

Investigative Interviewing in the UK *(it takes time)

1

Dr Andy Griffiths
Berlin May 2024

1977-1997
= 95
False confession
Miscarriages of justice

2



3



1997-2017
= 5
False confession
Miscarriages of justice



Legislation

4

how was this
achieved ?

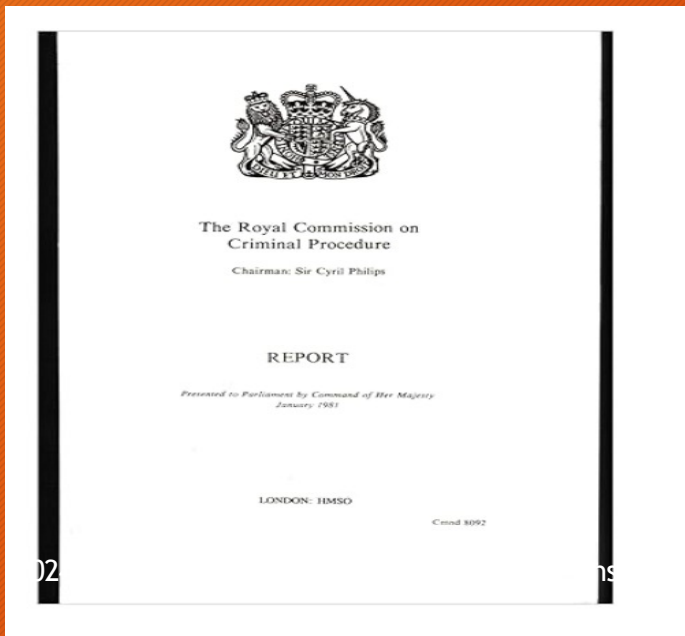
Training

Culture

1981

Royal Commission on Criminal Procedure

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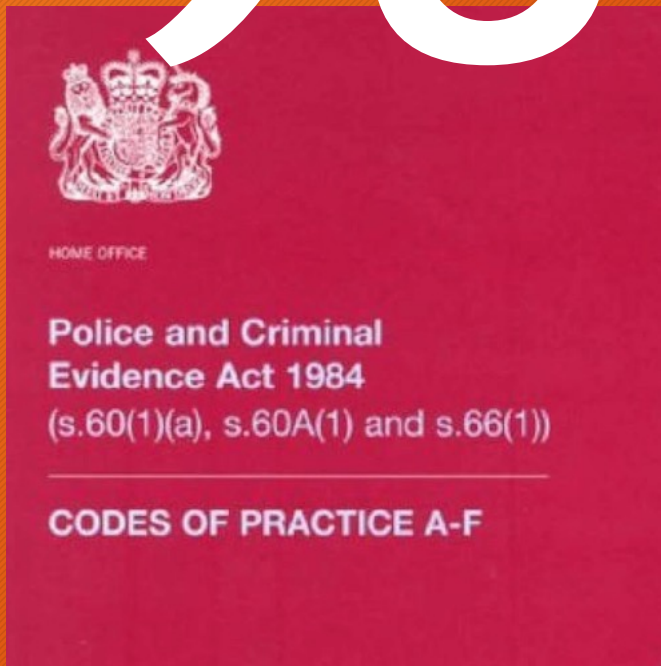


- Rights of suspects
- Bringing offenders to justice
- Efficient and economic use of resources
- 12 research studies
- Public consultation
- Oral evidence
-

1984

Police and Criminal Evidence Act

7



- Code of Conduct for police
- Independent scrutiny of arrest
- Regular review of detention
- All suspect interviews recorded
- Right to legal adviser
- Extra rights for juveniles

1994

Criminal Justice and Public Order Act 1994

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CRIMINAL
JUSTICE AND
PUBLIC ORDER
ACT 1994 (UK)



- Inferences from silence
- 'Special' Warnings
- Restrictions on bail
- Retention of samples (DNA)

1996

National DNA database

9



- 5.9m profiles
- 30,000 hits per year
- Convicted v Unconvicted
- Peak 62% hit rate (2014)
- Operating costs £2.5m per annum

1997

Criminal Case Review Commission

10



- Independent review body
- 31,000 reviews (1997-2023)
- 838 referred to Appeal
- 575 quashed convictions (>2%)

2002

ACHIEVING BEST EVIDENCE

11

- Recognised vulnerable witnesses
- Video recorded evidence
- Training for Officers
- Intermediaries to assist witnesses
- Screens for anonymity



LEGISLATION (SAFEGUARDS)


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1972 Maxwell Confait case




- Confessed to involvement
- No parents present
- Lattimer convicted of manslaughter and Leighton of murder
- Convictions only quashed after second appeal
- Case led to the Royal Commission

1984 Police and Criminal Evidence Act




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1996 National DNA database



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2002 ACHIEVING BEST EVIDENCE



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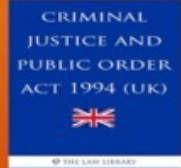
These are just examples - there was more !

1981 Royal Commission on Criminal Procedure




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- 12 research studies
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1994 Criminal Justice and Public Order Act 1994



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1997 Criminal Case Review Commission



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Legislation

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Training

Culture

1992 PEACE Interview Training

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- Developed by a cooperation of practitioners, academics
- 5-day National interview training course
- Suspects and witnesses
- All officers conducting interviews
- Scenario based
- Evaluations positive

1997

Specialised interview training

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- Pioneer forces
- Three-week (suspect interview) courses
- Intensive practice and feedback
- External experts
- Pass/Fail
- Linked to case deployment
- Cognitive Interview training

2002 National Tiered Interview Training

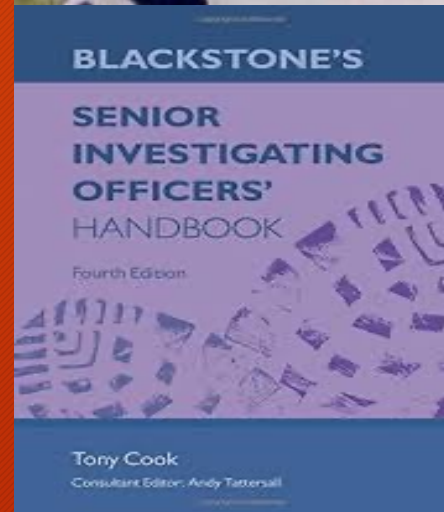
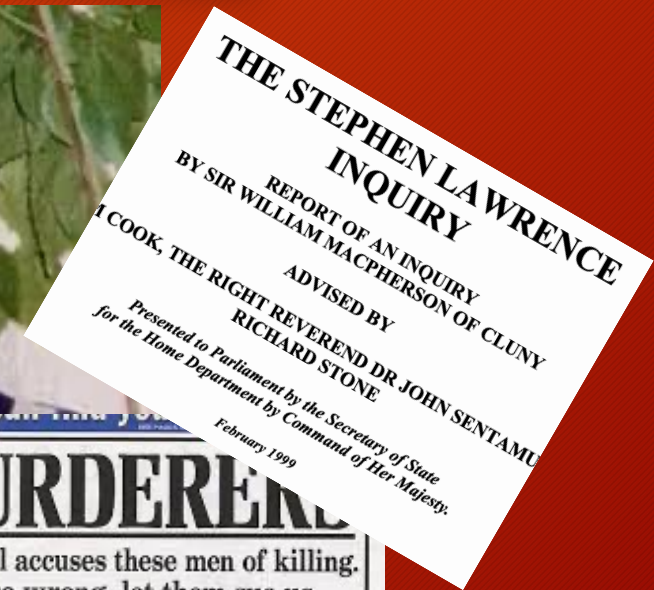
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- Agreed by all forces
- 5 levels of training
- Basic level as part of recruit training
- Three-week specialist courses witness:suspect
- Interview advisor
- Supervisors program

1993 Stephen Lawrence murder

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- Racist murder exposed bias
- Flawed investigation
- Public enquiry
- SIO training
- Re-organisation of investigation



1998 Murder Investigation Training

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- Murder investigation manual
- Included Mindset and Objectivity
- Accreditation of Senior Investigating Officer role
- Manager of enquiry (NOT interviewer of suspect!)
- Directed use of specialist interviewers

how was this
achieved ?

Legislation

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Training

Culture

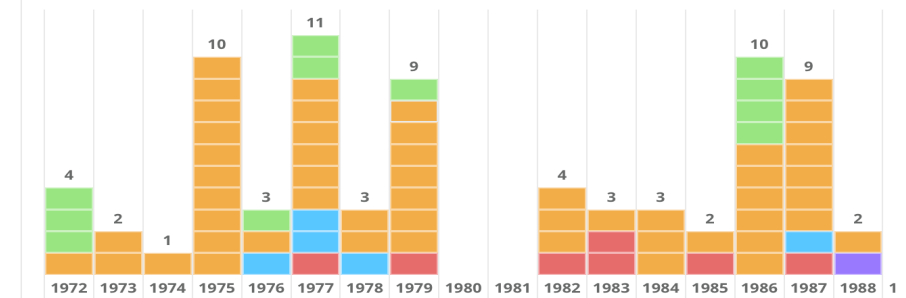
1980's

- Lie about evidence
- Offer inducements/make threats
- Assault suspects
- Coerce witnesses
- Suppress evidence

False Confession Related Miscarriages of Justice in the UK

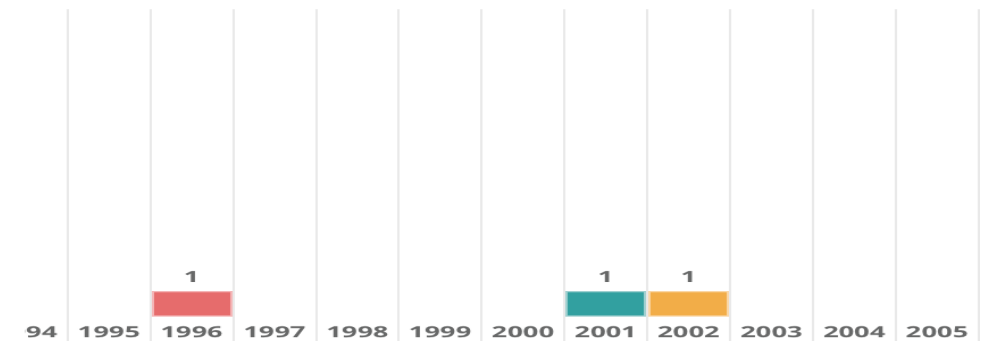
Total cases: **95** Years lost: **949.8** Average years lost: **10**

20



False Confession Related Miscarriages of Justice

Total cases: **95** Years lost: **949.8** Average years lost: **10**



1990s

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- Primary goal of confession
- Assumption of guilt and accusatory interviews
- Lack of preparation
- Poor interview technique
- Outcome determined by evidence not interview

1989 Murder of Lynette White



- Crime unsolved for a year
- Miller accused of lying 300 times
- Confessed and implicated others
- Lawyer did not challenge officer's behaviour
- Convicted but cleared on appeal
- Expert evidence

1992 The Murder of Nikki Allan

23



- "Those interviews were conducted properly"
- "The allegation of oppression was a matter of interpretation"
- "There is no use pussyfooting around"

Head of Crime

1989 Murder of Lynette White




029 20774280 ana la xiriw [oojpeyasha
Dabwada adigoo kula xiriwya
0800 555 111.

029 20774280
كولومو ڤوليس اسٽيشن رومني
029 20774280
كولومو ڤوليس اسٽيشن رومني
0800 555 111

MURDER OF LYNETTE WHITE IN 1988

**POLICE have
the DNA!**

Do **YOU** know
who killed
**LYNETTE
WHITE?**



Where were
YOU on
**13/14th
February 1988?**

If **YOU** have any information please
contact the Incident Room
at Rumney Police Station on
029 20774280 or contact
Crime Stoppers on 0800 555 111.



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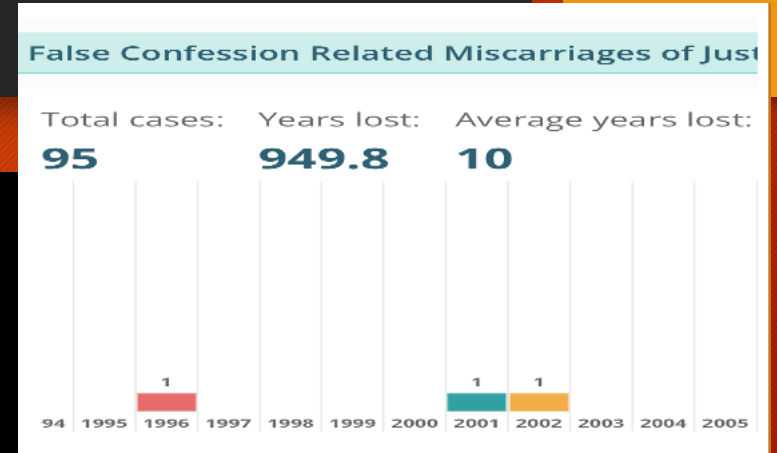
- *“Those interviews were conducted properly”*
- *“The allegation of oppression was a matter of interpretation”*
- *“There is no use pussyfooting around”*

Head of Crime

Post 2000

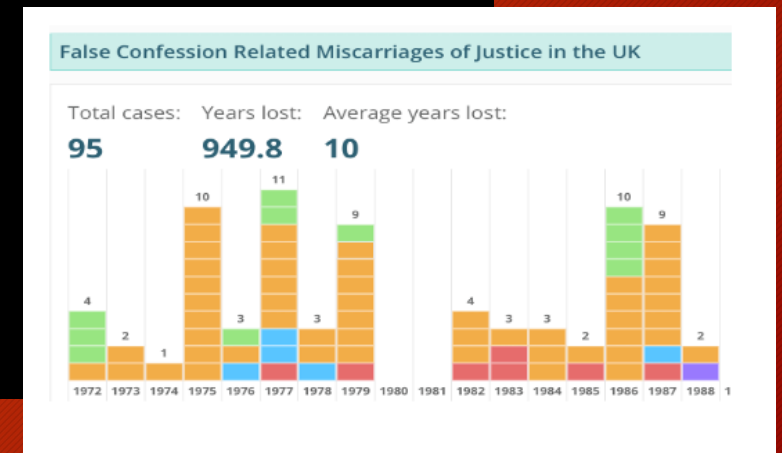
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- Research evaluations reporting higher skills
- Surveys reporting better ethics
- Miscarriages of justice down



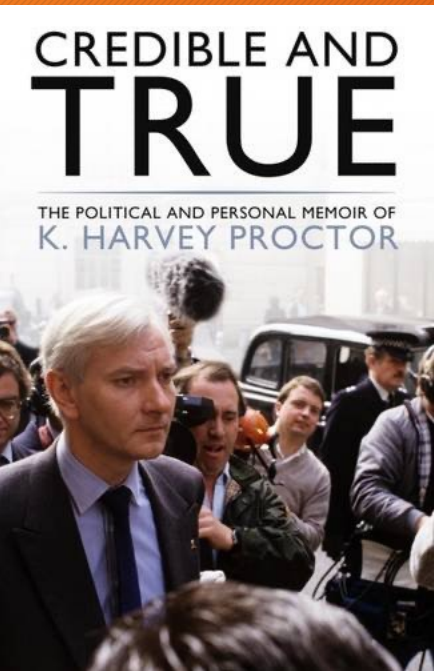
2014 The Fantastist - Carl Beech 25

- Believing victims unconditionally
- Not evaluating information



2014 The Fantasist - Carl Beech

25



- Believing victims unconditionally
- Not evaluating information

2024



+50 years)

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- Laws covering victims, witnesses and suspects
 - Comprehensive interview and investigation training
 - Investments in science and forensics
 - Broader change to criminal justice system
 - No coerced miscarriage of justice confession cases*
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