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PSPREG032

Produce Formal Record of Interview

Application

This unit describes the performance outcomes, skills and knowledge required to produce formal records of interview.

This unit applies to those working in public sector roles conducting regulatory activities. Those undertaking this unit work independently, performing routine tasks, in a range of contexts including some that are unfamiliar or unpredictable.

Elements & Performance Criteria

1.0 Prepare for interview.

- 1.1. Develop interview plan based on available information.
- 1.2. Determine venue, equipment and personnel to be involved in, or excluded from, the interview.
- 1.3. Identify exhibits to be used in the interview and make readily available for reference.
- 1.4. Assess risks associated with the interview and instigate procedures for ensuring the safety of self and others.

2.0 Conduct and record interview.

- 2.1. Provide interviewee with preliminary advice, and question to ensure their understanding of the interview process and their rights.
- 2.2. Use questioning techniques to gather information, and test and confirm its relevance, reliability and sufficiency, prior to concluding the interview.
- 2.3. Introduce and fully describe exhibits.
- 2.4. Conduct, record and conclude interview in accordance with the rules of evidence so that outcomes are admissible in evidence.
- 2.5. Produce a true record of interview and complete post-interview procedures.

PSPREG035 Produce Formal Record Of Interview

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Introduction

Interviews play a pivotal role in various regulatory and investigative processes. They serve as a structured mechanism to gather, verify, and document information directly from individuals. Whether it's for regulatory compliance, criminal investigations, or other official matters, the ability to conduct and record an interview effectively is a skill of paramount importance.

In the module "PSPREG035 - Produce Formal Record of Interview," we will explore the intricacies of planning, conducting, and documenting formal interviews. The emphasis here is not just on the act of questioning but on ensuring that the entire process is carried out with precision, fairness, and in adherence to the rules of evidence. This ensures that the outcomes of the interview are not only informative but also admissible in legal and official contexts.

From the initial stages of crafting a strategic plan, choosing the right environment, and preparing exhibits, to the actual questioning techniques and the critical task of recording the interview, this module offers a comprehensive guide. It also underscores the importance of understanding the rights of the interviewee, ensuring their comprehension of the process, and maintaining the safety and integrity of all involved.

By the end of this module, you will be equipped with the knowledge and skills to produce a formal record of an interview that stands up to scrutiny and serves its intended purpose effectively. Remember, in the realm of formal interviews, accuracy, transparency, and fairness are not just ideals—they are necessities.

1.0 Pre-Interview Preparations

1.1 Crafting a Strategic Interview Plan

The foundation of any successful interview lies in meticulous planning. A well-structured interview plan ensures that the process is systematic, comprehensive, and focused on obtaining the necessary information. Crafting a strategic interview plan involves several key steps:

The very essence of an interview lies in its purpose. Before any questions are posed or any venue is chosen, the interviewer must have a clear vision of what they aim to achieve.



- **Purpose Identification:** Start by asking, "What is the primary goal of this interview?" The answer could range from gathering new insights, corroborating existing information, understanding the interviewee's perspective, or even seeking an admission of facts. In the context of factual insurance investigations, the initial objective is often to obtain the insured's version of events. This is not about challenging them or pointing out inconsistencies but about letting them narrate their story.
- **Specificity is Key:** It's not enough to have a broad goal. Narrowing down the objective to specific details can make the difference between a successful interview and a fruitless one. For instance, instead of aiming to "understand the event," the objective could be "to determine the interviewee's actions between 3 pm and 4 pm on the said date."
- **Guiding the Process:** Once the objective is clear, every subsequent decision, from question formulation to venue selection, will be influenced by this goal. It acts as the North Star, ensuring the interview stays on track and remains productive.

Background Research:

Knowledge is power, especially in the context of an interview. The more you know about the interviewee and the subject at hand, the better equipped you are to steer the conversation effectively.

- **Dossier Compilation:** Begin by compiling a comprehensive dossier on the interviewee. This should include any previous interactions they've had with the organisation, past statements, known associates, and any other pertinent details. Such a dossier offers insights into the interviewee's mindset, reliability, and potential biases.
- **Receiving Instructions and Initial Research:** Upon receiving the instructions for a factual investigation, the first step is to conduct exhaustive background checks. This isn't limited to just the insured's previous interactions or statements but extends to their digital footprint. Platforms like Facebook, LinkedIn, Instagram, Marketplace, eBay, Gumtree, Carsales (if relevant to the case), and Grey's Online can offer invaluable insights.
- **Subject Matter Deep Dive:** Beyond the interviewee, delve deep into the subject of the interview. If it's an incident, gather reports, CCTV footage, witness statements, and any other available data. If it's a broader topic, research related events, historical context, and expert opinions.
- **Formulating Informed Questions:** With a rich background understanding, the questions posed won't just scratch the surface. They'll probe deep, seeking clarity, uncovering inconsistencies, and drawing out information that might not be readily shared. This depth of knowledge positions the interviewer as well-prepared and thorough, often encouraging the interviewee to be more open and detailed in their responses.

- **The Role of the First Interview:** The initial interaction with the insured is pivotal. It's not about confronting them with known inconsistencies or details unearthed during background checks. Instead, it's about allowing them to provide their unfiltered version of events, effectively tying them down to a story.
- **Strategising for Subsequent Interactions:** Once the entirety of the investigation is complete and all evidence has been collated, there might be a need for a re-interview. This is the juncture where any inconsistencies or discrepancies can be addressed. The objective here shifts from gathering information to seeking clarity and understanding the reasons behind any inconsistencies in the insured's account.

Question Formulation:

Crafting the right questions is pivotal to the success of any interview. The manner in which questions are framed can significantly influence the quality and depth of the responses.

- **Utilising Pro-formas:** Many investigative agencies, especially in the insurance sector, have pro-forma interview plans. These contain standard questions that companies deem essential. While these are valuable starting points, they should not be used as rigid scripts. Instead, they should serve as a foundation upon which the interview is built.
- **Tailored Questions:** In addition to the standard questions, the investigator should formulate questions specific to the case at hand. This ensures that the questions are relevant and likely to yield the desired information.
- **Clarity and Openness:** Questions should be clear and concise to avoid misunderstandings. Open-ended questions, in particular, encourage detailed narratives, providing a richer context.
- **Responsive Questioning:** While pro-formas provide a structured approach, it's crucial for investigators to remain attentive and responsive. If an interviewee's response hints at another avenue of pertinent information, the investigator should be prepared to explore it with follow-up questions.

Sequence Determination:

The flow of the interview is crucial. A well-structured sequence ensures that the conversation progresses smoothly, covering all essential topics.

- **Building Rapport:** Start with general or neutral questions to establish rapport and make the interviewee comfortable.
- **Progressive Deepening:** Transition gradually to more specific or sensitive topics. This approach ensures that the interviewee isn't caught off-guard, which could lead to defensiveness or reluctance to share.

- **Concluding Gracefully:** End on a neutral or positive note, ensuring the interviewee feels respected and heard.

Time Management:

Given the constraints and guidelines, managing time effectively during the interview is paramount.

- **Setting Expectations:** Inform the interviewee about the expected duration at the outset. According to the GICOP, interviews should not exceed 90 minutes. If more time is needed, especially in cases involving interpreters, there must be a 24-hour gap between sessions.
- **Utilising Pro-formas Efficiently:** While pro-formas are useful tools, sticking to them rigidly can be time-consuming. Investigators should be adept at gauging which questions are yielding valuable insights and which can be moved through more quickly.
- **Prioritising Key Topics:** Ensure that the most crucial topics receive adequate attention. If certain areas are particularly complex or sensitive, they might require more extended discussion, so plan accordingly.

By blending the structured approach of pro-formas with the flexibility of responsive questioning, and adhering to time guidelines, investigators can conduct interviews that are both comprehensive and compliant.

Review and Refinement:

Once the initial plan is drafted, review it to ensure comprehensiveness. It might also be beneficial to discuss the plan with a colleague or supervisor for additional insights.

In essence, a strategic interview plan serves as a roadmap for the interviewer. It provides direction, ensures that no critical topic is overlooked, and sets the stage for a productive and efficient interview process.

1.2 Setting the Stage: Venue, Equipment, and Personnel

Conducting a successful interview requires more than just well-prepared questions. The environment in which the interview takes place, the tools used, and the people present can significantly influence the outcome. Here's a detailed look at these crucial components:

Venue Selection:

Neutral Ground:

- **Definition:** Neutral venues are locations that don't inherently favour one party over the other, ensuring a balanced power dynamic during the interview.
- **Examples:** Libraries, business centres, or any venue with a conference room can serve as neutral grounds. While police stations might be seen as intimidating, they are not typically used for this purpose in the context of insurance investigations.
- **Home Interviews:** Often, the interviewee's home is the preferred location because individuals tend to feel most at ease in their own space. However, if an interviewee is uncomfortable with a home interview, investigators should be prepared to suggest and arrange alternative neutral venues.

Privacy:

- **Importance:** A private setting ensures that the interviewee can speak candidly without fear of being overheard, especially when discussing sensitive information.
- **Quiet Environment:** It's not just about privacy; a quiet environment is crucial, especially since the interviews will be recorded. Background noise can interfere with the clarity of recordings.

Accessibility:

- **Definition:** The chosen venue should be easily reachable and accommodating for the interviewee.
- **Considerations:** Factors like transportation options, physical disabilities, and the interviewee's proximity to the venue should be taken into account to ensure they can arrive without undue stress or difficulty.

Comfort:

- **Definition:** The environment should be conducive to a relaxed and open conversation.
- **Factors:** This includes appropriate seating, adequate lighting, and a general ambience that reduces anxiety and promotes candid dialogue.



Equipment Preparation:

Recording Devices:

- **Consent:** While it's legally permissible in Victoria to record a conversation one is part of without informing the other party, insurance companies, operating nationally, adhere to a more stringent standard. They typically require explicit consent to ensure compliance across all states and territories. Many insurance companies mandate obtaining a signed consent form before recording.

- **Device Integrity:** Ensure that recording devices, whether audio or video, are in optimal working condition. Test them before the interview to prevent technical glitches.

Note-taking Tools:

- **Importance:** Even with the presence of recording devices, note-taking remains essential. It serves as a backup, ensuring that key points or observations are captured. In the event of a recording malfunction, these notes become crucial for compiling the interview transcript.

Exhibits and Documents:

- **Organisation:** Any document or exhibit that might be referenced during the interview should be well-organised and easily accessible. This ensures a smooth flow of the conversation without unnecessary interruptions.

Personnel Involvement:

Secondary Interviewer Considerations:

Usage:

- **Standard Practice:** Typically, a secondary interviewer isn't standard practice. However, their involvement might be deemed necessary in certain situations.
- **Safety Concerns:** They might be introduced if there are concerns about the interviewee's behaviour or if there's a potential for the situation to escalate.
- **Training Purposes:** In some instances, the secondary interviewer may be someone undergoing training. Their presence can serve a dual purpose: to learn the process and to provide an additional layer of security or support during the interview.

Communication:

- **Advance Notice:** If a decision is made to involve a secondary interviewer, the interviewee should be informed in advance. This is especially crucial if the secondary person's involvement is due to concerns about potential volatility.

- **Transparency and Comfort:** Clear communication ensures that the presence of an additional person doesn't come off as intimidating or unexpected. It's essential to convey that the secondary interviewer's role is supportive, whether for safety, training, or both.
- **Setting Expectations:** Proper communication can help in setting the right expectations, ensuring that the interviewee understands the reasons for the additional presence and feels comfortable with the arrangement. This can aid in maintaining a conducive atmosphere for the interview and ensuring its success.

By meticulously planning the venue, ensuring the right equipment is on hand, and involving the appropriate personnel, investigators can create an environment conducive to a productive and respectful interview. This setting not only aids in gathering accurate information but also upholds the dignity and rights of the interviewee.

1.3 Organising and Utilising Exhibits

In the context of producing a formal record of an interview, exhibits play a pivotal role. They serve as tangible evidence or reference points that can be used to validate, clarify, or challenge statements made during the interview. Proper organisation and utilisation of these exhibits can significantly enhance the quality and credibility of the interview process.

Definition of Exhibits:

- **Nature:** Exhibits can range from physical items, such as a damaged piece of equipment in an insurance claim, to digital evidence like emails, photographs, or video recordings.
- **Purpose:** They serve to corroborate statements, provide clarity, or act as a point of discussion during the interview.

Pre-Interview Organisation:

- **Cataloguing:** Before the interview, each exhibit should be catalogued and labelled appropriately. This ensures quick and easy reference during the discussion.
- **Accessibility:** Exhibits should be arranged in a manner that they can be easily accessed during the interview. This might mean having them laid out on a table or having digital files open and ready on a computer or tablet.
- **Backup:** In the case of digital exhibits, always have backups. Technical glitches can occur, and having a backup ensures that the interview process isn't hindered.

Utilisation During the Interview:

- **Introduction:** When introducing an exhibit during the interview, it's essential to describe it fully. This ensures clarity in the formal record and helps the interviewee understand its relevance.
- **Reference:** Always refer to exhibits by their designated label or number. This creates a clear link between the discussion and the evidence.
- **Handling:** If the interviewee needs to handle or inspect a physical exhibit, ensure that it's done in a way that preserves the integrity of the item. This might mean providing gloves or ensuring that the item isn't tampered with.

Post-Interview Storage:

- **Preservation:** After the interview, exhibits should be stored in a manner that preserves their condition. This is especially crucial if they might be needed for future reference or legal proceedings.
- **Chain of Custody:** Maintain a clear chain of custody for all exhibits. This means documenting who has had access to the exhibit, when, and why. This can be crucial for establishing the credibility and integrity of the evidence in future proceedings.

Ethical Considerations:

- **Transparency:** It's essential to be transparent about why a particular exhibit is being introduced and how it's relevant to the interview.
- **Respect:** Some exhibits might be personal or sensitive in nature. Always handle such items with the utmost respect and discretion, ensuring the interviewee's dignity is maintained.

In essence, exhibits, when properly organised and utilised, can significantly enhance the depth and credibility of an interview. They provide tangible touchpoints that can help in guiding the conversation, validating statements, and ensuring a comprehensive understanding of the matter at hand.

1.4 Risk Assessment and Safety Protocols

Conducting interviews, especially those involving sensitive information or potentially volatile individuals, requires a keen sense of awareness and preparation for any risks involved. Ensuring the safety of all participants, including the interviewer, interviewee, and any other personnel, is paramount. Here's a detailed look into the process of risk assessment and the establishment of safety protocols for interviews:

Preliminary Risk Assessment:

- **Background Checks:** Before the interview, conduct a thorough background check on the interviewee. This can provide insights into any potential behavioural concerns or past incidents that might indicate risk.
- **Nature of the Information:** Understand the sensitivity of the information to be discussed. Topics that might be confrontational or accusatory can elevate the risk of a volatile reaction.

Venue Selection and Safety:

- **Escape Routes:** Ensure that the chosen venue has clear escape routes in case of emergencies.
- **Security Personnel:** In high-risk situations, consider having security personnel nearby or on standby.
- **Surveillance:** Depending on the risk level, surveillance cameras can be installed to monitor the situation, ensuring that any incidents are recorded.

Interviewer Training:

- **De-escalation Techniques:** Interviewers should be trained in techniques to de-escalate tense situations. This includes understanding body language, tone modulation, and conflict resolution strategies.
- **Emergency Protocols:** Ensure that the interviewer is well-versed in emergency protocols, including how to alert security or call for assistance.

Equipment Safety:

- **Non-threatening Equipment:** Use equipment that is non-threatening in appearance. For instance, smaller, discreet recording devices might be less intimidating than larger, more conspicuous ones.
- **Safety Gear:** In extreme cases, consider providing the interviewer with safety gear, such as a personal alarm or communication device.

Communication Protocols:

- **Check-ins:** Establish regular check-in times with the interviewer, especially during longer interviews. If the interviewer fails to check in, it can be a signal for others to intervene or check on the situation.
- **Safe Words or Signals:** Develop a system where the interviewer can use a specific word or signal to indicate distress or a need for intervention without alerting the interviewee.

Post-Interview Protocols:

- **Debriefing:** After the interview, conduct a debriefing session to discuss any incidents or concerns that arose during the process. This can help in refining safety protocols for future interviews.
- **Follow-up:** If any threats or concerns were raised during the interview, ensure a follow-up to assess the situation and determine if further action is required.

In conclusion, while the primary objective of an interview is to gather information, the safety of all participants should never be compromised. A proactive approach to risk assessment and the establishment of robust safety protocols ensures that interviews can be conducted in a secure and controlled environment, minimising potential hazards and ensuring the well-being of all involved.

2.0 The Interview Process

2.1 Initiating the Interview: Preliminary Advice and Rights

Setting the right tone at the beginning of an interview is crucial, especially when dealing with sensitive topics or situations where the interviewee might be under duress. The initial moments can determine the trajectory of the entire interview. Here's a comprehensive look into how to initiate an interview, ensuring that the interviewee is well-informed and comfortable:

Introduction and Building Rapport:

- **Personal Introduction:** Begin by introducing yourself, your role, and the organisation you represent. This establishes your identity and authority.
- **Purpose of the Interview:** Clearly state the reason for the interview, ensuring that the interviewee understands the context and importance of the discussion.
- **Building Rapport:** Engage in a brief, neutral conversation to help put the interviewee at ease. This can be about the weather, the venue, or any other non-controversial topic.

Informing About the Process:

- **Duration:** Give an estimate of how long the interview might take. This helps the interviewee manage their expectations and commitments.
- **Recording:** If the interview is being recorded, inform the interviewee about it and ensure you have their consent.
- **Breaks:** Let the interviewee know that they can request short breaks if needed.

Rights of the Interviewee:

Legal Rights:

- **General Rights:** Inform the interviewee about their general legal rights. This might include the right to remain silent, the right to legal representation, or the right to stop the interview at any point.
- **Insurance-Specific Rights:** In the context of insurance interviews, it's essential to highlight specific rights and obligations tied to their insurance policy. The interviewee should be made aware that insurance companies require cooperation and full disclosure as part of the terms of service contract. If they choose not to answer certain questions or provide incomplete information, it could impact the assessment of their claim. They should be explicitly informed that non-cooperation might lead to their claim being denied.

Support and Representation:

- **General Support:** If the situation warrants, let the interviewee know that they can have a support person present during the interview. This person is there for moral support and cannot answer questions on behalf of the interviewee.
- **Specialised Support:** The interviewee has the right to have an independent interpreter if there's a language barrier. This ensures that they fully understand the questions being asked and can provide accurate answers.
- **Legal Representation:** If the interviewee feels the need, they can also have a legal representative present. However, similar to the support person, the legal representative cannot answer questions on their behalf but can provide legal advice during the process.

Confidentiality:

- **Assurance:** Assure the interviewee about the confidentiality of the information they provide. This means that their statements won't be shared indiscriminately.
- **Disclosure Circumstances:** It's crucial to outline the specific circumstances under which the information might be disclosed. This could be to other departments within the insurance company, to legal entities if required by law, or to other relevant parties as part of the claim assessment process.

By ensuring that the interviewee is fully aware of their rights and the implications of their cooperation, or lack thereof, the interview process becomes transparent, and the interviewee can make informed decisions throughout the interview.

- **Support Person:** If the situation warrants, let the interviewee know that they can have a support person present during the interview.

- **Confidentiality:** Assure the interviewee about the confidentiality of the information they provide, outlining the circumstances under which the information might be disclosed.

Preliminary Advice:

- **Nature of Questions:** Briefly describe the type of questions that will be asked, ensuring that there are no surprises.
- **Honesty and Accuracy:** Emphasise the importance of providing honest and accurate answers. Inform them that providing false information can have consequences.
- **Feedback Mechanism:** Let the interviewee know that they will have an opportunity to clarify or add to their statements at the end of the interview.

Seeking Confirmation:

- **Understanding:** After explaining the process and rights, ask the interviewee if they have understood everything. Address any queries or concerns they might have.
- **Consent:** Before proceeding, ensure that the interviewee consents to the interview under the provided terms.

In essence, the initiation phase of the interview is about setting a foundation of trust, clarity, and mutual respect. By ensuring that the interviewee is well-informed and comfortable, interviewers can pave the way for a more productive and cooperative discussion.

2.2 Effective Questioning Techniques and Information Verification

The art of interviewing hinges significantly on the ability to ask the right questions in the right manner. Effective questioning can lead to a wealth of information, while poor questioning can lead to confusion, misinformation, or even hostility. Coupled with questioning is the equally important task of verifying the information received to ensure its accuracy and relevance.

Open-ended vs. Closed-ended Questions:

Open-ended Questions:

Definition: Open-ended questions are designed to elicit a full, meaningful answer using the interviewee's own knowledge and feelings. They are not meant to be answered with a simple 'yes' or 'no', or with a specific piece of factual data.

Advantages:

- **Narrative Freedom:** Open-ended questions allow the interviewee to express themselves freely, providing a narrative that might reveal more than just the answer to the question.
- **Depth of Response:** They often lead to detailed responses, which can provide a deeper understanding of the situation or the interviewee's perspective.
- **Unearthing Unexpected Information:** Such questions can lead to revelations or details that the interviewer might not have anticipated but are crucial to the investigation.

The 5 W's and H Approach: Open-ended questions often revolve around the foundational journalistic principles of the 5 W's and H:

- **Who:** Identifies individuals involved or responsible.
- **What:** Seeks specifics about what took place.
- **Where:** Establishes the location of the event.
- **When:** Pinpoints the time or sequence of events.
- **Why:** Probes for reasons, causes, or motivations.
- **How:** Explores the method or process.



Initiating with a Narrative Question: One of the most effective ways to start an interview is with a broad open-ended question that allows the interviewee to share their entire story from their perspective. A question like, "Tell me what happened, from when you woke up until you went to bed, on the day of the incident," serves this purpose. This approach ensures that the interviewee sets the initial narrative, providing a holistic view of the event.

Follow-up with Specifics: After the interviewee has shared their narrative, the interviewer can then delve deeper into specific areas of interest or concern. Using the details from the initial narrative, the interviewer can craft targeted open-ended questions to explore particular events, timelines, or anomalies further. This method ensures that while the interviewee's voice is heard and respected, the interviewer also gathers all the necessary details for the investigation.

Examples:

- **Initial Narrative Question:** "Can you walk me through your day on the date of the incident?"
- **Specific Follow-up Questions:** "You mentioned you met John in the afternoon. What was the nature of your meeting?" or "You said you felt uneasy after the phone call. Can you elaborate on why?"

In essence, open-ended questions are a powerful tool in the interviewer's arsenal, allowing for a balance between the interviewee's narrative and the interviewer's need for specific, detailed information.

Closed-ended Questions:

Definition: Closed-ended questions are designed to receive a specific, limited response. They are typically answered with a 'yes', 'no', or a specific piece of data.

Advantages:

- **Precision:** They provide clear, concise answers which can be essential for confirming facts or details.
- **Efficiency:** In situations where time is limited or when a straightforward answer is needed, closed-ended questions can expedite the interview process.
- **Control:** They can guide the conversation in a specific direction or limit the scope of the response.

Examples:

- "Is your name John Smith?"
- "Were you present at the scene at 5pm?"

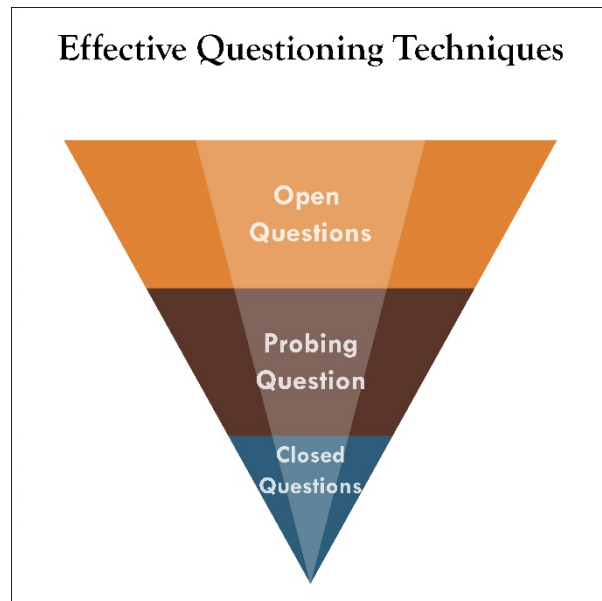
This could also be construed as a leading question, if the information is not already known, because you would be leading the interviewee to the answer you want to hear.

Probing Questions:

Purpose: Probing questions delve deeper into the subject matter, aiming to uncover more detailed information, clarify ambiguities, or explore the nuances of the interviewee's initial response.

Usage:

- **Clarification:** When an answer is vague or general, probing questions can help extract more specific details.
- **Expansion:** They can encourage the interviewee to elaborate on a point, providing a richer context or more comprehensive information.



Examples:

- "You said the environment was tense. Can you explain what made it feel that way?"
- "You mentioned a third person being present. Who was that?"

Reflective Listening:

Definition: Reflective listening is an active listening technique where the interviewer mirrors back what the interviewee has said, either by repeating it verbatim or by paraphrasing. It's a way to demonstrate that the interviewer is genuinely paying attention and seeking to understand the interviewee's perspective.

Benefits:

- **Validation:** It shows the interviewee that they are being heard and understood, fostering a sense of validation.
- **Clarification:** By reflecting back what has been said, any misunderstandings can be quickly identified and addressed.
- **Encouragement:** Reflective listening can act as a prompt, nudging the interviewee to expand on their thoughts or provide additional details.
- **Building Trust:** This technique can enhance the rapport between the interviewer and interviewee, creating a more open and trusting environment.

Examples of Reflective Listening:

- **Interviewee:** "I felt overwhelmed by the situation." **Interviewer:** "So, you felt quite swamped and didn't know how to handle it?"
- **Interviewee:** "The room was so noisy; I couldn't concentrate." **Interviewer:** "You're saying the noise level made it hard for you to focus?"

Incorporating a mix of closed-ended, probing, and reflective listening techniques ensures a comprehensive and empathetic approach to interviews, balancing the need for specific information with the importance of understanding and rapport.

Verification Techniques:**Cross-referencing:**

- Compare the interviewee's statements with other available information or evidence. This can help in identifying inconsistencies or corroborating the details provided.

Repetition:

- Ask the same question at different points in the interview without indicating that it's a repeated question. If the answers are consistent, it adds to the credibility of the information.

Presenting Evidence:

- If there are documents, photos, or other pieces of evidence relevant to the interview, they can be presented to the interviewee for clarification or confirmation. However, this should be done strategically, often after obtaining the interviewee's version of events.

Avoiding Leading Questions:

Definition: Leading questions are framed in a way that they hint at or suggest a specific answer. They might unintentionally guide the interviewee towards a particular response or contain embedded assumptions.

Drawbacks:

- **Influence on Authenticity:** Such questions can inadvertently shape the interviewee's answer, potentially skewing the authenticity of their response.
- **Risk of Misinformation:** If the interviewee is unsure or feels pressured, they might agree with the implied suggestion, leading to inaccurate or biased information.

- **Compromise on Objectivity:** Leading questions can reflect the interviewer's biases or assumptions, which can compromise the objectivity of the interview.

Example:

- **Leading:** "You felt scared when that happened, didn't you?" **Neutral:** "How did you feel when that happened?"

Maintaining Neutrality:

Purpose: The interviewer's role is to gather information in an unbiased manner. By maintaining a neutral stance, the interviewer ensures that the interviewee's responses are genuine and not influenced by external perceptions or judgements.

Techniques:

- **Controlled Reactions:** Even if the information shared is surprising or unexpected, the interviewer should control their reactions to avoid influencing the interviewee.
- **Open Body Language:** Adopting a non-threatening and open posture can make the interviewee feel at ease.
- **Neutral Phrasing:** Questions and comments should be phrased neutrally, avoiding any language that might convey judgment, assumption, or bias.

Importance:

- **Building Trust:** A neutral demeanour fosters trust, making the interviewee more likely to share openly.
- **Ensuring Authenticity:** By avoiding any influence on the interviewee's responses, the interviewer can ensure the authenticity and reliability of the information gathered.
- **Upholding Professional Standards:** Neutrality is a cornerstone of professional interviewing, ensuring that the process is fair, objective, and respectful.

In conclusion, effective questioning is a skill that requires practice, patience, and a keen understanding of human behaviour. Coupled with robust verification techniques, it ensures that the information gathered during the interview is both comprehensive and reliable.

2.3 Exhibit Introduction and Description

Exhibits play a crucial role in many interviews, especially when the objective is to gather detailed information about specific events, incidents, or claims. Properly introducing and describing these exhibits is essential to ensure clarity and maintain the flow of the interview. Here's a breakdown of the process and its significance:

Introducing Exhibits:

Purpose: Exhibits are tangible pieces of evidence or reference materials that can corroborate, challenge, or provide context to the interviewee's statements.

Procedure:

Prior Notification: Before introducing an exhibit, inform the interviewee about its relevance to the discussion.

Clear Presentation: Present the exhibit in a manner that's easily visible and accessible to the interviewee.

Reference Numbering: If multiple exhibits are being used, each should have a unique reference number or identifier for easy tracking and reference.

Describing Exhibits:

Purpose: A detailed description ensures that both the interviewer and the interviewee are on the same page regarding the exhibit's content and relevance.

Procedure:

Physical Attributes: Describe the exhibit's physical attributes, such as size, colour, type (e.g., document, photograph, object), and any distinguishing features.

Content Overview: Provide a brief summary of the exhibit's content, especially if it's a lengthy document or a complex item.

Relevance Explanation: Explain the significance of the exhibit in relation to the interview's objective or the specific point of discussion.

Engaging the Interviewee with the Exhibit:

Seek Acknowledgment: Ask the interviewee if they recognise the exhibit or if they have any prior knowledge of it.

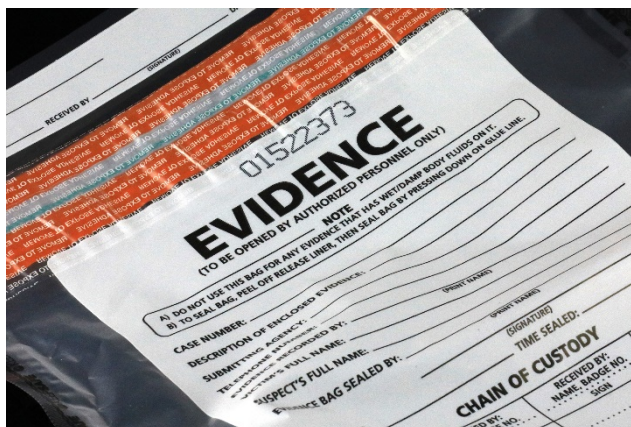
Encourage Interaction: Allow the interviewee to handle, read, or closely inspect the exhibit, unless there are specific reasons not to.

Gather Feedback: After the interviewee has had a chance to engage with the exhibit, ask for their feedback, thoughts, or any additional information they might have related to it.

Importance of Proper Exhibit Handling:

Accuracy and Clarity: Proper introduction and description ensure that the interviewee fully understands the exhibit, leading to more accurate responses.

Maintaining Flow: Smooth transitions between discussion points and exhibit introductions keep the interview flowing naturally, preventing disruptions.



Building Credibility: Professional handling of exhibits can enhance the interviewer's credibility and the overall integrity of the interview process.

In conclusion, exhibits, when used effectively, can be powerful tools in an interview. They can validate statements, trigger memories, or provide clarity on specific issues. Proper introduction and description are pivotal to harness their full potential and ensure a productive interview.

2.4 Adhering to Evidence Rules and Interview Conduct

Conducting an interview, especially in the context of insurance investigations or any other formal inquiry, requires adherence to specific rules and guidelines. Ensuring that the interview is conducted in line with evidence rules is paramount, as it determines the admissibility of the information gathered during legal proceedings.

Understanding the Rules of Evidence:

Definition: The rules of evidence are a foundational set of legal principles that guide how information is collected, presented, and weighed in legal proceedings. They are designed to ensure a fair trial or hearing by making sure that the evidence presented is relevant, reliable, and not prejudicial. These rules act as a filter, ensuring that only appropriate and trustworthy information is considered in decision-making processes.

Relevance:

- **Definition:** Relevance pertains to the direct applicability or pertinence of information to the matter being considered.
- **Importance:** Only information that has a direct bearing on the case or issue at hand should be admitted. Irrelevant information can distract from the main issues, potentially misleading or prejudicing the decision-making process. For instance, details about an individual's past that have no connection to the current case might be deemed irrelevant and thus excluded.

Reliability:

- **Definition:** Reliability refers to the trustworthiness or credibility of the information or source.
- **Importance:** The information presented should be dependable and accurate. In the context of interviews, the reliability of a witness's testimony can be paramount. Factors affecting reliability might include the witness's ability to perceive events, their memory, and their manner of recounting events. Any inconsistencies in statements or contradictions with other pieces of evidence can challenge this reliability.

Avoiding Hearsay:

- **Definition:** Hearsay is a statement made outside of the current hearing or trial, which is presented as evidence to prove the truth of the matter asserted in the statement. In simpler terms, it's using "I was told by X that Y happened" as evidence that Y indeed happened.
- **General Rule:** Hearsay is generally not admissible in court because it's considered less reliable. The person who originally made the statement (the declarant) isn't present in court to be cross-examined, which means their credibility can't be assessed.
- **Exceptions:** There are some exceptions to the hearsay rule. For instance, if the person who told the interviewee the information (the original source) can also be interviewed and their statement obtained, then this might provide a basis for admitting the information. However, the specifics of these exceptions can vary based on jurisdiction and the nature of the case.
- **Practical Application:** Interviewers should be cautious about relying on hearsay. Instead of asking questions like "I heard from someone that...", it's more effective to ask direct questions about the interviewee's own experiences and observations. If hearsay information is provided, the interviewer should consider whether the original source can be interviewed to validate the information.

Conducting the Interview with Admissibility in Mind:

Clear Documentation:

- **Definition:** This refers to the meticulous recording of every detail and aspect of the interview.
- **Importance:** Proper documentation serves as a reliable record of the interview, capturing the context, questions, and responses. This ensures that if the interview is later scrutinised or presented as evidence, there's a clear and unambiguous record of what transpired.
- **Details to Include:** Key details such as the date, time, location, persons present, and the exact questions asked should be accurately documented. It's also beneficial to note any breaks taken, any exhibits shown, and any significant reactions or non-verbal cues from the interviewee.

Transparency:

- **Definition:** This involves being open and clear about the purpose, process, and potential implications of the interview.
- **Importance:** By setting clear expectations from the outset, the interviewee is better positioned to provide informed and voluntary statements. It also establishes a foundation of trust and understanding, which can facilitate a more open and productive dialogue.

Consent for Recording:

- **Definition:** This refers to obtaining explicit permission from the interviewee to record the conversation.
- **Importance:** While some jurisdictions, like Victoria, may allow for one-party consent recording, many insurance companies operating across Australia require mutual consent due to varying state laws. Documenting this consent ensures that the recording is legally admissible and ethically obtained.

Avoiding Coercion:

- **Definition:** Coercion involves pressuring, threatening, or unduly influencing someone to act against their will or better judgment.
- **Importance:** An interviewee's statements must be given freely and voluntarily. Any hint of coercion can not only render the evidence inadmissible but also damage the credibility of the entire investigation. Interviewers should be mindful of their tone, language, and approach to ensure the interviewee doesn't feel unduly pressured.

Clarifying Ambiguities:



- **Definition:** This involves seeking further information or explanation when a statement is unclear or open to multiple interpretations.

- **Importance:** Clarification ensures that the information gathered is accurate and reduces the risk of misunderstandings or misinterpretations later on.

- **Balancing Act:** While it's essential to clarify any ambiguities, interviewers must tread carefully. Continuously pressing an interviewee on a point they've already answered can border on

harassment. It's a fine line between seeking clarity and appearing confrontational or distrustful. If an interviewee has provided a clear answer and remains consistent upon a few revisits to the topic, it's prudent for the interviewer to move on. Continual probing, once clarity is achieved, can be counterproductive and may even jeopardise the admissibility of the evidence.

Post-Interview Procedures:

- **Review and Verification:** After the interview, review the information gathered and cross-check it with other evidence or statements. This helps in identifying any inconsistencies or areas that might need further exploration.
- **Transcription:** If the interview was recorded, it's advisable to transcribe it. A written record is easier to review and can be crucial for legal proceedings. Ensure that the transcription is accurate and reflects the interview faithfully.
- **Feedback to Interviewee:** Depending on the context, it might be appropriate to provide feedback to the interviewee. This could be in the form of a summary of the interview, a copy of the transcription, or any next steps that might be taken.
- **Storage:** All records, notes, transcriptions, and recordings of the interview should be stored securely. This ensures the integrity of the evidence and protects the privacy of the interviewee.

In conclusion, while the primary goal of an interview is to gather information, it's crucial to do so within the framework of the rules of evidence and best practices. Adhering to these guidelines not only ensures the integrity of the investigation but also upholds the rights and dignity of the interviewee. Proper conduct and adherence to evidence rules ensure that the information gathered can stand up to scrutiny and serve its intended purpose in any subsequent legal or administrative proceedings.

Chapter 3: Post-Interview Protocols

3.1 Creating an Accurate Record of the Interview

The post-interview phase is as crucial as the interview itself. Ensuring that the information gathered during the interview is accurately documented and preserved is paramount. This record serves as the primary evidence of the conversation and can be pivotal in subsequent investigations, claims assessments, or legal proceedings.

Transcription Process:

- **Definition:** Transcription is the meticulous process of converting the recorded audio or video interview into a written format. It captures the dialogue, tone, and, in some cases, notable non-verbal cues from the interview.
- **Importance:** A written transcript is invaluable in the investigative process. It provides a tangible and easily reviewable record of the interview, facilitating detailed analysis. This transcript can be shared with relevant parties, ensuring transparency and collaboration. Moreover, it serves as a reference for future actions, allowing stakeholders to revisit the conversation without relying on memory or incomplete notes.
- **Immediate Transcription from Notes:** In situations where an interview wasn't audio recorded, and the record is made from handwritten or typed notes, it's imperative to transcribe these notes into a formal document as soon as possible after the interview concludes. The sooner this is done, the fresher the details are in the interviewer's mind, leading to a more accurate and comprehensive transcription.
- **'I said/He said' Format:** When transcribing from notes, the 'I said/He said' format is recommended. This format clearly differentiates between the interviewer's questions or comments and the interviewee's responses. It provides a clear and structured flow to the conversation, making it easier to follow and review. For example:
 - I said: "Can you walk me through the events of that day?"
 - He said: "I woke up around 7 am, had breakfast, and then left for work."
- **Accuracy:** Whether transcribing from a recording or notes, precision is paramount. The transcription must capture every word, pause, and nuance of the interview. This attention to detail ensures that the essence and context of the conversation are preserved. Discrepancies or inaccuracies between the original conversation and the transcript can not only undermine the credibility of the evidence but also lead to potential misunderstandings or misinterpretations in subsequent investigations or proceedings.

Review and Verification:

- **Definition:** This step involves cross-referencing the transcript with the original recording to ensure its accuracy.
- **Importance:** Mistakes or omissions in the transcript can lead to misunderstandings or misinterpretations. A thorough review ensures that the written record is a true reflection of the interview.
- **Involvement of the Interviewee:** Some protocols might allow or require the interviewee to review the transcript. This gives them an opportunity to confirm its accuracy or highlight any perceived discrepancies.

Timestamps and Annotations:

- **Definition:**
 - **Timestamps:** These are specific markers indicating the exact time in the recording when a particular statement was made or an event occurred.
 - **Annotations:** Annotations are supplementary notes or comments added to the transcript. They serve to provide clarity, context, or highlight specific moments during the interview.
- **Importance:**
 - **Timestamps:** Timestamps serve as a navigational tool for the transcript. They allow for quick and easy reference back to the original recording, especially if there's a need to review a particular section in detail. For instance, ensuring compliance with regulations like the GICOP becomes more straightforward with timestamps. If an interviewer offers a break, a timestamp like [00:30:00 - Offered break as per GICOP guidelines] can be invaluable in demonstrating adherence to the 30-minute rule.
 - **Annotations:** While the audio or video recording captures the spoken word, there are often non-verbal cues, actions, or background events that might be crucial to the context of the interview. Annotations help in capturing these nuances. For example, if an interviewee becomes visibly emotional or there's a notable interruption, an annotation can provide this context, such as [Interviewee appears tearful] or [Loud noise from outside the room].
- **Practical Application:** When transcribing an interview, it's not just the spoken words that matter. The holistic context, including the environment, the demeanour of the participants, and adherence to protocols, can all play a pivotal role in understanding the dynamics of the interview. Timestamps and annotations ensure that this context is preserved and easily accessible in the written record.

Storage and Confidentiality:

- **Definition:** Once transcribed, the interview record should be stored securely, ensuring that only authorised individuals can access it.
- **Importance:** Given the sensitive nature of many interviews, it's crucial to protect the information from unauthorised access, tampering, or loss. Proper storage protocols uphold the integrity of the evidence and protect the privacy of the interviewee.

Feedback and Reflection:

- **Definition:** After the transcription and verification process, it's beneficial for the interviewer to reflect on the interview. This can involve reviewing their questioning techniques, the flow of the conversation, and any areas where they might improve in future interviews.
- **Importance:** Continuous improvement is vital in any professional setting. By reflecting on their performance, interviewers can refine their skills, ensuring more effective and efficient interviews in the future.

In conclusion, creating an accurate record of the interview is a meticulous process that demands attention to detail, thoroughness, and a commitment to accuracy. This record not only serves as evidence but also as a testament to the professionalism and integrity of the interviewer and the entire investigative process.



Wrapping up: Concluding Steps and Procedures

After the interview has been conducted and transcribed, there are several crucial steps to ensure that the process is wrapped up appropriately. These steps not only ensure the integrity and security of the information gathered but also set the stage for any subsequent actions or follow-ups.

Feedback and Clarifications:

- **Definition:** This involves providing the interviewee with an opportunity to review the transcript or summary of the interview to ensure its accuracy.
- **Importance:** Allowing the interviewee to review the record ensures that there are no misunderstandings or misinterpretations. It also provides them with a chance to

clarify any points or add any additional information they might have recalled after the interview.

Document Storage and Security:

- **Definition:** All records, including notes, transcripts, and recordings, should be stored securely to ensure confidentiality and prevent unauthorised access.
- **Importance:** Given the sensitive nature of many interviews, especially in the context of insurance investigations, it's paramount to ensure that the data is protected. Proper storage safeguards the rights of the interviewee and maintains the integrity of the evidence.

Communication with Relevant Parties:

- **Definition:** Informing relevant stakeholders or parties about the conclusion of the interview and sharing necessary information with them.
- **Importance:** Keeping all relevant parties in the loop ensures transparency and allows for coordinated next steps. For instance, if an insurance company is waiting for the results of an interview to make a decision on a claim, timely communication can expedite the process.

Follow-up Actions:

- **Definition:** Based on the information gathered during the interview, there might be a need for further investigations, additional interviews, or other actions.
- **Importance:** The interview is often just one piece of the puzzle. Depending on the findings, further steps might be necessary to complete the investigation or to address any issues that arose during the interview.

Feedback and Continuous Improvement:

- **Definition:** After the conclusion of the interview, it's beneficial for the interviewer to reflect on the process, noting what went well and what could be improved.
- **Importance:** Continuous improvement ensures that future interviews are conducted even more effectively. This reflection can cover various aspects, from questioning techniques to the logistical arrangements of the interview.

Conclusion: The post-interview phase is as crucial as the preparation and the interview itself. Properly concluding the interview process ensures that the information gathered is accurate, secure, and actionable. It also upholds the professionalism and integrity of the investigative process, ensuring fairness and transparency for all parties involved.

GLOSSARY

1. **Audio Recording:** The process of electronically capturing and storing sound, used in interviews to create an accurate record.
2. **Confidentiality:** The principle of keeping information private and secure, especially pertinent to sensitive details disclosed during an interview.
3. **Consent:** Agreement or permission given by the interviewee, often required for recording interviews or using personal information.
4. **Documentation:** The written or electronic recording of information, including notes and transcripts from interviews.
5. **Interviewee:** The person being interviewed, often a witness, suspect, or subject of an investigation.
6. **Interviewer:** The individual conducting the interview, responsible for guiding the conversation and recording the information.
7. **Non-Verbal Cues:** Physical actions or gestures that communicate information without words, important in understanding the context and nuances of an interview.
8. **Official Record:** A formal and authoritative document that accurately reflects the content of an interview.
9. **Paraphrasing:** Restating information using different words, often used to clarify or summarize key points in an interview.
10. **Privacy:** The right of individuals to have their personal information protected and not improperly disclosed.
11. **Record of Interview:** A comprehensive and accurate account of an interview, including all questions, answers, and relevant non-verbal cues.
12. **Transcription:** The process of converting spoken words (from an audio or video recording) into written text.
13. **Verbatim Transcript:** A word-for-word written record of spoken words, crucial for maintaining the accuracy of the interview content.
14. **Witness Statement:** A formal document containing the account of an event or situation as described by a witness, often used as evidence.