entretien standard de police ; Entretien cognitif ; Procès verbal d'audition

Eyewitness testimony is crucial to the resolution of criminal investigations (Wellford & Cronin, 1999; Mucchielli, 2004; Brodeur & Ouellet, 2005). However, it also leads to wrongful convictions (St-Yves, 2009). A number of studies have focused on factors that may account for testimony errors, whether stemming from the characteristics of the witness, those of the perpetrator's or those of the crime scene (for reviews, see Py & Ginot, 1996; Wells, Memon, & Penrod, 2006). Another body of research has focused on techniques that need to be implemented in order to place the witness in the optimal conditions to give a detailed account of the scene. Indeed, there is extensive literature on the cognitive interview, a non-directive interviewing protocol for adult witnesses, which relies on recollection strategies based on memory theories (Fisher & Geiselman, 1992). However, what is surprising is that while many studies have focused on the analysis of investigative interviewing practices of children (for reviews, see e.g. Goodman & Melinder, 2007; Bull, 2010; Powell, Wright, & Clark, 2010), very little work has focused on the methods and goals for investigative interviewing of adult witnesses. Even if, in both cases, the testimony is used to establish evidence, the testimony of a child versus that of an adult presents different issues. The issues of child testimony are quite complex; the lack of physical evidence, the repetition of critical scenes and the witness's lack of maturity make the investigation very difficult. Because the alleged perpetrator is usually a relative of the child, details gained from an interview of a child are mainly used to characterize the offense and provide clues to corroborate their testimony (Larsson & Lamb, 2009). Regarding adult witness issues, except for testimony related to sexual crimes occurring far back in time, their testimony is typically used to complement other investigative inquiries. We can therefore expect the investigator to pursue very different objectives throughout the interview. It turns out that the literature has relatively neglected this issue. Thus, the objectives of investigative interviews of adult witnesses and suspects, as well as the expectations and perceptions of the interview by investigators, require a critical level of analysis in order to (a) understand the occurrence of testimony errors and (b) develop better interview tools of adult interviewees that are acceptable from the standpoint of real-world professional objectives.

We therefore decided to focus our research on a review of the literature on practices and objectives used to interview adult witnesses. Studies (journal articles, book chapters, conference papers) were identified by intensive research through Web of Knowledge using the keywords "investigative interview", "police report", "police questioning style", "criminal investigation", "Cognitive Interview" as well as research from the various lists of references associated with the documents found. In a first step, the practices of investigators in terms of information elicitation techniques will be analysed through the results of archival and observational studies. In a second step, we will identify, based on questionnaire surveys, interview surveys and archival studies, the

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