



# Bringing PEACE to the United States:

## A Framework for Investigative Interviewing

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**I**nformation determines the direction and outcome of any investigation. With police investigations, a significant portion of the information collected comes from interviews with victims, witnesses, and suspects, which means these interviews must be skillfully performed. However, few investigators have an innate ability to carry out investigative interviews with the necessary levels of skill and sensitivity expected by the public and the criminal justice system—it takes training and practice to develop this ability.

Evidence suggests that the PEACE framework for investigative interviewing can support such efforts. The model was developed almost 25 years ago for use by police in England and Wales. Its subsequent adoption by Scotland and Northern Ireland saw it become the interviewing method for the entire United Kingdom, and it has since been adopted by other countries. Although PEACE was developed by and for the police, the considerable body of research into its use makes it clear it can be used by any organization that has to discover facts—for example, investigations related to fraud, immigration, and employment.

Despite widespread adoption by the United Kingdom and increasing interest in PEACE among academic and law enforcement circles, the model has not yet been implemented by U.S. law enforcement. Research on the impact of current interrogational practices on the rates of false confessions and wrongful convictions suggests that the PEACE framework may be of benefit to the U.S. law enforcement community. This article considers what PEACE might offer the United States and provides information and recommendations based on the United Kingdom's experience in adopting the model.

### **UK Investigative Interviewing Practice**

Until 30 or so years ago, interviews of suspects in the United Kingdom were based on the notion of “interrogation” whereby police used an array of tactics designed to elicit a confession.<sup>1</sup> The turning point came in 1984, when the Police and Criminal Evidence Act (PACE) was enacted. Among other changes, the new law introduced stricter controls over police questioning, including audio recording of all suspect interviews, the right to legal representation for suspects, and limits on detention before charge.

These moves did not at first lead to a change in interview training or practices.<sup>2</sup> However, a number of high-profile miscarriages of justice (notably the Birmingham Six and Guildford Four cases, where the suspects' confessions were later found to have been coerced by police misconduct), led to widespread judicial and public criticism.

As a result, in 1992, the Association of Chief Police Officers and the Home Office put together a team of experienced police officers to develop interview training that was noncoercive, ethically sound, and evidence based. With input from psychologists, lawyers, and academics, the result was the five-stage interview model known by the mnemonic PEACE. The letters of PEACE stand for

- Planning and Preparation
- Engage and Explain
- Account (Clarification and Challenge)
- Closure
- Evaluation

A pilot course of PEACE was run in four locations during the summer of 1992 and subjected to independent evaluation.<sup>3</sup> The positive findings led to a training package that was initially delivered to officers with five to ten years of experience. The training was held in such high regard that it was eventually extended to all operational law enforcement officers in England and Wales.<sup>4</sup> While continuous research and evaluation over the years have led to improvements of the PEACE model, the basic structure remains unchanged.

### The PEACE Model

Figure 1 shows the five elements of the PEACE model. They cover the periods before, during, and after the interview and comprise the overarching framework used for all interviews with victims, witnesses, and suspects. The aim of PEACE is to enable interviewers to obtain accurate, relevant, and complete accounts from those being interviewed—and to ensure those accounts are admissible as evidence.

Depending on the type of interview, the PEACE framework contains a range of scientifically proven techniques for interviewers to draw on. These include free recall (FR), the enhanced cognitive interview (ECI), and conversation management (CM). While FR and the ECI are used mainly for victim and witness interviews, CM is used mainly for suspect interviews. Within those techniques, interviewers use a range of different tactics, such as active listening, use of pauses and silence, body language, different types of questions, memory jogs, seating arrangements, and so forth. The type of interview determines the level of training the interviewer must have and which techniques should be employed.

### Development of PEACE

Research into the psychology of interviews played a significant part in the development of PEACE. Particularly influential were the following resources and studies:

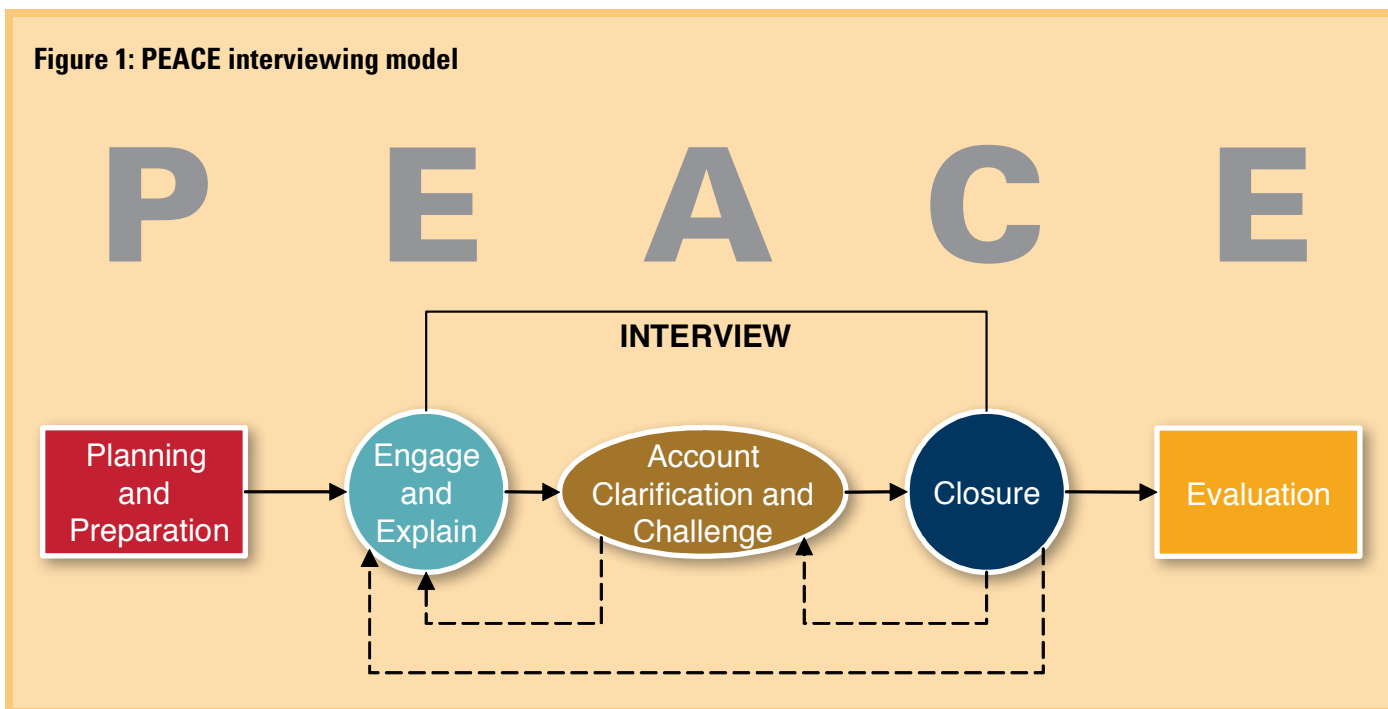
- U.S. researchers Ron Fisher and Ed Geiselman’s work in developing the cognitive interview (CI) in 1984, and later expanding it into the ECI<sup>5</sup>
- John Baldwin’s 1992 evaluation of 600 real-life police interviews, in which he found a large proportion of interviews suffered from interviewers’ incompetence, assumptions of guilt, poor interviewing technique, and unfair questioning or unprofessional conduct<sup>6</sup>
- Gisli Gudjonsson’s practical guide to interrogation, which was the first examination of false confessions from a scientific perspective<sup>7</sup>
- British psychologist Eric Shepherd’s work in devising CM in 1983 as a way to maximize spontaneous disclosure from interviewees and promote ethical interviewing<sup>8</sup>

In adopting PEACE, the United Kingdom also rejected the term “interrogation” in favor of “investigative interviewing.” This departure was partly a response to the negative connotations associated with interrogations, but it was also a way of emphasizing that investigations require accurate and reliable information from victims and witnesses, not just suspects. In addition, by adopting an information-gathering approach, law enforcement agencies are in a much stronger position to avoid the sorts of problems that can arise from interrogations (such as false confessions and wrongful convictions) and the subsequent damage to the reputation of policing and other adverse consequences.

### Evaluation and Research Regarding PEACE

Early evaluations of PEACE as an interviewing framework were positive. It was seen as providing a logical structure, and the five stages were easy for investigators to remember.<sup>9</sup> Subsequent assessments have continued to praise PEACE as an overarching model but have also highlighted certain shortcomings. For example, a three-year study published in 2001, concluded that interviewers were expected to learn too much from just a one-week training course.<sup>10</sup> The researchers recommended implementation of a tiered approach to PEACE training.<sup>11</sup> This approach (with its mixture of theory and

Figure 1: PEACE interviewing model



practice) was introduced in 2003 and remains in place today. Tiered training is seen as a fundamental requirement.<sup>12</sup>

The individual stages of the PEACE model have also been well researched, as evidenced by the following information.

### *Planning and Preparation*

The first step to maximizing the investigative and evidentiary value of the interview is planning and preparation. Numerous researchers have identified the crucial elements, including understanding the purpose of the interview; obtaining as much background information as possible on the incident under investigation, including information on the person to be interviewed; defining the aims and objectives of the interview; understanding and recognizing the points to prove; assessing what evidence is available and from where it was obtained; assessing what evidence is needed and how it can be obtained; understanding the relevant legislation and associated guidelines and considerations; and preparing the mechanics of the interview (attending to exhibits, logistics, venue, equipment functioning, seating, and so on).<sup>13</sup>

### *Engage and Explain*

This phase is described in the literature as the most influential in ensuring the success of an interview, including interviews with uncooperative interviewees.<sup>14</sup> Interviewers do not have to be “friends” with interviewees; however, they do have to treat them with courtesy and respect while remaining open-minded.

The “engage” portion of this stage is also known as “establishing rapport.” Research indicates that effective tactics for building and maintaining rapport include showing kindness and respect; identifying and meeting basic needs; being patient; asking how the interviewee wants to be addressed; finding common ground or shared experiences; showing concern for the interviewee and his or her situation; using similar language as the interviewee; and employing active listening skills.<sup>15</sup> Interviewers who adopt a rapport-building approach substantially increase correct responses without increasing incorrect information.<sup>16</sup> It has also been found that interview outcomes are improved if rapport is maintained throughout the interview.<sup>17</sup>

The “explain” part of this stage features much more in UK research than in U.S. studies, being acknowledged as a crucial step in both the PEACE model and the interviewing process as a whole.<sup>18</sup> It involves describing the format and procedures to be followed in the interview and the reason for them to the interviewee. This practice establishes ground rules and builds a shared understanding between the interviewer and interviewee. It also helps reveal potential difficulties that need special attention (for example, some vulnerability due to age, disability, language, and so forth).

### *Account*

At this stage, the interviewer obtains the interviewee’s uninterrupted account of events; uses interview techniques to expand and clarify the account; and then, when necessary, uses other evidence to challenge the account. Interviewers employ either the FR technique (e.g., for Tier 1 interviews), the ECI for more complex interviews (e.g., with vulnerable witnesses), or the CM technique (e.g., interviews with suspects and uncooperative witnesses).

Much of the applied research into the account stage has centered on questioning skills, determining truthfulness, detecting deception, and rates of true confessions. Examples of findings include the following:

- Cognitive interviewing facilitates accurate recall of information stored in memory.<sup>19</sup>
- ECI increases the amount of correct information recalled.<sup>20</sup>
- Open-ended questions gain the best quality and greatest amount of information.<sup>21</sup>
- Certain techniques, such as the Griffiths Question Map, enable the visualization of question use across the course

of an interview and act as valuable tools for feedback and self-learning.<sup>22</sup>

- PEACE results in a similar rate of confessions as interrogational interviews, even though confessions are not the primary aim.<sup>23</sup>
- Confessions made in PEACE interviews are more likely to be true confessions than those arising from interrogational interviews.<sup>24</sup>

### *Closure*

Investigators often rush the closing of an interview.<sup>25</sup> Yet, the closing stage needs to be just as complete as any other. The interviewer should ensure that the interviewee understands what has happened during the interview, agrees that the information he or she has given is accurate, highlights any gray areas, and understands he or she can give additional information later. The interviewer also explains what will happen next.

### *Evaluation*

At this final stage, the interviewer examines whether the aims and objectives for the interview have been achieved, reviews the investigation in the light of information obtained during the interview, reflects upon how well he or she conducted the interview, and considers what improvements could be made in the future. It is the least researched of all five PEACE stages—perhaps unsurprising given the time and other pressures of many investigations.<sup>26</sup>

## **International Adoption of PEACE**

The closure and evaluation stages notwithstanding, research into PEACE is flourishing. Existing aspects are being tested further, and new areas explored, with areas of both good and poor practice continuing to be highlighted.<sup>27</sup> The PEACE model has resulted in vast improvements in police interviewing to the extent that many countries, including Australia, New Zealand, Norway, and parts of Canada, have adopted it. Other countries are exploring PEACE or have implemented it to some extent, including Vietnam, Indonesia, Hong Kong, Singapore, Malaysia, and the Republic of Ireland.

In late 2004, the New Zealand Police commissioned a review of investigative interviewing. The two-year project resulted in three products: a review of the international literature on investigative interviewing; a report summarizing a comprehensive research program on the ‘current situation’; and a report recommending the way forward.<sup>28</sup> The primary recommendation was to adopt PEACE as the interviewing framework for all investigative interviews. Other recommendations addressed ethics and principles; policy and official guidance; interview training, standards, and competency; technology, equipment, and interview rooms; quality assurance; maintenance and support; communications; and evaluation.<sup>29</sup> The review considered these to be the elements necessary to begin the process of changing the mind-sets of police officers from obtaining a confession to an objective gathering and testing of evidence.

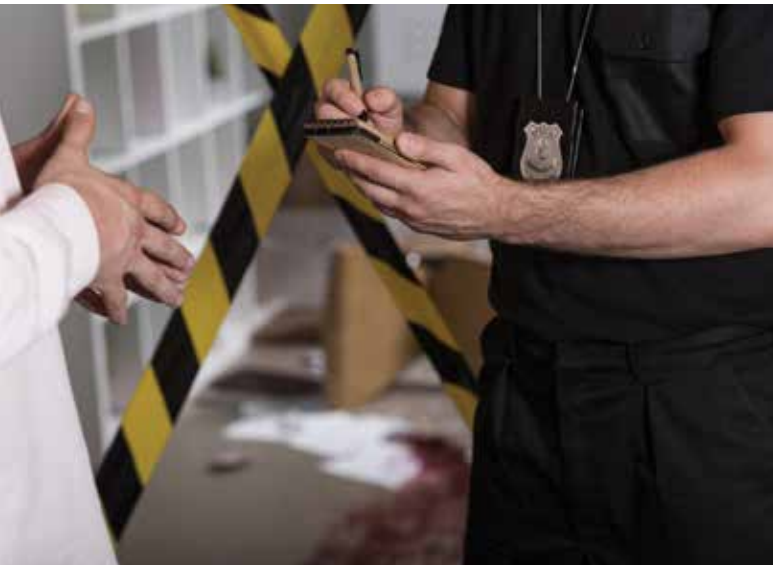
## **Characteristics of the UK Approach**

The principal factors aiding the success of the UK approach to investigative interviewing are considered to be the following:

- buy-in at the highest level
- a national approach
- close collaboration between UK police and universities
- an overarching framework with an easily remembered mnemonic
- national legislation and statutory guidance
- mandatory training
- an equal focus on witness and victim interviewing

### *Buy-in at the Highest Level*

The adverse publicity and public outrage arising in the 1990s from a series of miscarriages of justice focused the UK government



a high degree of consistency to interviewing knowledge and practice, including helping investigators stay open-minded and avoid making premature or wrong judgments about guilt or innocence.

### *National Legislation and Statutory Guidance*

The United Kingdom benefits from specific legislation (i.e., PACE, Code C) that sets out the requirements for the detention, treatment, and questioning of suspects in police custody by police officers.<sup>35</sup> Although the national guidance covers all investigative interviews, there is also specific guidance on interviewing victims and witnesses entitled *Achieving Best Evidence in Criminal Proceedings*.<sup>36</sup> Having such legislation and guidance increases the chances that the justice system is fair and accessible and reaches high standards.<sup>37</sup>

### *Mandatory Training*

Every new police officer in the United Kingdom receives at least Tier 1 interview training (up to 18 days in total). Further training follows as an officer's career progresses. The national guidance and training products make it clear that, for interviewing skills to grow and improve, interviewers need—at a minimum—to receive training at the appropriate level, accompanied by regular feedback on real-life interviews, and supervisors need to be trained to provide that ongoing feedback. In addition, refresher training and performance expectations should be included. While the specifics of the national training program are not always met, it remains the gold standard.<sup>38</sup>

### *An Equal Focus on Witness and Victim Interviewing*

Interviewing witnesses and victims is often rated less important than interviewing suspects.<sup>39</sup> Yet, if interviews with witnesses and victims are poorly done, investigators may never get to the stage of interviewing a suspect. PEACE training ensures all interviews are seen as having equal value and being equally necessary to the investigative process.

### **Potential Benefits of PEACE Adoption for the United States**

Across the United States, psychologically based methods of interrogation have replaced the physically abusive third-degree methods used up to the 1930s.<sup>40</sup> With almost 18,000 local and state law enforcement agencies, however, it is difficult to get an accurate picture of the current U.S. interviewing and interrogation practices.<sup>41</sup> Despite this, or possibly because of it, the nature of police interrogations—and the appropriateness of the term “interrogation” itself—has come under a great deal of scrutiny in recent years.<sup>42</sup> It is claimed that many interrogation tactics are manipulative and coercive; that these tactics make interrogators believe they are better at detecting lies than they really are; and that the tactics are guilt-presumptive.<sup>43</sup>

### **Interrogations and Wrongful Convictions**

The spotlight on police interrogations in the United States has been brightened by the work of the Innocence Project, founded in 1992 by Peter Neufeld and Barry Scheck at Cardozo School of Law (Yeshiva University, New York City). The impact is evident, not least in terms of the 349 DNA-related exonerations to date. Reviews of exonerations identify police-induced false confessions as one of the five major causes of wrongful convictions.<sup>44</sup> Contributory factors include interviewer incompetence, racial discrimination, police misconduct, a lack of prosecutorial accountability, inadequate or strained defense systems, and misinterpretation or misapplication of the law, among others.<sup>45</sup>

Estimating the rate of innocent people falsely imprisoned is difficult. According to the Innocence Project, “the few studies that have been done estimate that between 2.3% and 5% of all prisoners in the U.S. are innocent.”<sup>46</sup> The Bureau of Justice Statistics put the total number of prisoners held on December 31, 2015, at 1,526,800.<sup>47</sup> Therefore, if—to be conservative—it is estimated that even 1 percent of all U.S. prisoners are innocent, that would mean more than 15,000 innocent people are in prison.

and police attention on interviewing practices. The Home Office and Association of Chief Police Officers (recently restructured into the National Police Chiefs Council) approved the PEACE model as a means of making meaningful change.<sup>30</sup> A succession of chief constables acting as the national leads, as well as a national steering group made up of senior police officers, public servants, academics, and other professionals, ensures the model is kept up to date.

### *A National Approach*

Use of the PEACE interviewing framework is mandatory in the United Kingdom, with oversight, guidance, and funding all provided at a national level. In 2012, the College of Policing, as the professional body for the police service in England and Wales, took on the responsibility for national guidance and associated funding.<sup>31</sup> Notable achievements relevant to investigative interviewing are the establishment in 2013 of a What Works Centre (which reviews the best available evidence on practices and interventions) and the production of Authorised Professional Practice—a body of consolidated national guidance on a wide range of topics for the UK policing profession.<sup>32</sup>

### *Close Collaboration between UK Police and Universities*

The long-established relationship between the police and the academic community in the United Kingdom means that the numerous assessments of PEACE, FR, ECI, and CM have been able to draw on a mix of ecologically valid studies of practitioner performance; empirical research findings from cognitive and social psychology and sociolinguistics; and research involving reflective practice, counselling psychology, and psychotherapy.

To encourage even greater collaboration, the College of Policing has been involved in specific high-profile initiatives, including

- the establishment in 2014 of a commissioned partnership program, made up of a consortium of universities, to support the What Works Centre
- the 2015 launch of a £10 million Police Knowledge Fund in order to increase evidence-based knowledge, skills, and problem-solving approaches within policing<sup>33</sup>
- the establishment of an Innovation Capacity Building Fund, which issues grants to establish regional hubs for policing research, knowledge exchange, and training opportunities<sup>34</sup>

### *An Overarching Framework with an Easily Remembered Mnemonic*

PEACE is a logical, well-thought-out, and practical framework. The basic five stages are easy for users to remember and implement, and the model has stood the test of time. PEACE has brought

## Cost of Wrongful Convictions

It is difficult to calculate the economic and social impact of wrongful convictions. What would be taken into account? Possibilities include the cost to the state of imprisoning the wrong person; the personal cost to the innocent individuals; the cost to the taxpayer of compensating those exonerated; the cost of appeals and associated court proceedings; and the cost of dealing with confirmed misconduct. It could also include the “costs” to public safety by the true offenders remaining free, to victims not receiving justice, and to the criminal justice system from the loss of public confidence.

One of these—the cost to taxpayers of keeping innocent people imprisoned—can be estimated. The annual figure of keeping someone in prison in 2014 was \$30,620.<sup>48</sup> Thus, the estimated cost of keeping 15,000 innocent people in prison is \$459,300,000 per year.

Although there is no national collation or analysis, limited figures are also available on the cost to the taxpayer of compensating the innocent.<sup>49</sup> Examples include a \$10 million case in 2013 from Chicago, Illinois; \$214 million paid out for 85 cases from Illinois (including \$40 million for the Dixmoor 5 case); \$61 million for 89 cases from Texas; and \$129 million for 200 cases from California.<sup>50</sup> New York paid \$41 million in compensation for the Central Park Five case alone.<sup>51</sup>

Compensation remains something of a lottery. To date, 30 U.S. states (plus the federal government and the District of Columbia) have compensation statutes for the wrongfully convicted; 20 states do not. Where compensation statutes exist, they vary widely.<sup>52</sup> Some award just monetary compensation (usually based on years served), while other states provide support services as well.<sup>53</sup> Many states that currently pay compensation add restrictions that may prevent people who falsely confessed or pleaded guilty from receiving compensation. Because of the discrepancies, organizations such as the Innocence Project are lobbying for a uniform compensation framework.

Most of the costs associated with wrongful convictions relate to those exonerated of capital murder. Clearly, if other types of serious convictions were scrutinized to a similar level, the floodgates could open on compensation. On financial grounds alone, wrongful convictions must be minimized.

## Encouraging Signs of Change

The efforts of the Innocence Project and like-minded organizations and individuals have resulted in numerous reforms across the United States that lessen the likelihood of interview-related shortcomings. For example, 25 states now have mandatory recording of interrogations, and 20 states have improved eyewitness procedures.<sup>54</sup> Other encouraging examples include the high level of ongoing academic and psychological research and the growing number of white papers and official reports urging reform.<sup>55</sup> A document illustrating a change in thinking at the highest government level is the *Interrogation Best Practices* report prepared by the FBI-administered High-Value Detainee Interrogation Group (HIG), which summarizes best practices for interrogation.<sup>56</sup>

## Bringing PEACE to the United States

The PEACE investigative interviewing framework has much to offer U.S. law enforcement. All investigators want to be the best interviewers they can, and PEACE is a way of achieving this. Mention of PEACE is occurring more frequently in U.S. research literature and other media, with a number of high-profile calls for its introduction in the United States and elsewhere. For example, in 2016, Juan Mendez, the then-UN special rapporteur on torture, recommended the PEACE model as the foundation for a universal protocol on interviewing suspects.<sup>57</sup>

U.S. academics are also increasingly recommending replacing current interrogations with PEACE. According to one group, “the British-based investigative interviewing approach offers a potentially effective wholesale alternative to the classic American interrogation.”<sup>58</sup>

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**PEACE has brought a high degree of consistency to interviewing knowledge and practice, including helping investigators stay open-minded and avoid making premature or wrong judgments about guilt or innocence.**

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As word has spread, a number of U.S. law enforcement and other investigative agencies have commissioned discrete, customized training packages in the PEACE model. This is a useful means of stimulating excitement about improving interview practice, but can be little more than the tip of the iceberg. With more than 750,000 sworn officers involved in U.S. law enforcement, reaching a small number of practitioners at a time is unlikely to create the momentum needed for a large-scale shift.<sup>59</sup>

Those considering adopting PEACE could think in terms of the characteristics of the UK approach, and what they would be prepared to do. Getting buy-in from senior decision makers, abandoning the term “interrogation,” and establishing closer collaboration between academia and law enforcement agencies are all crucial first steps. This sea change will not be easy. It will require law enforcement practitioners, academics, legal experts, psychologists, and others to work together at every level.

## Conclusion

The research literature on the PEACE framework, combined with its widespread international adoption, suggests it has much to offer investigative practices in the United States. Adoption of the PEACE model would allow interviewers to gain improved knowledge and skills in order to retrieve the highest quality and quantity of information from interviewees. In turn, the likelihood of successful criminal investigations and subsequent prosecutions will increase. PEACE also has the potential to deliver monetary savings, reduce legal exposure, and increase public satisfaction. Reform of this type will require a seismic shift in mind-set, but this shift would be the first step toward momentous and lasting change. ♦

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## Notes:

<sup>1</sup>See Barrie Irving and Linden Hilgendorf, *Police Interrogation: A Case Study of Current Practice* (London, UK: Royal Commission on Criminal Procedure, 1980). The authors observed 76 police interrogations involving 60 suspects.

<sup>2</sup>PACE opened the interview room to scrutiny and revealed that many police officers were unskilled at interviewing. See John Baldwin, *Video Taping of Police Interviews with Suspects—An Evaluation*, Police Research Series: Paper no. 1 (London, UK: Home Office, 1992).

<sup>3</sup>Barry J. McGurk, Michael J. Carr, and Debra McGurk, *Investigative Interviewing Courses for Police Officers: An Evaluation*, Police Research Series: Paper no. 4 (London, UK: Home Office Police Department, 1993).

<sup>4</sup>Colin Clarke and Rebecca Milne, "Interviewing Suspects in England and Wales," in *International Developments and Practices in Investigative Interviewing and Interrogation*, eds. David Walsh et al., vol. 2, Suspects (New York: Routledge, 2016).

<sup>5</sup>Ronald P. Fisher and R. Edward Geiselman, *Memory-enhancing Techniques for Investigative Interviewing: The Cognitive Interview* (Springfield, IL: Charles C. Thomas, 1992). See also Mark R. Keibell, Rebecca Milne, and Graham F. Wagstaff, "The Cognitive Interview: A Survey of Its Forensic Effectiveness," *Psychology, Crime & Law* 5 (1999): 101–115.

<sup>6</sup>Baldwin, *Video Taping of Police Interviews with Suspects*.

<sup>7</sup>Gisli H. Gudjonsson, *The Psychology of Interrogations, Confessions and Testimony* (Chichester, UK: John Wiley and Sons, 1992).

<sup>8</sup>Eric Shepherd, "Ethical Interviewing," *Policing* 7, no. 1 (Spring 1991): 42–60.

<sup>9</sup>McGurk, Carr, and McGurk, *Investigative Interviewing Courses for Police Officers*.

<sup>10</sup>Colin Clarke and Rebecca Milne, *National Evaluation of the PEACE Investigative Interviewing Course*, Police Research Award Scheme Report No: PRAS/149, 2001, <https://so-fi.org/wp-content/uploads/peaceinterviewcourse.pdf>.

<sup>11</sup>Thus, interviewers would start with basic training (Tier 1) and progress through other levels as their policing careers progressed. Some, detectives, for example, would do Tier 2 training (advanced interviewing) and others would receive Tier 3 training (specialist witness and suspect interviewing). Supervisors would receive Tier 4 training, and a small number of experienced interviewers would be trained as Tier 5 interview advisors.

<sup>12</sup>See, e.g., Ray Bull, ed., *Investigative Interviewing* (New York: Springer, 2014).

<sup>13</sup>See, e.g., Dave Walsh and Ray Bull, "What Really Is Effective in Interviews with Suspects? A Study Comparing Interviewing Skills Against Interviewing Outcomes," *Legal and Criminological Psychology* 15 (2010): 305–321.

<sup>14</sup>See, e.g., Roger Ede and Eric Shepherd, *Active Defence*, 2nd ed. (London, UK: Law Society Publishing, 2000); Allison Abbe and Susan E. Brandon, "The Role of Rapport in Investigative Interviewing: A Review," *Journal of Investigative Psychology and Offender Profiling* 10, no. 3 (October 2013): 237–249; Charles L. Yeschke, *The Art of Investigative Interviewing: A Human Approach to Testimonial Evidence* (Burlington, MA: Butterworth-Heinemann, 2003).

<sup>15</sup>See, e.g., Christopher E. Kelly et al., "A Taxonomy of Interrogation Methods," *Psychology, Public Policy, and Law* 19, no. 2 (May 2013): 165–178.

<sup>16</sup>Roger Collins, Robyn Lincoln, and Mark G. Frank, "The Effect of Rapport in Forensic Interviewing," *Psychiatry, Psychology and Law* 9, no. 1 (2002): 69–78.

<sup>17</sup>Dave Walsh and Ray Bull, "Examining Rapport in Investigative Interviews with Suspects: Does Its Building and Maintenance Work?" *Journal of Police and Criminal Psychology* 27, no. 1 (April 2012): 73–84.

<sup>18</sup>Clarke and Milne, *National Evaluation of the PEACE Investigative Interviewing Course*; Clarke and Milne, "Interviewing Suspects in England and Wales."

<sup>19</sup>See, e.g., Fisher and Geiselman, *Memory Enhancing Techniques for Investigative Interviewing*.

<sup>20</sup>See, e.g., Amina Memon et al., "Isolating the Effects of the Cognitive Interview Techniques," *British Journal of Psychology* 88, no. 2 (May 1997): 179–197.

<sup>21</sup>Gavin E. Oxburgh, Trond Myklebust, and Tim D. Grant, "The Question of Question Types in Police Interviews: A Review of the Literature from a Psychological and Linguistic Perspective," *International Journal of Speech, Language and the Law* 17, no. 1 (2010): 45–66.

<sup>22</sup>See, e.g., Andy Griffiths and Rebecca Milne, "Will It All End in Tiers? Police Interviews with Suspects in Britain," in *Investigative Interviewing: Rights, Research, Regulation*, ed. Tom Williamson (Cullompton, UK: Willan, 2006), 167–89. The GQM facilitates the mapping and coding of eight core question types—productive ones such as open-ended and appropriate closed questions, as well as unproductive ones such as leading and multiple questions.

<sup>23</sup>Rebecca Milne and Ray Bull, *Investigative Interviewing: Psychology and Practice* (Chichester, UK: John Wiley and Sons, 1999).

<sup>24</sup>Richard A. Leo and Brian L. Cutler, "False Confessions in the Twenty-First Century," *Champion* (May 2016): 46.

<sup>25</sup>Clarke and Milne, *National Evaluation of the PEACE Investigative Interviewing Course*.

<sup>26</sup>Milne and Bull, *Investigative Interviewing: Psychology and Practice*.

<sup>27</sup>Sam Poyser and Rebecca Milne, "No Grounds for Complacency and Plenty for Continued Vigilance: Miscarriages of Justice as Drivers for Research on Reforming the Investigative Interviewing Process," *Police Journal: Theory, Practice and Principles* 88, no. 4 (2015): 265–280.

<sup>28</sup>Mary Schollum, *Investigative Interviewing: The Literature* (Wellington, NZ: Police National Headquarters, 2005), <http://www.police.govt.nz/sites/default/files/publications/investigative-interviewing-literature-2005.pdf>. The literature review has been downloaded many thousands of times (8,472 times in the first 6 months alone) and police from Australian states, Pacific nations and other regions have visited New Zealand to see what was being done. The document continues to be widely referenced in reports and studies, and appears in numerous online sites. Of note, Norwegian police have used the literature review not only to guide the approach in Norway but also to assist the national police forces of both Vietnam and Indonesia in changing their approaches to interviewing. The latter two reports (summary of a comprehensive research program on the current situation and recommendations for the way forward) are available on request from New Zealand Police or the author.

<sup>29</sup>Other research has confirmed the importance of a comprehensive and coordinated approach to interviewing. See Brent Snook et al., "Reforming Investigative Interviewing in Canada," *Canadian Journal of Criminology and Criminal Justice* (April 2010): 203–217, [http://www.mun.ca/psychology/brl/publications/Snook\\_et\\_al\\_CJCCJ.pdf](http://www.mun.ca/psychology/brl/publications/Snook_et_al_CJCCJ.pdf). See also, Walsh et al., *International Developments and Practices in Investigative Interviewing and Interrogation*.

<sup>30</sup>The Home Office is the UK ministerial department responsible for law and order (among other things).

<sup>31</sup>College of Policing, "About Us," <http://www.college.police.uk/About/Pages/default.aspx>. To ensure consistency across the United Kingdom, the college sets national standards in professional development, including codes of practice and regulations, as well as standards on training, development, skills, and qualifications.

<sup>32</sup>The latest iteration of APP for investigative interviewing was produced in 2013. See College of Policing, Authorized Professional Practice, "Investigation: Investigative Interviewing," updated January 11, 2016, <https://www.app.college.police.uk/app-content/investigations/investigative-interviewing>.

<sup>33</sup>College of Policing, "Police Knowledge Fund Open for Bids," news release, February 19, 2015, <http://www.college.police.uk/News/College-news/Pages/Police-Knowledge-Fund.aspx>.

<sup>34</sup>See, for example, N8 Research Partnership, "Policing Research," <http://www.n8research.org.uk/research-focus/urban-and-community-transformation/policing-research>.

<sup>35</sup>*Police and Criminal Evidence Act 1984 (PACE)*, Code C Revised (London, UK: The Stationery Office, 2017), [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/592547/pace-code-c-2017.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/592547/pace-code-c-2017.pdf). Note: PACE Codes E & F cover the requirements for audibly or visually recording interviews.

<sup>36</sup>National Policing Improvement Agency, *Achieving Best Evidence in Criminal Proceedings: Guidance on Interviewing Victims and Witnesses, and Guidance on Using Special Measures* (Ministry of Justice, 2011), [https://www.cps.gov.uk/publications/docs/best\\_evidence\\_in\\_criminal\\_proceedings.pdf](https://www.cps.gov.uk/publications/docs/best_evidence_in_criminal_proceedings.pdf). The guidance is supported by two national statutory codes: the *Code of Practice for Victims of Crime* ([https://www.cps.gov.uk/legal/assets/uploads/files/OD\\_000049.pdf](https://www.cps.gov.uk/legal/assets/uploads/files/OD_000049.pdf)) and the *Witness Charter Standards of Care for Witnesses in the Criminal Justice System* ([https://www.cps.gov.uk/victims\\_witnesses/witness\\_charter.pdf](https://www.cps.gov.uk/victims_witnesses/witness_charter.pdf)).

<sup>37</sup>Police forces are regularly inspected by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services to ensure they are complying with legislation, national standards, and guidance.

<sup>38</sup>See, e.g., Bull, ed., *Investigative Interviewing*, and Griffiths and Milne, "Will It All End in Tiers?"

<sup>39</sup>Schollum, *Investigative Interviewing: The Literature*.

<sup>40</sup>Richard A. Leo, "From Coercion to Deception: The Changing Nature of Police Interrogation in America," *Crime Law & Social Change* 18, no. 1–2 (1992): 35–59.

<sup>41</sup>There appears to be no standardization of methods or training, and the formal training that investigators receive can range from a few hours of in-house training to third-party, multiday courses.

<sup>42</sup>See, e.g., Saul M. Kassin et al., "Police-Induced Confessions: Risk Factors and Recommendations," *Law and Human Behavior* 34 (2010): 3–38; Timothy E. Moore and C. Lindsay Fitzsimmons, "Justice Imperiled: False Confessions and the Reid Technique," *Criminal Law Quarterly* 57, no. 4 (2011): 509–542; Richard A. Leo, "Why Interrogation Contamination Occurs," *Ohio State Journal of Criminal Law* 11, no. 1 (Fall 2013): 193–215; Christopher E. Kelly and Christian A. Meissner, *Interrogation and Investigative Interviewing in the United States: Research and Practice*, vol. 2 (2014); Brandon Garrett, "Judging Innocence," *Columbia Law Review* 108 (2008): 55–142.

<sup>43</sup>Richard A. Leo and Richard J. Ofshe, "Consequences of False Confessions: Deprivations of Liberty and Miscarriages of Justice in the Age of Psychological Interrogation," *Journal of Criminal Law and Criminology* 88, no. 2 (Winter 1998): 429–496; Richard A. Leo, "False Confessions: Causes, Consequences, and Implications," *Journal of the American Academy of Psychiatry and the Law* 37, no. 3 (September 2009): 332–343.

<sup>44</sup>California Innocence Project, "Wrongful Convictions Have Cost CA Taxpayers \$129 Million," <https://californiainnocenceproject.org/2012/10/wrongful-convictions-have-cost-ca-taxpayers-129-million>.

<sup>45</sup>See, e.g., C. Ronald Huff and Martin Killias, eds., *Wrongful Conviction and Miscarriages of Justice: Causes and Remedies in North American and European Criminal Justice Systems* (Abingdon, UK: Routledge, 2013); Samuel R. Gross et al., "Rate of False Conviction of Criminal Defendants Who Are Sentenced to Death," *Proceedings of the National Academy of Sciences* 111, no. 20 (2014): 7230–7235.

<sup>46</sup>Innocence Project, "Frequently Asked Questions," <https://www.innocenceproject.org/contact>.

<sup>47</sup>This includes 1,526,800 under the jurisdiction of state and federal correctional authorities; 126,200 housed in privately operated facilities; and 80,400 in the custody of local jails. Note: This number does not include military prisons. Bureau of Justice Statistics, *Prisoners in 2015*, December 2016, <https://www.bjs.gov/content/pub/pdf/p15.pdf>.

<sup>48</sup>Prisons Bureau, "Annual Determination of Average Cost of Incarceration," *Federal Register*, March 9, 2015, <https://www.federalregister.gov/documents/2015/03/09/2015-05437/annual-determination-of-average-cost-of-incarceration>.

<sup>49</sup>Michael Bowers, "The Cost of Wrongful Convictions," Elsevier SciTech Connect, August 21, 2013, <http://scitechconnect.elsevier.com/the-cost-of-wrongful-convictions>.

<sup>50</sup>California Innocence Project, "Wrongful Convictions Have Cost CA Taxpayers \$129 Million."

<sup>51</sup>Benjamin Weiser, "Settlement Is Approved in Central Park Jogger Case, but New York Deflects Blame," *New York Times*, September 5, 2014, [https://www.nytimes.com/2014/09/06/nyregion/41-million-settlement-for-5-convicted-in-jogger-case-is-approved.html?\\_r=0](https://www.nytimes.com/2014/09/06/nyregion/41-million-settlement-for-5-convicted-in-jogger-case-is-approved.html?_r=0).

<sup>52</sup>CNN, "Wrongful Conviction Compensation Statutes," <http://edition.cnn.com/interactive/2012/03/us/table.wrongful.convictions>.

<sup>53</sup>These can include employment training and counselling, tuition, and fees at a higher education unit of the state system, and other services needed to facilitate re-entry and reintegration into the community.

<sup>54</sup>These statistics reveal there is still a considerable way to go before all U.S. states accept the need for such measures and implement them.

<sup>55</sup>Christian A. Meissner et al., "Interview and Interrogation Methods and Their Effects on True and False Confessions," *Campbell Systematic Reviews* 13 (2012), [https://www.campbellcollaboration.org/media/k2/attachments/Meissner\\_Interview\\_Interrogation\\_Review.pdf](https://www.campbellcollaboration.org/media/k2/attachments/Meissner_Interview_Interrogation_Review.pdf). This review initially located more than 2,000 studies in 16 databases using 22 distinct keywords, and included 17 in their 2 meta-analyses (field

study meta-analysis and experimental study meta-analysis); See, e.g., Senate Select Committee on Intelligence, *Committee Study of the Central Intelligence Agency's Detention and Interrogation Program*, December 3, 2014, <https://www.nytimes.com/interactive/2014/12/09/world/cia-torture-report-document.html>. This report condemns the use of torture as a means of gathering reliable information.

<sup>56</sup>High-Value Detainee Interrogation Group, *Interrogation Best Practices*, 2016, <https://www.fbi.gov/file-repository/hig-report-august-2016.pdf>. The HIG was established by President Barack Obama in August 2009. Although there is no mention of PEACE, the recommended strategies have all the hallmarks of the model; for example, careful planning and preparation, building rapport and encouraging conversation, using evidence strategically, using memory-enhancing techniques, and having a strong closure.

<sup>57</sup>*Interim Report of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, Report to UN General Assembly 71st Session (2016), (report by Juan Méndez, Special Rapporteur), [http://ap.ohchr.org/documents/dpage\\_e.aspx?si=A/71/298](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/71/298) (available in multiple languages); Matthew Sands, "A Ground-Breaking Call for Humane Interrogation Practices," *APT Blog*, November 1, 2016, <http://www.ap.ch/en/blog/a-ground-breaking-call-for-humane-interrogation-practices/#WRRrs7lXyvIV>.

<sup>58</sup>Saul M. Kassin, Sara C. Appleby, and Jennifer Torkildson Perillo, "Interviewing Suspects: Practice, Science, and Future Directions," *Legal and Criminological Psychology* 15 (2010): 47–48. See also, Leo and Cutler, "False Confessions in the Twenty-First Century."

<sup>59</sup>Duren Banks et al., *National Sources of Law Enforcement Employment Data* (Washington, DC: Bureau of Justice Statistics, 2016), <https://www.bjs.gov/content/pub/pdf/nsleed.pdf>.

The advertisement features a blue and black background with a stylized human head profile on the left. The FIS logo is in the top right. The main title is "THE SCIENCE OF INTERVIEWING". Below it, it states "WE ARE THE LEADING GLOBAL PROVIDER OF P.E.A.C.E. INVESTIGATIVE INTERVIEWING SCENARIO BASED TRAINING COURSES". A quote from a "Veteran US Detective" is in a speech bubble: "In 22 years in law enforcement, and countless hours of training, this was the best and most important training I have ever attended". At the bottom, contact information is provided: USA +1 917 267 8568, INFO@INTERVIEWFORENSICS.COM, and www.fis-international.com.