

## TYPES OF QUESTIONING AND INTERVIEWING TECHNIQUES

### 1. The open-ended question

This is a question that does not limit the scope of the answer. The witness will usually give a narrative answer. When taking a statement it is best to start with these types of questions.

#### Examples

Q: 'What happened after he struck you?'

Q: 'Why did you leave your home?'

Q: 'Where did you go after you ran away?'

Q: 'How did you cope living on the streets?'

This type of question is particularly useful when you want the witness to tell the story or part of it in his or her own words. It helps to move the story along. It can, however, allow the witness too much scope for 'rambling' off the point and overuse of open questions risks a loss of control.

### 2. The specific-closed question

This is a question which limits the scope of the answer. It is particularly useful when you are seeking to elicit a particular piece of information or detail from a witness. It allows much greater control of the witness than an open question.

#### Examples

Q: 'What time was it when he hit you?'

Q: 'How far away were you at that point?'

Q: 'In which hand was he holding the gun?'

### 3. Leading questions

A leading question is one that suggests or tends to suggest its own answer. It often assumes a fact that has not yet been established. It sometimes calls for a 'yes' or 'no' response. Leading questions should not be used when interviewing children.

#### Examples

'Did you cry when he hit you?'

'Did you see the knife in his hand?'

'Was she standing three feet away from you?'

A non-leading question in the same circumstances would have been:

'How did you react when he hit you?'

'What did you see?'

'How far away was she?'

#### 4. Non-leading questions

How then do you formulate your questions so as to avoid asking your witness a leading question?

There are two basic methods you can use:

a) Start your questions neutrally with one of the following interrogatives:

Who. . . ?	When. . . ?
What. . . ?	How. . . ?
Why. . . ?	Where. . . ?

Or with a neutral invitation:

Tell  
Describe  
Explain

These will enable you to elicit the answer from the witness. Generally avoid asking questions which start with the words 'Did you. . .?', 'Were you. . .?', or 'Was it . . .?'—these will normally contain suggestion(s) and tend to lead!

b) Another basic way is to think of the answer you wish your witness to give and then omit any reference to the answer when framing the question. The question should come quite naturally.

#### Example

Answer required: 'Sunday'.

Q: 'What day was it?'

NOT: 'Was it a Sunday?' (a leading question)

#### In summary

##### *Leading questions*

*(avoid using when taking a child statement)*

You said. . . ?  
You saw. . . ?  
You did. . . ?  
You were. . . ?  
It was. . . ?  
Did you?  
Didn't you?  
Were you?  
Weren't you?  
Was it?  
Wasn't it?

##### *Non-leading questions*

*(use these questions when taking a statement)*

Who?  
What?  
Why?  
When?  
Where?  
How?  
Tell/Describe  
Explain  
Explain  
Explain  
Explain

## 5. Forced-choice questions

This and the following are further types of question that should be avoided if at all possible and only be used as a last resort.

This type of question can also be termed a selection question: it gives witnesses only a small number of alternatives from which they must choose and which may, in fact, not include the correct option (e.g. “would you like tea or coffee?”). The result of asking this type of question is that witnesses may guess the answer by selecting one of the options given. People may also answer in the affirmative, and the interviewer must then either assume to which part of the question this reply corresponds (which may be an incorrect assumption) or rephrase the question.

Some vulnerable witnesses may only be able to respond to forced-choice questions that contain two alternatives. Such interviews are likely to require extensive planning, especially regarding the questions to be asked.

If forced-choice questions are to be used, it is particularly important to remind the witness that “don’t know” or “don’t understand” or “don’t remember” responses are welcome and that the interviewer does not know what happened. If a witness replies “I don’t know” to an “either/or” question (e.g. “was the car large or small?”), interviewers should try to avoid then offering a compromise “yes/no” question (e.g. “If it wasn’t large or small, would you say it was medium size?”) that the witness may merely acquiesce to.

## 6. Multiple questions

A multiple question is one that asks about several things at once. For example: “Did you see him? Where was he? What was he wearing?” The main problem with this type of question is that people do not know which part of it to answer. The witness has to remember all the sub-questions asked while trying to retrieve the information required to answer each sub-question. Moreover, when a witness responds to such a question, misunderstandings can occur as the interviewer may wrongly assume that the witness is responding to sub-question one, when actually they are responding to sub-question two.

Less obvious examples of this type of question include those questions that refer to multiple concepts, for example “What did they look like?” This question asks the witness to describe two or more people, and thus may not only limit the amount of retrieval per person but also may confuse the interviewer as to who the witness is currently describing. Misunderstandings could therefore occur

## 7. Combining question techniques

Try and achieve a balance by combining open and closed questions for the maximum effect when taking a statement:

- a) ask open questions to allow the witness to tell his or her story;
- b) ask closed questions to elicit details from the witness or emphasise part of the story;
- c) ask open questions to enable the witness to continue with the next part of the story;
- d) ask closed questions to elicit details, and so on.

This is sometimes referred to as the funnel technique.

Q: ‘Describe what he was wearing.’

NOT: 'Was he wearing blue jeans and a white t-shirt?'

Answer required: '(He left) three weeks ago.'

Q: 'When did he leave?'

NOT: 'Did he leave three weeks ago?'

The above illustrations show the advantage of preparing by using short headings or points. Try using a simple form of 'bullet point' preparation such as: 'Setting the scene—Sun/8 pm/wet?'

### **8. Summaries**

Interviewers should only summarise what the witness has said at the end of each topic if it is appropriate to do so (i.e. if what the witness has said appears somewhat disjointed or it may be open to ambiguous interpretation). Interviewers should not simply summarise as a matter of routine.

Where a summary is appropriate, the words and phrases used by the witness should be used as far as possible.

### **9. Inconsistencies**

Witnesses can on occasion provide misleading accounts of events; these are often the result of misunderstandings or misremembering rather than deliberate fabrication. The most common cause of these misunderstandings is the interviewer failing to ask appropriate types of question or reaching a premature conclusion that the interviewer then presses the witness to confirm.

Where there are significant inconsistencies in the witness's account. Interviewers should explore them after they have probed their basic account. Witnesses should only be challenged directly over an inconsistency in exceptional circumstances and even then only when it is essential to do so. Rather, such inconsistencies should be presented in the context of puzzlement by the interviewer and the need to be quite clear what the witness has said. On no account should the interviewer voice their suspicions to the witness or label a witness as a liar: there may be a perfectly innocuous explanation for any inconsistency.