



Lesson 4.2 Interviewing the Subject of a Complaint

Lesson 4.2 Content

- Principles of good practice
- Interviewing methodologies and procedures

Lesson 4.2 Learning Outcomes

- List the core principles and essential elements for interviewing subjects
- Explain the considerations for interviewing subjects
- Explain the interview process
- Describe free recall and conversation management models
- Explain how to challenge a subject



Principles of Good Practice

Core Principles

- Do no harm
- Transparency
- Independence, impartiality and objectivity
- Thoroughness, accuracy and precision
- Timeliness
- Record, preserve and collect all relevant evidence
- Confidentiality
- Informed consent for victims and UN external witnesses
- Duty of UN personnel to cooperate
- Protection, safety and welfare
- Due process and procedural fairness
- Gender perspective
- Focus on evidence, not opinion
- Professionalism

Interview Essentials

- Ethical conduct
- Investigating the allegations, not an individual
- Presumption of innocence
- The investigator is not the decision-maker
- The investigator does not make moral judgments relating to any aspects of the investigation
- An interview is not the same thing as an interrogation



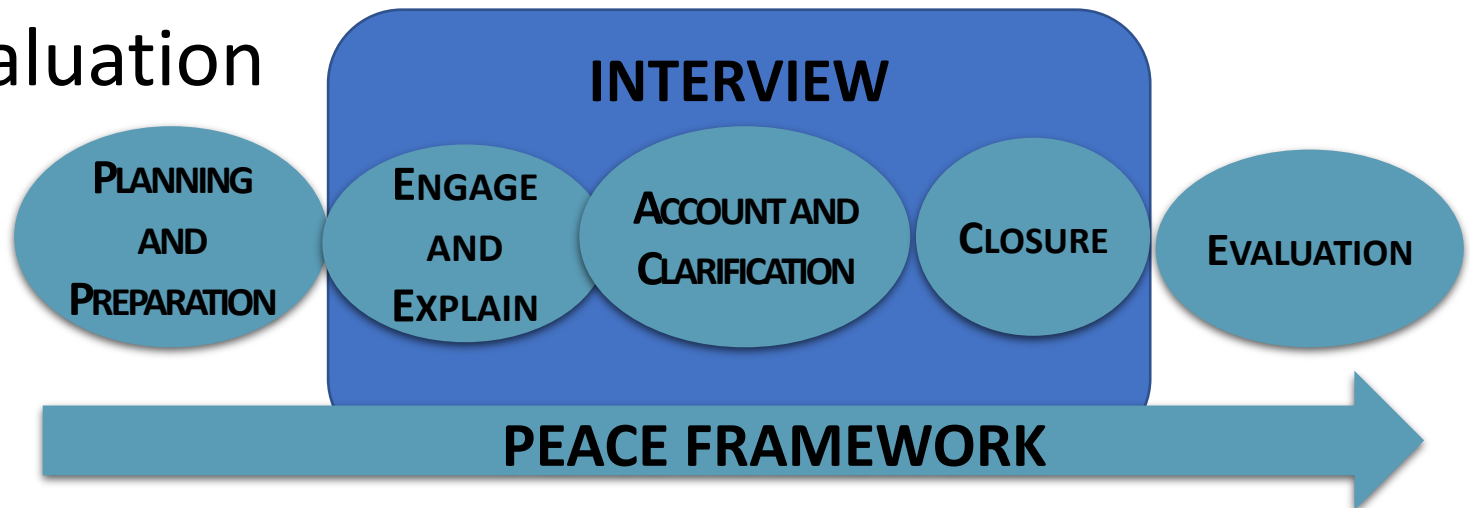
Interviewing Methodologies and Procedures

Considerations

- Why interview the subject of complaint?
- Who should interview the subject of complaint?
- Where to interview the subject of complaint?
- When to interview the subject of complaint?
- Protection measures for the subject of complaint?

PEACE Model

- P: planning and preparation
- E: engage and explain
- A: account
- C: closure
- E: evaluation



Prior to the Interview

- Identify all the evidence (what are the grounds for suspicion?).
- Identify all possible explanations for the evidence (alternative hypotheses).
- Before the interviewer enters the interview room, they must be able to answer the question: What information am I prepared to handle, and am I capable of coping with it strategically?
- What information should be available if the suspect is innocent? How can I get this information from the interview without giving away the evidence?
- Which topics must be 'funnelled down' in order to search for information that might support alternative stories or interpretations of the available evidence?
- Identify all topics and organise them into a natural order.

During the Interview

- Revise your interview plan so that new topics which might have arisen during the first free account are also included in a natural order.
- Inform the subject that you at this stage will invite them to expand on topics with potential relevance to the matter under investigation.
- Tell the subject that you will start this phase with open-ended questions in the same way as in the first free account, but now with specific questions, and then perhaps follow up with more detailed questions before you summarise and move to the next topic.
- Introduce the first topic and start the funnelling; use active listening, and remind the subject of the importance of details.
- During this step, you should cross-check the information provided in the interview with your available evidence. After all the topics have been funnelled down, all inconsistencies of importance should be disclosed one by one to the subject, with a clear invitation to explain how these inconsistencies might have arisen.

FREE RECALL MODEL

ACCOUNT

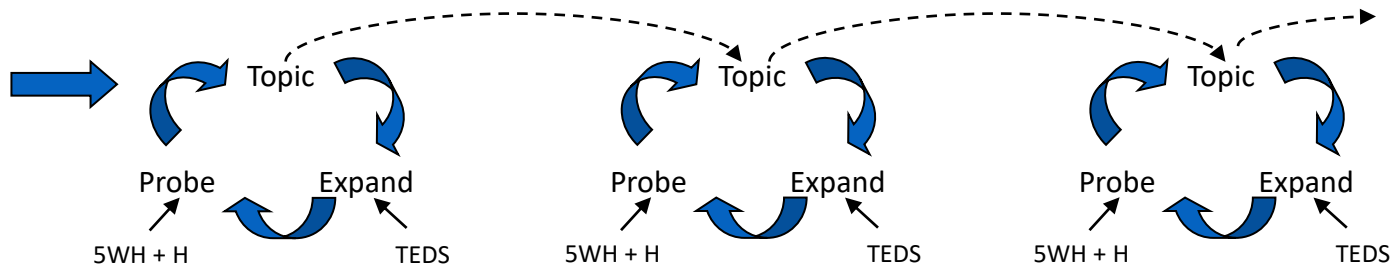
Set the scene &
initiate free
report



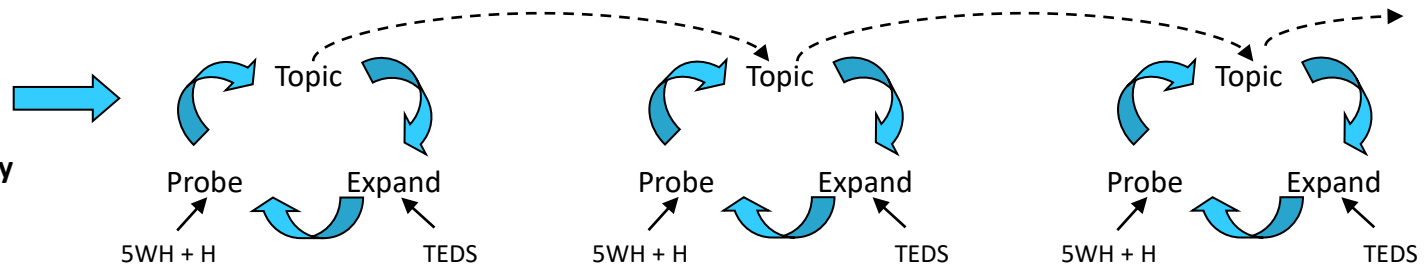
Sketch plan /
another free
report?



Identify and
expand
interviewee
topics



Identify and
expand
investigatively
important
topics



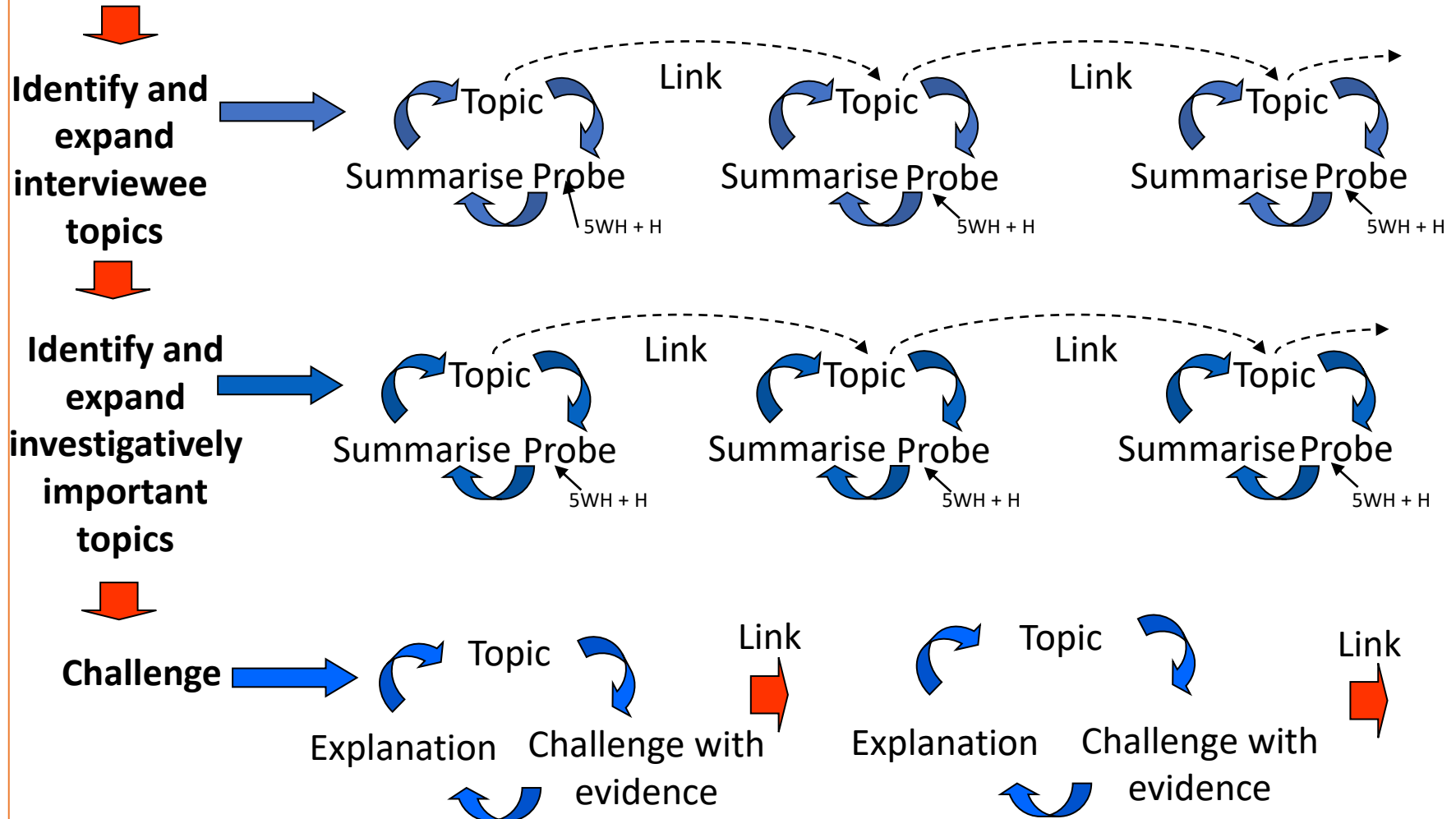
Summary & written statement

CONVERSATION MANAGEMENT MODEL

ACCOUNT

Initiate free report

Using TEDS & summarise



Challenging the Subject

- Challenge 1: Inconsistencies within the subject's account
 - Challenge 2: Inconsistencies between the subject's account and others witnesses evidence
 - Challenge 3: Inconsistencies between the subject's account and the evidence
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- You said... state the subject's version of what is disputed
 - We have... state the evidence that contradicts their version of events
 - Explain that... ask them to explain inconsistencies between what they have said and the evidence

Lesson Takeaway

- List the core principles and essential elements for interviewing subjects
- Explain the considerations for interviewing subjects
- Explain the interview process
- Describe free recall and conversation management models
- Explain how to challenge a subject



Questions?



TTX

Scenario

Maria is 27-years old. She fled to the city to escape the fighting in her village. She makes some money by selling cigarettes on the side of the road. One Saturday night, a UN vehicle driven by a military contingent member, CPL Antonio, stops on the side of the road. After buying some cigarettes from Maria, Cpl. Antonio offers Maria USD \$20 to have sex with him. CPL Antonio drives with Maria to a secluded spot behind a stadium where they have sex in the vehicle. After sex, CPL Antonio gives Maria only USD \$10. Maria refuses to get out of the vehicle until she gets paid the full amount. CPL Antonio then tells Maria to get out of the vehicle or he will beat her up. When Maria still refuses, CPL Antonio grabs Maria's arm, pulls her from the vehicle and she falls on the ground. CPL Antonio does not think he has done anything wrong, because prostitution is legal in his country, and Maria does not deserve the full amount as the sex was over quickly.

Discussion Points

- As your contingents NIO you have been assigned to investigate this incident
- Based on the information in the scenario:
 - Identify the SEA related misconduct
 - Identify the key elements to address during your investigation
 - Identify the lines of enquiry and sources of evidence
 - Identify specific challenges you may encounter during your investigation
 - Identify any other forms of possible misconduct