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Title	MPS Investigative Interviewing
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Summary	An over-arching interview policy consolidating relevant policy and guidance relating to investigative interviewing in the MPS.
Branch / OCU	SCD Policy Forum
Review date	March 2011

Introduction

It is intended to provide over-arching guidance in relation to investigative interviewing and bring together all relevant policies and operating procedures in that field.

Application

This policy becomes effective immediately.

All police officers and police staff, including the extended police family and those working voluntarily or under contract to the Metropolitan Police Authority (MPA), must be aware of and are required to comply with all relevant Metropolitan Police Service (MPS) policy.

However, this policy applies in particular to officers and/or police staff in the following roles:

- Police Officers and Police Staff who conduct investigative interviews;
- First line managers of such interviews;
- Any police officers or police staff who assess interviews; and
- Police officers and police staff who design and deliver training in respect of criminal investigations and investigative interviewing.

N.B. This list is not intended to be exhaustive.

This policy does not apply to Police Community Support Officers ('PCSOs') whose operational deployment is governed by MPS Special Notice 03 of 2005.

Purpose

To enhance the standard of investigative interviewing within the Metropolitan Police Service (MPS), by improving the quality of service given to witnesses, including victims by the Metropolitan Police Service by enabling them to achieve their best evidence and to ensure that they are given greater access to the Criminal Justice system and thereby narrowing the justice gap. By ensuring that investigators pursue all reasonable lines of enquiry and to secure and preserve material to assist the criminal justice process.

To provide a single point of reference, for procedures and guidance relating to investigative interviewing.

Scope

An 'investigative interview' for the purpose of this policy is defined as follows:

- The questioning of a person regarding that person's involvement or suspected involvement in a criminal offence or offences which under paragraph 10.1 of the PACE Codes of Practice must be carried out under caution; or
- The obtaining of an account from a victim or witness in connection with an offence.

Witnesses who are 'vulnerable' or 'intimidated' may be subject to separate procedures provided by the *Youth Justice and Criminal Evidence Act 1999*.

Special provisions are also provided for witnesses by s.137 Criminal Justice Act 2003

The Metropolitan Police Service has also adopted procedures for 'Significant witnesses', which are laid out in the accompanying Standard Operating Procedures.

The interview of suspects is governed by the Police and Criminal Evidence Act 1984.

Policy Statement

The MPS policy on investigative interviewing is founded on the following principles and Home Office publication 'Achieving Best Evidence in Criminal Proceedings: Guidance on Interviewing Victims and Witnesses, and using Special Measures'

- The aim of investigative interviewing is to obtain accurate and reliable accounts from victims, witnesses or suspects about matters under police investigation.
- Investigators must act fairly when questioning victims, witnesses or suspects. Vulnerable people must be treated with particular consideration at all times.
- Investigative interviewing should be approached with an investigative mindset. Accounts obtained from the person who is being interviewed should always be tested against what the interviewer already knows or what can reasonably be established.
- When conducting an interview, investigators are free to ask a wide range of questions in order to obtain material, which may assist an investigation. They are not limited to asking questions aimed at gathering evidence but they should ensure that the questions asked are appropriate to the case and can be justified to others.
- Investigators will not know whether a suspect is guilty of an offence. They have a responsibility, however to provide them with an opportunity to give an account which may include a voluntary admission of guilt.
- Investigators are not bound to accept the first answer given. Questioning is not unfair merely because it is persistent.
- Even when the right of silence is exercised by a suspect, investigators have a responsibility to put questions to them.

In addition,

- Consultation with an interview advisor should be considered at the earliest opportunity in the following cases; murder, attempted murder, serious physical assault, sexual assault, kidnap, robberies with firearms, road death and any other case that the investigating officer considers it necessary.
- Consideration should be given to making a visual or audio record an interview with a significant witness.
- In serious crime investigations, Senior Investigating Officer (SIOs), Investigating Officers (IOs) and Interviewing Officers must give active consideration to the benefits of making a visual record of interviews with suspects. Consideration must also be given to making such a record in all interviews where the suspect is deaf, unable to read or speak, or has difficulty orally because of a speech impediment.

Within the Professional Investigation Programme (PIP) there is an integrated framework designed to improve the standards of investigative interviewing. All substantive detectives in an investigative role and officers with specialist interview skills will be required to

measure themselves against the relevant National Occupational Standards on an annual basis.

The annual workplace assessment will be conducted through their Personal Development Review (PDR)

If an officer with specialist interview skills has not conducted a specialist interview within the reporting period the respective specialist skill will be removed from their HR record until they attend refresher training and re-qualify.

All investigators and interviewers will promote equality and value diversity in accordance with the common national standard set by Skills for Justice. All victims, witnesses and suspects will be treated fairly and with respect according to their needs regardless of race, religion, background, gender, age, sexuality or any disability.

Benefits

This policy:

- Allows staff to function effectively, ensuring the confidence of staff and the public we serve.
- Gives readily accessible clear guidance and instruction
- Provides a corporate framework for accessing investigative policy
- Facilitates staff understanding of policy relating to investigative interviewing

Responsibilities

- The Specialist Crime Directorate Policy Forum owns this policy.
- Implementation of the policy on interviewing and its associated texts is the responsibility of the Investigative Interviewing Steering Group.
- The Crime Academy will be responsible for monitoring and reviewing the policy

Associated Documents and Policies

MPS Websites

- Investigative Interviewing SOPs-Vulnerable, Intimidated and Significant Witness SOP
- Revised ABE guidance - 'Achieving Best Evidence in Criminal Proceedings: Guidance on Interviewing Victims and Witnesses, and using Special Measures'
- Professionalizing of Investigation Process SOPs
- Linguistic Forensic and Medical Services

Legislation

- The Police and Criminal Evidence Act 1984 and the PACE Codes of Practice

- The Criminal Procedure and Investigations Act 1997
- The Youth Justice and Criminal Evidence Act 1999
- The Criminal Justice Act 2003
- The Domestic Violence, Crime and Victims Act 2004.
- The Victims Code of Practice
- The ACPO Road Death Manual