



# Gathering Information

# Planning the Investigation

*And your homework tonight*

# Planning the Investigation

Homework tonight:

- Investigation Planning Tool
- BSO Guidelines, Chapter 3 and Annex B
- IASC Protocol/Model Complaints document

# Stages of investigations

1. Receive allegations
2. Decide whether to investigate
3. Plan the investigation
4. Gather and study background material and documentary evidence
5. Revisit investigation plan
6. Interview witnesses
7. Write investigation report
8. Conclude the investigation

# Planning the investigation: how information is obtained

- Establish how the following information will be obtained:
  - Interviews with all relevant witnesses including complainant, victim and subject of complaint
  - Records and documentation
  - Visiting the location/scene of incidents if appropriate
  - Research and knowledge
  - Policy, procedure and protocol
  - Expert advice, assistance and interpretation

# Facts about Gathering Information

*The “WHAT”*

# Gathering information: what

- Testimony (including that of experts)
- Information about the subject of the complaint (SOC)
- Information about complainant; victim and witnesses documentation
- Previous complaints
- Research
- Examination of locations

# Gathering information: testimony

- Gathered through interviewing victims, witnesses and SOC
- Adhere to the guidelines, rules and principles
- For experts, include status and experience, and identify facts and opinion
- Relevant to the investigation



# Gathering information: info about SOC

- Timelines
- Personnel knowledge
- Employment status (during and prior to current post if possible)
- Personnel file
- Interview
- Behaviors

## Gathering information: information about complainants

- Any previous complaints:
  - Vulnerability – did this make them more vulnerable to abuse and/or aware of abuse?
  - Is there a possibility that complaints are malicious?
  - Is there information to suggest that there is any other reason for making a statement?

# Gathering information: documentation

- Written complaint
- Application for post and previous history
- Personnel/HR information
- Previous complaints against subject
- Information previously given in similar incidents about/by others
- Previous statements made by witnesses
- Information relating to policy and/or procedure
- Logs/rosters, stockpiles, photos, emails, etc.

# Gathering information: previous complaints

- May indicate previous patterns of behavior
- May identify unclear boundaries of right and wrong
- Information about similar issues that may link to the current incident and provide leads

# Gathering information: examination of location

- Does it fit with nature and circumstances of complaint?
- Are there considerations that would make the environment safer to others?
- Could the incident have taken place there?
- Do the statements make sense?
- Take pictures of location for future reference

# Gathering information: record keeping

- Keep organized records of all information gathered throughout the investigation
- All records should be kept in a locked, secure location to ensure they will not be tampered with.

# Gathering information: which information becomes evidence?

Evidence is information that **proves or disproves**  
the allegation

# Skills for Gathering Information

*The "HOW"*



# Investigation skills

What are the core qualities required by an investigator?

# Observation









# Listening

- Three levels of communication:
  - Thinking
  - Feeling
  - Intent

# Active Listening

- Attending (body language)
- Open-ended questions
- Reflection – thinking, feelings, intent, facts
- Clarifying
- Minimal encouragements to talk

# Interviewing Victims and Witnesses



# Interview stages

## Phase one – establishing rapport

- Clarify purpose
- Explain ground rules
- Engage witness

## Interview stages (cont'd)

### **Phase two – free narrative account**

- Victim's/witness's account of relevant events
- Investigator acts only as facilitator, not interrogator

## Interview stages (cont'd)

### Phase three – questioning

Use simple, appropriate questions that follow this sequence:

- Open ended
- Specific
- Closed
- Leading (last resort only!)

# Interview stages (cont'd)

## Phase four – closure

- Summary
- Answer any questions
- Advice on next steps
- Thank you
- Return to rapport and neutral topics

# Good practice

- Communication
- Sensitivity
- Awareness of barriers that may lead to fears
- Remember the principles!

# Factors to consider

- Age
- Race, culture, ethnicity
- Religion
- Gender and sexuality
- Special needs

# Possible special needs to consider

- Physical/learning impairments
- Special health needs
- Cognitive abilities (e.g., memory, attention)
- Linguistic abilities and preferred first language
- Current emotional/psychological state
- Significant other recent stresses

# Safety issues

- Environment
- Medical needs
- Physical safety
- Knowledge/understanding of process
- Connections to/contacts with SOC and those supporting the SOC



## Safety issues (cont'd)

- Is the victim/witness still at risk?
- Who is responsible for her/his welfare?
- Does victim/witness know how to report concerns about harassment or intimidation?
- What family, friends or professional support networks are available to the victim/witness?

# Explicit Language

# Interview Practice

# Interview practice in pairs

## Ms. Presley Interview

Person A: Interviewer

Person B: Ms. Presley

- 10 minutes
  - Person A: plan your interview
  - Person B: become familiar with your role
- 20 minutes – conduct the interview
- 5 minutes – discuss together

This exercise is about

- Stages of the interview
- Interview skills
- Gathering information

# Interview practice in pairs

## Delilah Interview

Person A: Interviewer

Person B: Delilah

- 10 minutes
  - Person A: plan your interview
  - Person B: become familiar with your role
- 20 minutes – conduct the interview
- 5 minutes – discuss together

This exercise is about practicing

- Stages of the interview
- Interview skills
- Gathering information

# Discussion: Interview Practice

# Review of Day One

# Review

- 6 core principles (SGB)
- Principles of investigations
- Stages of investigations



# Stages of investigations

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# Review

- Investigator skills
- Interview skills
- Interview stages
- Practice interviewing

# Tomorrow

- Interviewing the SOC
- Investigation practice

# HOMework TONIGHT

- Read and become familiar with the entire KIDAID Case Study
  - Be ready to start planning interviews with your group
- Read about planning an investigation
  - Investigation Planning Tool
  - BSO Guidelines, chapter 3 and annex B (review)
  - IASC Protocol/Model Complaints document (review)
- Read interviewing handouts

# Day Two

<b>Timing</b>	<b>Minutes</b>	<b>Topic</b>
9:00 am	15	Opening; review yesterday; schedule for today
9:15		Session 4: continued Interviewing the SOC
10:30	30 min	KIDAID CASE STUDY: Prepare for Interview 1 Examination of Investigation Planning Tool
11:00	30 min.	INTERVIEW 1
11:30	30min.	Debrief with Actor; Feedback on Round 1 Interview
12:00	15min.	Tea break
12:15	30 min.	Plenary Feedback
12:45pm		LUNCH
1:45	30min	Prepare interview 2
1:45pm	30 min	INTERVIEW 2
2:15 pm	30 min	Debrief with Actor; Feedback on Round 2 Interview
2:45	30min	Plenary feedback
3:15 pm	30min	Prepare for SOC Interview
3:45 pm	30 min	INTERVIEW 3: the SOC
4:15 pm	30 min	Debrief with Actor: Feedback on SOC Interview
4:45 pm	15min	TEA BREAK
5 pm		TABLE GROUPS: FINDINGS

# Interviewing the SOC

**PURPOSE:** To establish whether there has been a breach of the code of conduct

Remember: You are investigating an allegation, not the person.

The SOC should be the last interview, after all other information gathered.

# Interviewing the SOC (cont'd)

## Preparation

- Research the SOG
  - Complete a timeline
- Inform
  - Ensure that relevant investigators and managers are aware of the interview plan
  - Ensure that support staff are briefed about sensitive issues
- Select appropriate interview team



# Interviewing the SOC: preparation

## Timelines with Details

Include:

- Date of birth of SOC
- Dates of important life events
- Events and summary underneath the timeline
- Age of subject at time of event

Consider

- All allegations/complaints
- New incidents that come to light during the investigation
- List start and end periods of alleged abuse

# Interviewing the SOC: preparation (cont'd)

## Chronology

- Useful where there is more than one victim, witness and/or subject of complaint
- Can be “themed”; e.g., according to a specific set of circumstances
- Can list all complaints and do not have to be subject-specific

## Mapping

- Can be useful for planning and preparation

# Interviewing the SOC: preparation (cont'd)

## Interview plan

- Develop strategies around what is known
- Avoid judgmental words or approaches
- Ensure body language is comfortable and reflects what is being said
- Adopt an appropriate questioning style

# Interviewing the SOC

## Investigators **MUST**:

- Clarify the purpose of the interview
- Advise on disciplinary procedures
- Explain confidentiality
- Check expectations of subject
- Advise on process (breaks, recording, next steps)

## Interviewing the SOC (cont'd)

### Managing unexpected material and information

- Be aware of the need to manage difficulties
- Do not be drawn into discussions of right/wrong
- Think about how you will manage uncomfortable questions or remarks

## Interviewing the SOC (cont'd)

### After the interview

- At the point of closure, maintain rapport
- Explain how contact will be maintained with the SOC and how and by whom they will be informed of outcomes
- Debrief with interview/investigation team
- Consider any potential effects if a breach of confidentiality occurs

<b>Timing</b>	<b>Minutes</b>	<b>Topic</b>
<b>10:00</b>		<b>KIDAID CASE STUDY: Prepare for Interview 1 Examination of Investigation Planning Tool</b>
<b>10:30</b>	<b>30 min.</b>	<b>INTERVIEW 1</b>
<b>11:00</b>		<b>TEA BREAK</b>
<b>11:15</b>	<b>30 min.</b>	<b>Debrief with Actor; Feedback on Round 1 Interview</b>
<b>11:45</b>		<b>Prepare for INTERVIEW 2</b>
<b>12:00 pm</b>		<b>LUNCH</b>
<b>1:00 pm</b>	<b>30 min</b>	<b>INTERVIEW 2</b>
<b>1:30 pm</b>	<b>30 min</b>	<b>Debrief with Actor; Feedback on Round 2 Interview</b>
<b>2:00 pm</b>		<b>Prepare for SOC Interview</b>
<b>2:15 pm</b>	<b>30 min</b>	<b>INTERVIEW 3: the SOC</b>
<b>2:45 pm</b>	<b>30 min</b>	<b>Debrief with Actor: Feedback on SOC Interview</b>
<b>3:15 pm</b>		<b>TEA BREAK</b>
<b>3:30 pm</b>		<b>TABLE GROUPS: FINDINGS</b>

## Interview Planning: Identifying Elements to Prove/Disprove

Alleged violation	Law/Rule	Specific elements to be proven
Sex with a child	SGB	Victim is under 18
	Staff code of conduct	Sex occurred