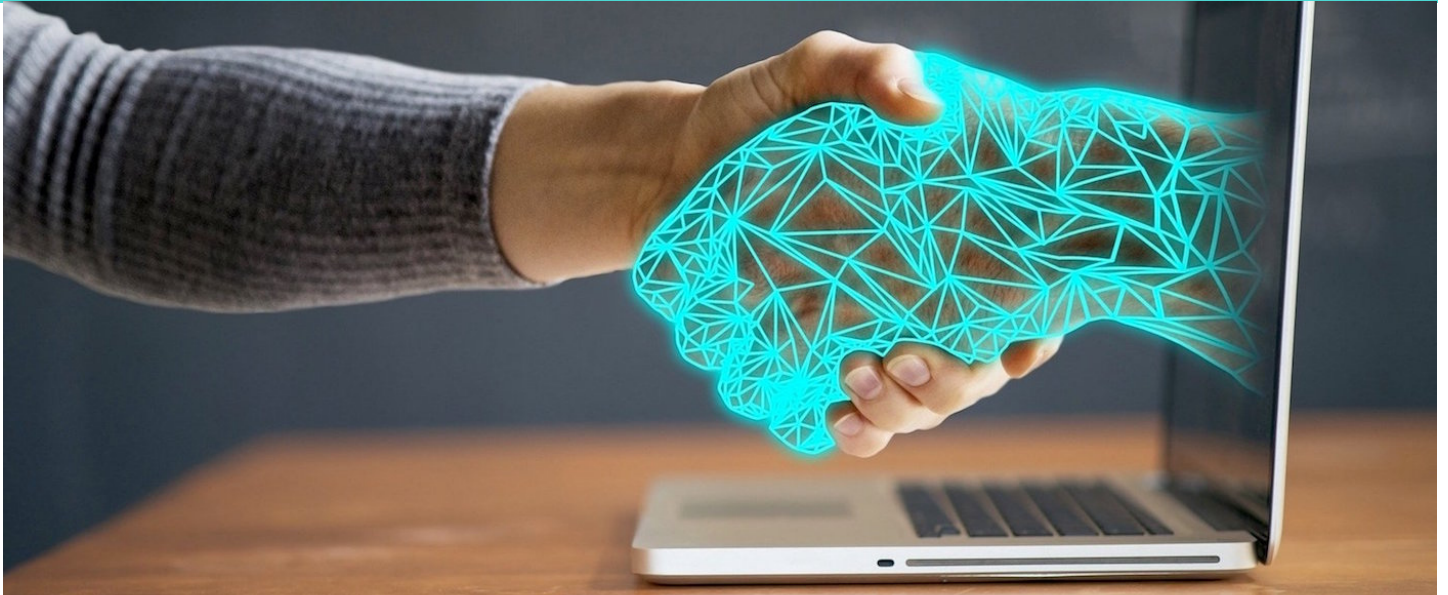


UPDATE REPORT

Remote interviewing and legal representation of those involved in the criminal justice system: Is it remotely possible?



Report Introduction

By Professor Gavin Oxburgh, Project Lead

The project has now been running for over 14 months and we have achieved a great deal during that time. Despite various COVID-19 restrictions in place across the UK, the project team have continued with the different research work packages (WP), albeit amending different aspects along the way. For example, in WP3, the experimental study, we originally had two conditions (face-to-face and online), however, because of the restrictions and ethical considerations, we decided to include an extra condition of wearing a face covering in the face-to-face element. Participants have been fully engaged and have provided some crucial feedback regarding how they felt during their interviews. That study is coming to an end and the tentative results are very enlightening indeed. We will publish our overall results very soon in a Policy Briefing Report and via our [project website](#).

Since the project started, a new global initiative has also been released - [The Mendez Principles](#). These Principles (released in May 2021) aim to transform the relationship between States and their citizens. They are intended to change how public authorities conduct interviewing and, as a result, improve trust in the State. Grounded in science, law and ethics, they propose a concrete alternative to coercive interrogation methods.

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This research is funded by the Economic & Social Research Council (ESRC), as part of UK Research & Innovation's rapid response to COVID-19



Interviewing during a pandemic: The use of digital technology

Professor Dave Walsh, Co-investigator (dave.walsh@dmu.ac.uk)

The interviewing of victims, witnesses and suspects has regularly been found in the literature as a task that is crucially important to the resolution of criminal investigations. It is also a task that serving officers view as one frequently undertaken. Clearly then, given its significance, it is important to understand what may be described as good practice to achieve certain outcomes. Those outcomes have been identified as those that enable investigators to seek the truth. In reality, as truth is a fluid concept, it is argued that good outcomes from interviews are those that involve the gaining of detailed and reliable accounts from interviewees, whether victims, witnesses or suspects. Having established that the gaining of such comprehensive and accurate information is the goal we can then proceed to discuss what is good practice that leads to these ends. In this regard, research that has studied interviews in both laboratory and field settings has proliferated over the last 25 years. We now have a clearer idea of what good practice looks like. For example, rapport between interviewer and interviewee is widely considered to be an essential ingredient (even if there are often different definitions of rapport). Other interviewer strategies and attitudes also contribute to these interview outcomes (such as good questioning techniques, preparedness, and adaptability).

All that said, the pandemic has provided new challenges to established policing and law enforcement practices. Directives and new policies to reduce the number of face-to-face interviews, where possible, have been introduced to safeguard individuals. Where interviews have to be conducted in person the wearing of masks and social distancing are encouraged, if not required. While these responses may be seen (by some) as reasonable in unprecedented and unexpected conditions, what remains to be understood is the impact of such changes on those intended interview outcomes. Furthermore, these responses to the lockdown also involved lawyers not giving *in situ* advice to suspects or taking their instructions (prior to their being interviewed as by the police). Again, what is not known is whether this affected case outcomes in some way.

Thus, the requirement of research which examines perspectives of lawyers, law enforcement personnel (both senior and frontline staff) is paramount. Relatedly, studies examining whether interview outcomes are affected by their being undertaken either virtually (e.g., online or over the phone), in person with masks being worn, or face to face without masks is also necessary to understand whether such emerging practices have benefits or lead to different outcomes when they are compared to one another. From such examinations, recommendations can be made that impact future practice. Covid-19 might inadvertently have created unforeseen opportunities for different ways to conduct interviews, but it may also have created inferior practices. It is only through such studies that we can begin to answer these questions. Let the science speak!

This research project has already begun to answer some of the questions outlined above and we, as a project team, will keep you updated via social media and via our project website at www.remoteinterviewing.co.uk

Professor Dave Walsh *PhD*
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PROJECT PARTNERS



www.npcc.police.uk



www.appropriateadult.org.uk



www.college.police.uk



www.northumbria.police.uk



www.met.police.uk



www.politihogskolen.no



www.cijaonline.org



www.south-wales.police.uk



www.icc-cpi.int



www.gov.uk/government/organisations/ministry-of-justice

PROJECT UPDATES

COMPLETION OF FOLLOW-UP FOCUS GROUPS AND INTERVIEWS WITH LAWYERS

All data collection for the focus groups and interviews with lawyers (who previously completed the online survey) is complete. The sessions were transcribed and analysed, and a detailed account of the results will be published soon in the form of a Policy Briefing Report and on our [project website](#).

The next step (currently underway) is to write a comprehensive report of both the online survey and the follow-up focus groups/interviews to be published in a peer-reviewed journal. The future publication of this study will allow for the findings to be disseminated to a wide range of audiences for researchers and practitioners. The findings will also contribute to the understanding and appropriateness of remote legal assistance and provide the basis for firm recommendations in practice.

The experimental study to establish whether remote interviews/interactions with witnesses of crime are (in some way) as effective as those conducted face-to-face (with and without the wearing of masks) is currently in progress with many participant interviews already conducted at various locations across the UK and remotely.

The overall quality of interviews will be analysed for many different aspects as well as:

1. Participants' anxiety levels before and after the interview, and;
2. Participants' general experiences of being interviewed face-to-face or remotely.

These findings will help us understand what impact remote work and the wearing of face coverings has (if any) on aspects of witness interviewing.

If you would like to participate in this study, please [click here](#). Anyone over 18 years old with a good understanding of English is welcome to take part and you will receive a **£10 Amazon gift card** for your participation!

EXPERIMENTAL STUDY CURRENTLY IN PROGRESS



OTHER DEVELOPMENTS

EXPERIMENTAL STUDY WITH SUSPECTS OF CRIME

In addition to the experimental study currently being conducted to establish the efficacy of face-to-face (with and without the wearing of masks) and remote interviewing in witnesses of crime (described on page 5), further studies will explore additional aspects with suspects of crime.

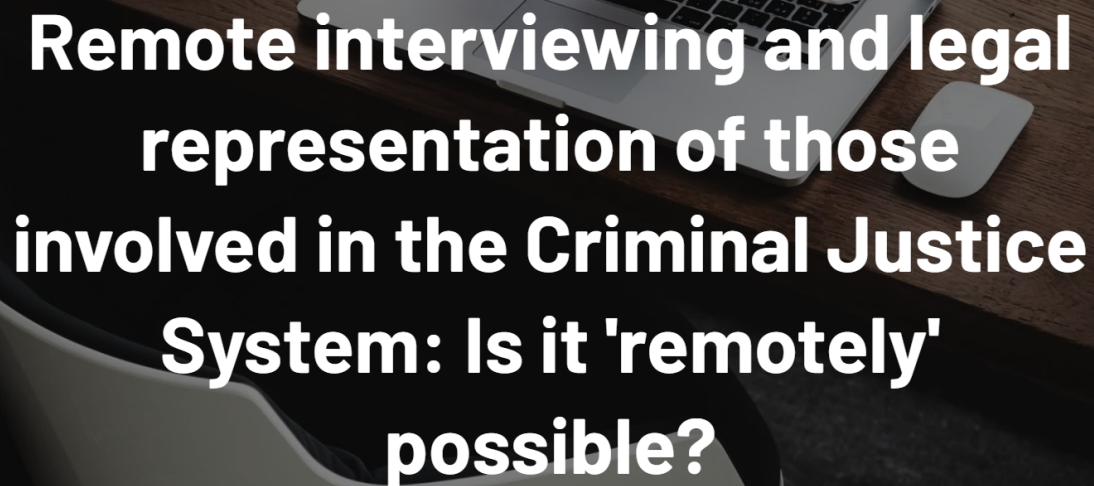
TAKE PART IN OUR SURVEY

We are currently recruiting for two additional surveys to establish the ways in which police and other organisations (who interview persons involved in crime) have adapted to COVID-19 in terms of their working practices :

- If you are part of **leadership and management personnel/senior officers** within an organisation that is involved with interviewing persons of crime, please [click here](#) to participate.
- If you are an **individual investigator/frontline officer** within a similar organisation, please [click here](#) to participate.



For more information on the research project, please [click here](#) to visit our website, which will be continually updated.



Remote interviewing and legal representation of those involved in the Criminal Justice System: Is it 'remotely' possible?

For any questions or queries, please contact the project team via the project website [contact us](#) page

