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Guidelines to Improve the Quality of Professionals’ Contemporaneous Notes of Investigative Interviews

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Introduction
Children are crucial witnesses in cases of suspected child abuse. To ensure that children’s evidence is both accurate and admissible in court, investigative interviewers need to adhere to best-practice interview guidelines. Such guidelines instruct that children tell their own accounts, at their own pace, with minimal prompting. A “free narrative account” using non-focused, open-ended questioning is the method recommended in contemporary interview protocols (Powell & Lancaster, 2003; Powell & Snow, 2007). Research has consistently shown that such an approach encourages elaborate responses, and allows witnesses the flexibility to report what they remember (Poole & Lamb, 1996).

A few carefully constructed questions are needed to maximise the amount of accurate information reported during this crucial interview phase. Specific questions (that specify the required response) and leading questions (that lead the witness to the desired response) increase error rates compared to when witnesses volunteer accounts in their own words, because witnesses tend to provide answers to these questions without reflection (Roberts & Snow, 2007). While open-ended questions are important for all witnesses, they are particularly important for young children, particularly those under seven, who are more susceptible to interviewer suggestion (Ceci, 2011).

Although it is extremely important to be able to determine the types of questions witnesses were asked during interviews, research suggests that note-takers often omit recording the questions in their notes (Berkner & Lieb, 2001; Cauchi & Powell, 2009; Cauchi, Powell, & Hughes-Scholtes, 2010; Lamb, Oltach, Stemberg, Hereshkowitz, & Horowitz, 2000). Several studies have compared note-takers’ handwritten notes with actual interview transcripts to evaluate the information that was recorded. Collectively, these studies have demonstrated that note-takers focused on recording the witness’s responses at the expense of the interviewer’s questions. Moreover, when questions are recorded, they are often recorded inaccurately. For example, Cauchi et al. (2010) showed that only 57% of the interviewer’s questions were recorded, compared to 52% of the witness’s responses. People later examining these notes would have no way of evaluating the quality of the questions and whether they were asked.

We acknowledge the difficulty that note-takers face in recording all the information that is discussed during an interview, especially because the speed of the spoken word is much faster than the speed of the written word (Poole, Olive, & Kabig, 2005). In this paper, we offer simple guidelines to facilitate professionals’ ability to record the information discussed during investigative interviews, particularly information about the questions that were asked. These guidelines promote short-hand strategies, which allow note-takers to capture more information relayed in the interviews. Below, we outline the guidelines in three sections before reviewing the evidence demonstrating the effectiveness of these guidelines.

Use a Page Layout that Distinguishes the Questions from the Responses
Interview notes need to clearly distinguish between questions and responses. We recommend that note-takers use the layout of their notes to make this distinction. The simplest way to indicate what the question was and what the response was is to write the question on one line and the response on the very next line. The response should be indented to distinguish this from the question – by indenting questions and responses, it avoids the need to write components thereby saving space. Table 1 provides an example of the recommended layout.

Table 1. Recommended Layout

<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tell me what happened</td>
<td>He hurt me</td>
</tr>
<tr>
<td>Tell me more about the part where he hurt you</td>
<td>He hurt me at the park</td>
</tr>
</tbody>
</table>

Use Question Codes to Indicate the Question Structure
The accuracy of the responses varies markedly depending on the structure of the question. Question structure refers to whether it is open-ended and allows witnesses to provide an elaborate response (e.g., “What happened?”), whether it is closed and requires a one or two-word response (e.g., “Did he touch you?”), and whether it is specific and dictates the particular information that is required. Question structure is important because research has consistently shown that open-ended questions elicit more accurate responses than specific questions.

We recommend therefore that in situations where the entire question cannot be written verbatim, note-takers record the structure of the question using a code. In our training, we use the codes described in Table 2. In addition to these question codes, it is important to have a way of indicating whether the question was leading (i.e., it provided information not previously reported by the interviewer) or suggested a desired response. If leading questions are used, they can be represented by adding the letter “L” after the question code. For example, the question “Did he touch you somewhere, like on your buttocks or vagina?” could be coded as SQ-YN L.

If the appropriate question code cannot be identified, another potential way to capture the structure of the question is to write down the first one or two words. For example, the question “Did he touch you somewhere?” could be recorded as “Did he...” The first two words tend to identify the structure of the question because they either encourage an elaborate response or a one or two-word response. Open-ended questions tend to start with “What happened...?” “What else...?” “Tell me...?” “Specific yes/no and forced choice questions tend to start with “Did...?” “Is...?” Specific cue-react questions tend to start with “Who...?”, “When...?”, “Where...?”, “How...?”, and “Why...?”

It is important to note that neither the question code nor the first one or two words of the question indicate the information that has been introduced by the interviewer. It merely indicates how that information was introduced. The words introduced by the interviewer are important to note because they may later need to be assessed for their risk of contaminating the witness’s responses. These words can be captured using key words as described in the next guideline.