Lesson 3.6 – Investigation Report Writing

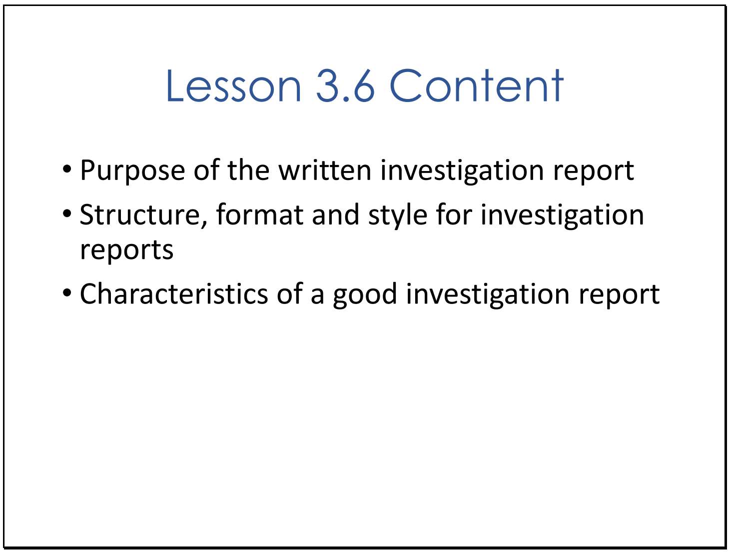
The Lesson

Slide 1

For an interactive start to this Lesson, ask the trainees if they have had experience in writing investigation reports. Ask them to tell the group about their specific challenges associated with investigation report writing. Also, have them tell the group about the common characteristics of a 'good' investigation report.

Note to instructor – recommend that that lesson 3.6 be presented by an instructor who has professional experience as an NIO and/or who has significant experience in writing investigation reports. The instructor should also encourage questions from the trainees and aim for an interactive discussion. All trainees should be encouraged to contribute to the group discussions and learning activities.

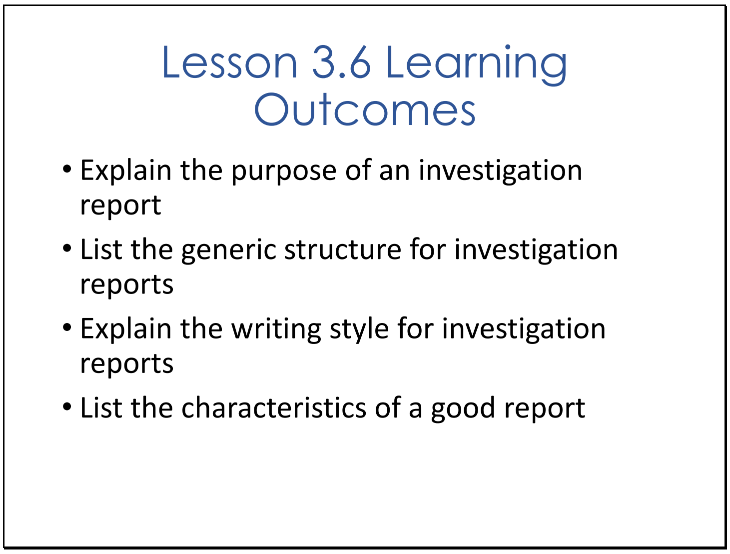
Slide 2



Here are the subject areas this lesson will be covering:

∗ Report purpose.
∗ Report structure, format and style.
∗ Characteristics of a good report.

Slide 3



As is good training practice, let's review the learning outcomes.

At the end of the lesson the aim is for NIO to be able to assimilate the good practice principles of investigation report writing. Please take a moment to read and understand the requirements:

- Explain the purpose of a report.
- List the report structure.
- Explain the report style.
- List the characteristics of a good report.

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Investigation reports are used to present facts established through the investigation process that substantiate or refute misconduct allegations against personnel in contravention of UN regulations, rules and administrative issuances. Investigation reports can address multiple contraventions, however separate reports must generally be issued for each individual subject of complaint. Investigation reports reference all evidence that support the facts and findings of the investigation.

Key Message: Remember that your investigation can only be as good as your report of it.

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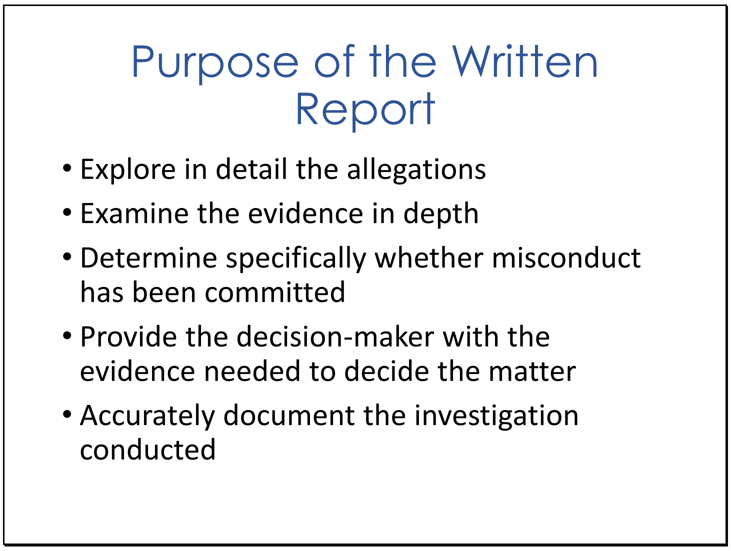

The investigation report is the document which contains the investigators’ conclusions on whether, based on the available evidence, there has been a breach of the relevant standards of conduct. It sets out in narrative form how the alleged misconduct was discovered, to whom it was reported, the steps taken to gather the evidence, the investigators’ conclusions and the evidence supporting those conclusions.

The purpose of the investigation is to:

* Explore in detail the allegations.
* Examine the evidence in depth.
* Determine specifically whether misconduct has been committed.
* Provide the decision-maker with the evidence needed to decide the matter.
* Accurately document the investigation conducted.

By the time the NIO has reached the stage of compiling the investigation report, many hours, documents and interview outcomes have no doubt accumulated. Bringing all of this together effectively into a quality report might seem quite challenging, but by dividing the task of reporting into a step-by-step the complex assortment of materials gleaned from the investigation can be streamlined into a useful and professional report.

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The best investigation reports are well planned and logically organised. A well-structured investigation report will be clear and sequential, with an easy-to-follow index of both the report body and appendices. The language of the report should be as clear and non-technical as possible, and gender sensitive. Don't forget that the decision-maker wants a very clear idea of what happened and whether an allegation is substantiated. Objective and neutral language is essential in order to clearly demonstrate that procedural fairness has remained front-and-centre during the task.

Reports must be prepared in accordance with UN procedures designed to ensure stylistic and editorial consistency to meet UN standards and should be:
- Factually correct.
- Impartial and objective.
- Concise, clear and complete.
- Logically organised.

NIO should prepare separate investigation reports for each individual subject of complaint, as this will facilitate the initiation of disciplinary proceedings if misconduct is established. NIO should ensure that the reports are consistent with the entirety of the evidence obtained.

Key Message: Begin your investigation with an exemplar report outline to serve as a checklist for your investigation.

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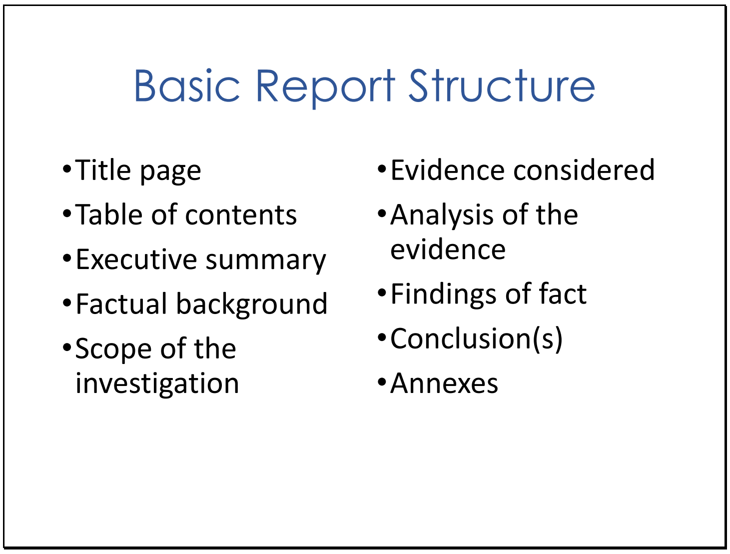

Reports are generally structured to outline the reported misconduct linked to applicable UN regulations, rules and administrative issuances. They succinctly explain the steps taken to gather evidence, set forth analyses of and findings based on the evidence obtained, and demonstrate that conclusions drawn and recommendations made are rational and sustainable.

Although reports should be concise, they should not sacrifice clarity, completeness or accuracy, but rather enable the reader to easily identify the evidence and comprehend the issues addressed. However, excessive detail should be avoided so that readers are not buried under irrelevant facts. Reports should neither raise unanswered questions nor leave matters open to interpretation.

Report pages should be numbered consecutively, beginning with the title page. The Report should be structured in the following way:

- Title page.
- Table of contents.
- Executive summary.
- Factual background.
- Scope of the investigation.
- Evidence considered.
- Analysis of the evidence.
- Findings of fact.
- Conclusion(s).
- Annexes.

Key Message: Begin drafting your report with background, scope, and issue statements early in the investigation.

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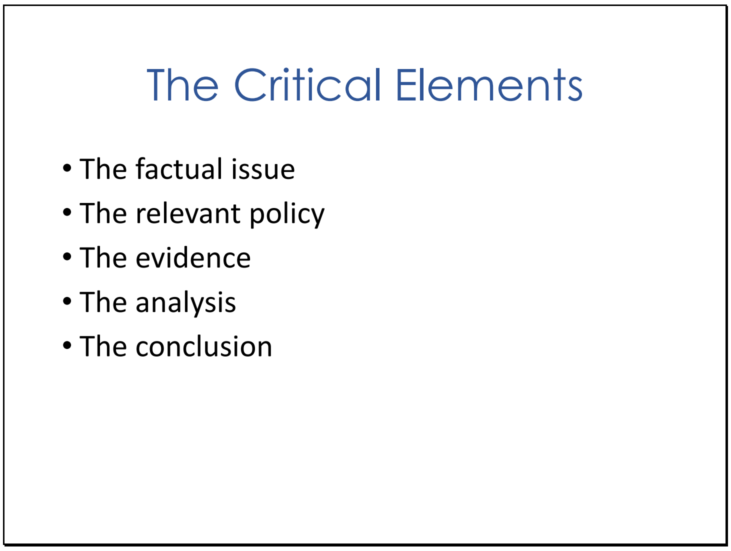

Reports should be written in the active voice and contain short and direct sentences. Concise headings and sub-headings should be used to guide the reader through reports. They should be presented in straightforward, grammatically correct language, avoiding the use of unnecessary, obscure, and ambiguous or otherwise confusing expressions or adjectives. Images and charts may also be used to demonstrate issues. To protect confidentiality, names of vulnerable witnesses may be replaced by descriptors.

The critical elements of a report are:

- The factual issue.
- The relevant policy.
- The evidence.
- The analysis.
- The conclusion.

Key message: Frame the investigation and your report on the rule or policy at issue.

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Executive Summary

- Brief description of the complaint
- Policy/rule at issue
- Investigative mandate
- Ultimate conclusion reached

Things to consider including in the executive summary:

- Brief description of the complaint.
- Policy/rule at issue.
- Investigative mandate.
- Ultimate conclusion reached.

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Factual Background

- Background facts of the allegation(s)/complaint
- Personnel involved
- Location(s) involved
- Relevant activities/actions
- Factual issues to be resolved

Things to consider including in the factual background:

* Background facts of the allegation(s)/complaint.
* Personnel involved.
* Location(s) involved.
* Relevant activities/actions.
* Factual issues to be resolved.

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Scope of the Investigation

- What was the matter at issue?
- What was the scope of review?
- What interviews were conducted?
- What other evidence was considered?
- What investigative process matters should be noted?

Things to consider for the scope of the investigation:

- What was the matter at issue?
- What was the scope of review?
- What interviews were conducted?
- What other evidence was considered?
- What investigative process matters should be noted?

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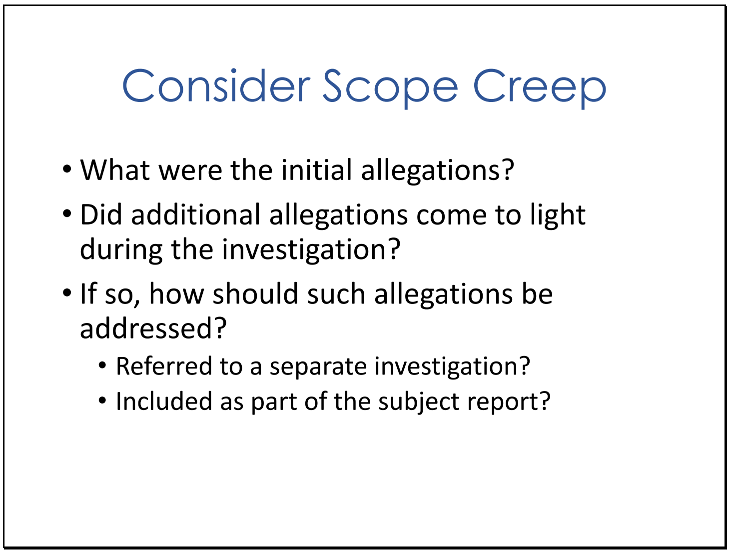

Consider Scope Creep:

* What were the initial allegations?
* Did additional allegations come to light during the investigation?
* If so, how should such allegations be addressed?
    * Referred to a separate investigation?
    * Included as part of the subject report?

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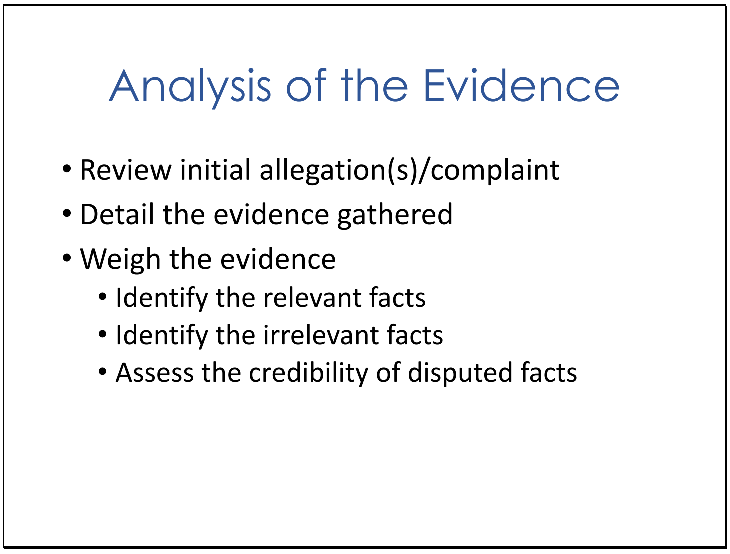

High quality reports require factual accuracy. Therefore, each piece of evidence relied upon in a report must be supported by documentation in the investigation case file, which is referenced in a footnote.

The analysis of the evidence should:

- Review initial allegations/ complaint.
- Detail the evidence gathered.
- Weigh the evidence.
    - Identify the relevant facts.
    - Identify the irrelevant facts.
    - Assess the credibility of disputed facts.

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Conclusions

- Set out the findings of fact that are needed to reach each required conclusion
- State the conclusion(s) reached with reference to the applicable policy standard
- The investigation will usually result in one of the following three conclusions:
  - "Allegation(s) are substantiated"
  - "Allegation(s) are not substantiated due to insufficient or unclear evidence"
  - "Allegation(s) are not substantiated based on evidence that clears the subject of the complaint and/or establishes a malicious complaint"

The conclusions tell the reader whether or not the evidence supports each complaint as alleged. It is important that the conclusions are clearly stated for each alleged complaint.

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Investigation findings can be made and included in a report only after individuals implicated in possible misconduct (also referred to as subjects of the complaint) have been given the opportunity to respond to the claim(s) made against them. Where subjects choose to maintain a right to silence/self-incrimination, unanswered claims may be addressed, with reference to the subject invoking their right to silence. Reports should, where available, include exculpatory and mitigating evidence.

Some issues involving conduct may not necessarily constitute a contravention of UN regulations, rules and administrative issuances, but rather may indicate poor management or judgement.

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Investigation reports are used to present facts established through the investigation process that substantiate or refute misconduct allegations against personnel in contravention of UN regulations, rules and administrative issuances. A good investigation report will document in a factual, clear, complete and concise manner the outcomes of an investigation and will make recommendations to a decision maker.

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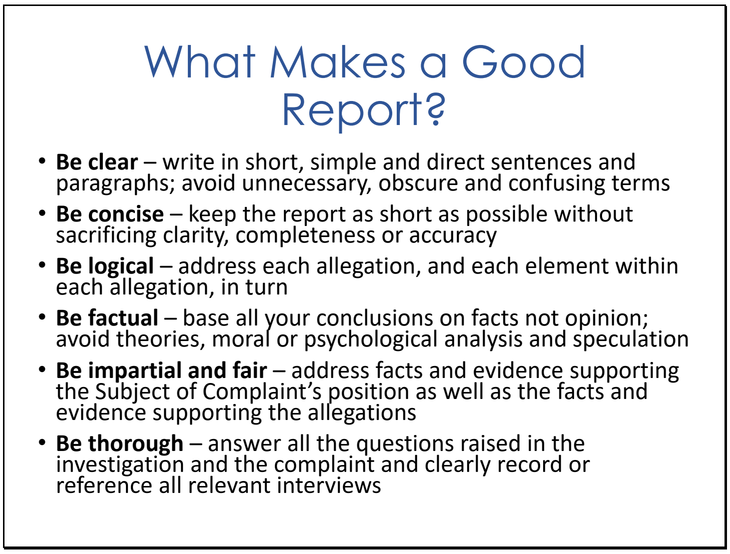

General rules for writing investigation reports include:

- Be clear – write in short, simple and direct sentences and paragraphs; avoid unnecessary, obscure and confusing terms.
- Be concise – keep the report as short as possible without sacrificing clarity, completeness or accuracy.
- Be logical – address each allegation, and each element within each allegation, in turn.
- Be factual – base all your conclusions on facts not opinion; avoid theories, moral or psychological analysis and speculation.
- Be impartial and fair – address facts and evidence supporting the subject of the complaints' position as well as the facts and evidence supporting the allegations.
- Be thorough – answer all the questions raised in the investigation and the complaint and clearly record or reference all relevant interviews.

Additionally, reports should use gender-sensitive language and acknowledge the contributions of team members and other organisations.

Key Message: Begin drafting the report with background, scope, and issue statements early in the investigation. Document your factual, timely, and thorough investigation in a clear, complete and concise report.

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Lesson Takeaway

- An investigation is only as good as the report of it
- Begin any investigation with a exemplar report outline to serve as a checklist for the investigation
- Frame the investigation and report on the rule or policy at issue
- Begin drafting the report with background, scope, and issue statements early in the investigation
- Document the factual, timely, and thorough investigation in a clear, complete and concise report

NIO should consider be mindful of the following in relation to investigation reports:

* Remember that your investigation can only be as good as your report of it.
* Begin your investigation with a exemplar report outline to serve as a checklist for your investigation.
* Frame the investigation and your report on the rule or policy at issue.
* Begin the actual writing of your report with background, scope, and issue statements early in the investigation.
* Document your factual, timely, and thorough investigation in a clear, complete and concise report.

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Questions?

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Purpose: The following TTX is a learning activity designed to enable NIO trainees to consider an SEA scenario and work through various commonly encountered issues in SEA investigations. TTX are built into the end of all Lessons in Modules 3 and 4 to consolidate and reinforce NIO learning through explanation, demonstration, imitation and practice.

Definition: TTXs are set in an informal setting designed for trainees to discuss the principles and concepts of undertaking NIO investigations in a UN mission, using hypothetical but realistic scenarios. Importantly, this TTX helps trainees to better understand the challenges they will encounter as an NIO. The effectiveness of this TTX will be derived from the enthusiastic and active involvement of trainees.

Methodology: NIO trainees are encouraged to discuss issues in depth, using a problem-solving methodology. NIO instructors are encouraged to act as a guide and oversee knowledge sharing, encouraging contributions from all trainees to generate solutions.

Divide the trainees up into groups of 2-3 individuals for the TTX.

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Scenario

Granny is 53 years old and lives with her daughter, Mannie, and her 14-year-old granddaughter, Sissie, in a village not far from the peacekeepers' camp. Granny and Mannie go to the field every day to farm, leaving Sissie and the other young children at home. One evening Granny finds Mannie beating Sissie. Mannie explains that Sissie came home with money, candy and a tin of fish, and refuses to say where she got the money and food. The next day, Granny speaks to Sissie who then admits that, during the day, she and several of the other young girls go to the bushy part behind the peacekeeper's camp. The peacekeepers cannot leave their camp, so they talk to the peacekeepers over the fence. The peacekeepers ask the girls to lift their shirts and skirts, and to take off their panties. The peacekeepers then take photos with their mobile phones of the girls' nude breasts, buttocks and private parts. In exchange, the peacekeepers throw money and food over the fence to the girls.

Allow the trainees 5 minutes to read the scenario and record the salient facts of the case in their notebook. This has the dual purpose of training the NIO to become competent in notetaking and identifying key facts under simulated pressure.

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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

Allow trainees 10-15 minutes to discuss the following questions in their small groups of 2-3. Once trainees have had the opportunity to discuss these issues in their small groups the instructor should aim to facilitate a class discussion on the questions raised for between 15-20 minutes.

Instructors should circulate themselves around the classroom during the small group discussions. Instructors should also establish the following code of conduct for group discussions:

* Be good listeners, do not interrupt others.
* Be enthusiastic and actively involved.
* Maintain mutual respect.
* Apply your knowledge as an investigator to the issues raised.