Reframing intelligence interviews: The applicability of psychological research to HUMINT elicitation

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Introduction

Effective discovery and subsequent threat mitigation is predicated on accurate, timely and detailed actionable information. Information, an important element within intelligence and investigation ensures appropriate judicial disposal in Law Enforcement Agency's (LEA) efforts to bring offenders to justice. The value of information to delivering community safety is reflected in associated policy, practice, and process. Effective interviewing, in both its formal and informal interactive states, offers a significant opportunity to elicit critical strategic and tactical information that both informs and drives LEA activity. It is unexpected then, that within the context of information collection, not only are human interactions between LEA and members of the public under-exploited but also, when the intention is to collect information, how unsatisfactorily it is approached and executed. It is apparent that the required elicitation skills, including rapport building and the identification of source motivation are not sufficiently taught, and the governing policy is overly cautious with a negligible evidence base. Whilst this chapter focuses on the psychological aspects of techniques available for gathering information, and in particular intelligence collection, the underlying psychological principles of conducting an effective interview are relevant to a wider audience.

Definitional clarity

The broad discipline of interviewing has attracted extensive academic attention although, perhaps understandably, there is no agreement as to what is meant by *intelligence interviewing*. At its most general level, and for the purpose of this chapter, *interviewing* is used to describe the interaction between a LEA official (the *interviewer*) and any person who may hold information of interest (the *interviewee*). In this context, interview interaction will include both the *formal* interview often undertaken as a *search for truth* as part of a criminal investigation (for example, underpinned in the UK by the provisions of the *Police and Criminal Evidence Act 1984* and its accompanying *Codes of Practice*) and the *informal* interview. The *informal* interview includes all interaction between a LEA official and a person who may hold information of interest to LEA, but this information is not formally disclosed as part of an investigative interview process. In practitioner terms, this will include intelligence interviews undertaken as part of deliberately planned operational activities. These may include approaches to prisoners in Police Prisoner Custody suites, meetings with Covert Human Intelligence Sources (CHIS), or LEA visits to people held in prison establishments. Alternatively, the information may fall out of ad hoc LEA–public interactions arising from routine policing duties including a community or patrol officer meeting a member of the public in the street where information is disclosed.

The *Regulation of Investigatory Powers Act 2000* now covers aspects of LEA (and other public authorities) interaction with members of the public. In particular circumstances, the interaction may fall under legislative qualification. The popular terms *informants* or *confidential sources* now take on a defined legal specification. However, for the purposes of this chapter, the use of the term *informant* will be used to refer to both the person attracting formal CHIS status and any other person who imparts information during an interaction with LEA, formally or

informally, either purposely or unwittingly. The overall elicitation process will be referred to as HUMINT, an abbreviation for human intelligence.
What is meant by *intelligence* is, perhaps, the most important element in determining the success of elicitation techniques. Interpreting and measuring the effectiveness of these techniques requires common agreement on what actually constitutes *information* and *intelligence*. Grasping what each LEA understands by intelligence is important, as this will determine the direction of the interaction, what is elicited, recorded, and subsequently made available for sharing.
Lowenthal (2009, p. 1) holds "information is anything that can be known, regardless of how it's discovered. Intelligence refers to information that meets the stated or understood needs of policy makers and has been collected, processed, and narrowed to meet those needs". He describes intelligence as a sub-set of information, but stated that while "all intelligence is information; not all information is intelligence" (Lowenthal, 2009, p. 1). His definition is useful in acknowledging that potentially all information may, depending on the context, become intelligence. A telephone book may be information, but if it contains the address of a wanted person then the telephone entry under that person's name may become intelligence. This does not mean, though, that the whole telephone book becomes intelligence. An ad hoc *intelligence* conversation between a LEA official in the street with a known criminal about their social network may be become evidence where co-conspirators are outstanding suspects who are subsequently sought. The majority of interactions with interviewees provide some degree of valuable information, be it personal characteristics, habits, interests, potential indicators of future criminal intent, cooperative states, social and criminal history, or indicators for opportunistic rapport building.
There is an expectation that what happens to the received information determines its intelligence value. In this, "intelligence is information designed for action" (Grieve, 2004, p. 25) and for the purpose of this chapter, the adopted working definition, developed from Brown (2007, p. 340), is that intelligence is "all information which is significant, or potentially significant, for a police activity, or potential action". In effect, this definition holds that, intelligence is simply information – it is the use to which it is subsequently put that determines its significance. How this is best obtained in LEA interviews, both formal and informal relies on a better understanding and application of psychological based research.

Evidence based research and intelligence

For elicitation interactions to be optimised, the policy and practice supporting deployment must be anchored in research evidence. An Evidence-Based Policing (EBP) research approach can systematically identify *what works* or *what does not work* and then be applied as best practice in LEA. The adoption of an evidence based approach, and subsequent underpinning of LEA policy and practice development, is still relatively embryonic despite the energetic determination of the Society of Evidence-Based Policing (Sherman & Murray, 2015). EBP's application within intelligence and covert-policing practice is negligible. Wider adoption of intelligence related EBP is confronted by numerous challenges; namely, legal constraints, a failure to recognise that current methods are neither effective or efficient, difficulties in securing access to sensitive data sets, difficulty in comparing datasets due to disparate intelligence data systems, insufficient *security cleared* or *developed vetted* researchers, a dearth of pro-active senior manager level EBP champions across intelligence, minimal United Kingdom's (UK) College of Policing commissioned research, and an absence of specialist policing EBP networks.
There is a requirement to secure strategic LEA commitment to ensuring the evidence is applied to practice even when it challenges long held policy assumptions. This will require leaders to

defend the application of the findings when inevitably faced with powerful but flawed anecdotal justification and intuitive decision-making. The possibilities for future evidence based research in this area are endless. It has the potential to better inform or increase the probability of a successful interview, to maximise the probability of a successful CHIS recruitment approach by LEA. It may offer a better understanding of the dynamics behind CHIS motivation, or support the development of rapid rapport building techniques to assist with CHIS recruitment. Research could help practitioners better understand recruitment methodology, to identify what works most effectively, when, where, and against whom it is deployed. It may help inform the use of new technology in a way that reduces costs and enhances communication while still maintaining security and welfare commitments.
Notwithstanding these new research opportunities, existing evidence-based policing, including applied psychology findings associated with interviewing, is yet to be routinely applied in an intelligence elicitation context. As a result, professional practice development is still primarily informed by both anecdotal experience and defensive drafting in response to public, media, and judicial criticism.

The elicitation of intelligence: Existing psychological research

The diverse circumstances leading to HUMINT related encounters each bring differing social and psychological conditions. The subsequent interaction will comprise of not one but rather a concoction of challenges, including an interviewer's inability to effectively communicate in the interviewee's native or preferred language, internal and external pressures that may impact on an interviewee's memory, and the motivations of an informant to disclose information that may be true or false (Evans, Meissner, Brandon, Russano, & Kleinman, 2010; Hartwig, Meissner, & Semel, 2014). In general terms, we note three main elements to the process of eliciting intelligence. First, is the securing of an interviewee's compliance and cooperation through the interviewers' application of rapport building techniques. By doing so the interviewer may be able to critically identify the motivation for the interviewee's collaboration; an element critical to maintaining longevity of elicitation relationships. Second, with cooperation secured, LEA officers are focused on drawing out from the interviewee, the pertinent information in a way that maximises the quality and quantity of memory recall, via appropriate interviewing techniques. Third, once the information is elicited, the next stage is to understand, not only how the information should be actioned but also whether it should be. This stage involves the information going through a process of corroboration, validation, and assurance, all of which will be used to understand the integrity of the information. The application of psychological science can provide and promote tools and techniques that support LEA through these three core HUMINT stages. Accordingly, this chapter will introduce what is known and where the research deficits remain.

Rapport: "Getting them to stop and talk"

Successful generation of potential new sources primarily relies on the effective application of rapport building techniques. The deployment circumstances differ, and some rapport techniques need to be utilised against a collapsing time frame. In LEA there are a number of occasions where rapid rapport building application would be helpful. The first example may be by way of *exploratory prison debriefing* where rapport needs to be established and information needs to be gained from a prisoner during the 45 minutes a prison legal visit offers. Second, as a consequence of a Port Stop of a passenger disembarking off aircraft and ships arriving into the UK where the circumstances of the transit may only offer a short operational window in which to deploy rapid rapport building techniques during the period between disembarking, passing through passport control, and collecting baggage. Third, external

physical or telephone cold call pitching as a consequence of an opportunity identified through pattern of life analysis; i.e. the LEA official making an unexpected approach during the person of interest's route to work. Fourth, an area commonplace for initial interactions is the Police Custody block during a detained prisoner's detention. In the UK, the prisoner's detention is regulated by the *Police and Criminal Evidence Act 1984* and consequently only a short window for an approach is often available, often falling between the point after criminal charge and the release from the police custody block or the remanding of the prisoner to appear before a court. Police approaches to prisoners detained in custody suites offer fertile ground for intelligence exploitation. However, who undertakes this activity will determine the success or otherwise of the collection effort. Research undertaken in an urban police station examined 146 prisoner approaches held in police custody after an arrest for an array of different offences (Stanier, Wadie, & Nunan, 2018). The two cohorts examined were dedicated Detectives and Intelligence Officers. Both had been briefed prior to the approach to consider making an attempt to encourage the detainee to disclose intelligence. There was a significant difference between the role (Intelligence Officer or Detective) when conducting the interview and whether an Intelligence report and CHIS referral was generated. Overall, the Intelligence Officers conducted fewer interviews (n = 60) than Detectives (n = 86), but generated more Intelligence reports (52 per cent compared with 14 per cent) and more CHIS Referrals for the Dedicated Source Unit (18 per cent compared with 1 per cent) (Stanier et al., 2018).

It is worth noting that neither the UK Police Force region subject to the research project or the UK's College of Policing's Intelligence Officers course provide any input on cell approaches on intelligence courses. Detective training (Initial Investigators-PIP1 and Crime Investigators ICIDP – PIP2 levels in the UK) has negligible input on the identification and recruitment of informants or intelligence concepts nor does the UK's Authorised Professional Practice for Investigations.

Another research study examined the circumstances of those detained prisoners who accepted referrals to a Dedicated Source Unit (Cooper, 2011). The findings identified that the primary disclosed motivation of those at the initial interaction was money. However, when their status was revisited four weeks later, many of those who agreed to be prospective informants did not progress into authorised CHIS. The exception were those prisoners whose initial motivation appeared to be based on ideology / moral grounds (i.e., a dislike of drugs). This category of prisoner appears also to have, in contrast, a degree of longevity to their CHIS status. The learning here for the practitioner is to consider developing initial rapport building approach strategies around ideological hooks.

Importance of source motivation

For LEA to both elicit and judge the value of the information, an awareness of the interviewees' current motivation for disclosure of the specific detail may be useful. Understanding the motivation of an interviewee can provide an insight into future effective management of this source of intelligence. It can introduce a cautionary element when determining the provenance, veracity, and the actionability of elicited information.

It is important not to conflate incorrect information with interviewees' deception. While it is accepted an interviewee who is unwilling or uncooperative is likely to make a deliberately incorrect or misleading disclosure, cooperative sources can also be unwittingly wrong or disclose incorrect detail where it is not clear that the interviewee is making a supposition, rather than disclosing objective *hard facts* or is simply passing on information in good faith but the original source it actually incorrect. More provenance based questioning may offer a partial safeguard.

Motivations are diverse, changeable, and nuanced. Motivations vary considerably; payment, revenge, self-protection, damage to a competitor, secure esteem of the officer, and personal

satisfaction (Deininger, 1977). These traits are found to be consistent across different jurisdictions (Dunnighan, 1992; Lee, 1993). Motivation to elicit information may change depending on the question asked by the interviewer. A more systematic analysis revealed that the core six reasons given by a CHIS to start informing were (in order of frequency): (i) financial, (ii) dislike of a crime, (iii) reduced sentence, (iv) revenge, (v) being on the right side of the law, and (vi) looking for a favour (Billingsley, 2001). However, Billingsley evidenced that motivation changes throughout the Source–Handler relationship, and that the reasons given for this change (in order of frequency) were identified as: (i) change for their own benefit, (ii) change due to a social conscience, (iii) change so as to help LEA, and (iv) change to remove opposition (Billingsley, 2001).

The rapport literature

The importance of rapport to elicitation success is rarely challenged by practitioners (Semel, 2012). Rapport facilitates the establishment of effective professional alliances between a Source Handler and informant or between an investigative interviewer and the interviewee. It can assist with personalising the interview, and in turn aid recall by reducing anxiety on the part of the interviewee (Lipton, 1977). It helps exercise "social influence, and educing information from a source" (Abbe & Brandon, 2013, p. 237), and can enhance accuracy of witness reports and "diagnosticity of evidence obtained from suspects" (Vallano, Evans, Compo, & Kieckhaefer, 2015, p. 369). When successfully applied within the first few minutes, rapport can positively inform the interviewee's first impressions (Zunin & Zunin, 1972).
It is important to firstly acknowledge the underlying principles of rapport that can be applied universally. Tickle-Degnen and Rosenthal (1990) critically discuss rapport as a dynamic structure consisting of three interconnecting elements: *mutual attentiveness*, *positivity*, and *coordination*. They place an emphasis on *positivity* and *mutual attentiveness* in early interactions, with *coordination* and *mutual attentiveness* considered more important in later interactions. Their discussion, which stresses the importance of building as well as maintaining rapport (Tickle-Degnen & Rosenthal, 1990), has significant application to the collection of intelligence from human sources. As our discussion develops, it will be evident that from the rapport literature, terminology changes depending on the interview context.
In relation to gathering human intelligence, rapport can be defined as developing and maintaining a working relationship with a human source, by managing their motivations and welfare, whilst ensuring they understand the purpose of the relationship in order to secure reliable intelligence. The term *operational accord* incorporates but goes beyond rapport, providing an additional explanation of the interviewer-source relationship, by exploring their mutual affinity and level of source conformity (Evans et al., 2010). The relationship is benefited when the intentions, concerns, and desired outcomes of the interaction are appreciated (Kelman, 2006).
Securing disclosure from subjects of significant interest or those considered *high value detainees* is critical to disrupting terrorist planning and identifying emerging threats. Research has examined four types of coercive and noncoercive interview strategies (legalistic, physical, cognitive, and social) used to elicit disclosure by high value detainees (Goodman-Delahunty, Martschuk, & Dhami, 2014). The findings revealed that where social strategies were adopted, detainees were more likely to disclose meaningful information and earlier in the interview when rapport building techniques were applied. The research also revealed that interviewees were less likely to cooperate when confronted with evidence. Disclosures were more complete in response to noncoercive strategies, especially rapport building and procedural fairness elements of respect and voice (Goodman-Delahunty et al., 2014).

The use of rapport building is also considered significant in securing successful disclosure of information from terrorists in an operational setting (see ORBIT; Alison, Alison, Noone, Elntib, & Christiansen, 2013). Research has suggested that rapport building improves the quality of both child and adult witness recall, by decreasing the amount of inaccurate and misinformation reported, particularly in response to open-ended questions (Vallano & Compo, 2011). A group of experienced military and intelligence interrogators placed an emphasis on rapport and relationship-building techniques as fundamental to successful elicitation of intelligence (Russano, Narchet, Kleinman, & Meissner, 2014). An additional study, this time examining the frequency of use and perceived effectiveness of interrogation techniques of U.S. military and federal-level interrogators, focused on the who (objective and subjective interrogator characteristics), the what (situational and detainee characteristics), and the why (intended goal of interrogation) (Redlich, Kelly, & Miller, 2014). The findings indicated that rapport and relationship-building techniques were employed most often and perceived as the most effective regardless of context and intended outcome, particularly in comparison with confrontational techniques (Redlich et al., 2014).

Further, LEA interviewers reported building rapport with adult witnesses and suspects in a similar manner, often by using verbal techniques (e.g., discussing common interests via small talk) and nonverbal techniques (e.g., displaying understanding via empathy and sympathy) (Vallano et al., 2015). It has long been known that effective rapport requires empathy, especially where the information is highly personal (Rogers, 1942). Research suggests that overly formal and officious introductions (i.e. warning about lying and an absence of rapport) generate unfavourable perceptions from witnesses (or in this context Covert Human Intelligence Sources) (MacDonald, Keeping, Snook, & Luther, 2016). The formality of the interview further impacts upon rapport, especially when an interviewee chooses to have legal advice. In this situation, interviewees are four times less likely to provide an admission or confession in comparison with those without such advice (Pearse, Gudjonsson, Clare, & Rutter, 1998). Moreover, functional pre-determined questions, overly formalised and delivered, further undermine rapport building (Milne & Bull, 1999).

Environmental factors can influence the success or otherwise of elicitation interviews. Research on implicit cognition demonstrates that priming can influence processes such as cooperation and goal pursuit (Fitzsimons & Bargh, 2003). Priming is referred to as a nonconscious process of memory, recalling or recognising a stimulus previously exposed to. This may consist of the physical layout and/or items contained within the interview room or psychological states of the interviewee, which may promote the interviewer's goals (Dawson, Hartwig, & Brimbal, 2015). With regards to the environment (physical priming), the conventional size of a small interviewing room is questioned by Dawson, Hartwig, Brimbal, and Denisenkov (2017), reporting that larger rooms can influence a person's tendency to be open about information (Okken, van Rompay, & Pruyn, 2013). Furthermore, participants were found to report more accurate information than those in an abrupt condition, where a desk served as a barrier between the interviewer and witness (Collins, Lincoln, & Frank, 2002), though other variables such as voice intonation and body language were also at play. Further research is warranted regarding changes to the environment and its impact on interviewees.

However, within policing, the environment is not always controllable. Within custody areas, LEA officers are usually able to prepare an interview room, positioning tables and chairs and controlling access. Other environments may be more challenging, for example prison legal visit areas where the importance of security considerations often outweighs intelligence collection. Seats can be allocated to prisoners, chairs and tables made immovable, and interruptions likely by patrolling/monitoring prison officers. Therefore, within uncontrollable environments, the impact of physical priming is diminished. Hence, research on priming the psychological state may be of use. Although this research is in its infancy, interviewees primed with a

psychological state of attachment security (characterised by empathy and compassion) resulted in interviewees reporting significantly more information than those not primed (Dawson et al., 2015).

Concerns arise regarding the introduction of a third individual and their impact on rapport during an interview, especially when this third individual is an interpreter. Interviewers have conflicting views regarding the use of interpreters, with some believing that an interpreter's presence negatively impacts on rapport (Driskell, Blickensderfer, & Salas, 2013; Soufan, 2011). However, the limited research that has examined the effect of interpreters on rapport, reported no significant differences between interviews with and without an interpreter present (Ewens et al., 2014). Furthermore, this finding is supported by some interviewers and most interpreters reporting that interpreters provide an insight into the culture of the interviewee, which in turn aids rapport (Russano et al., 2014). This insight is invaluable, especially when the culture of both the interviewee and interviewer has been found to impact on the effectiveness of interviewing techniques (Beune, Giebels, & Taylor, 2010).

Limited research addresses how rapport benefits educing interviewee memories, especially in relation to human sources. However, simply having a positive and encouraging interviewer was found to elicit more detail from a witness without increasing errors, compared with a neutral or abrupt interviewer (Collins et al., 2002). Furthermore, some research suggests that the effects of rapport are more beneficial than cognitive retrieval mnemonics when using cognitive interviewing techniques (Memon, Wark, Holley, Bull, & Koehnken, 1997), though the benefits of specific mnemonics have been demonstrated (Leins, Fisher, Pludwinski, Rivard, & Robertson, 2014; Memon, Meissner, & Fraser, 2010; Milne, 2016). Rapport may advantage memory recall due to its motivational stance. Interviewees may try harder and use multiple attempts to recall in order to cooperate. Moreover, rapport advocates transferring the control of the recall process to the interviewee (Memon et al., 1997).

Memory retrieval and interviewing models/techniques: "Securing vital intelligence"

It is important to acknowledge that human memory is not a video recording (see Chapter 6 this volume). Therefore, interviewers tasked with collecting accurate and detailed intelligence from an interviewee require some understanding of the key principles of memory.

Developments within psychology have provided significant contributions to the mechanisms of human memory, as well as establishing numerous tools and techniques that can minimise disruption and enhance memory retrieval (see Chapter 6 this volume). Due to the vast array of memory research and to align with the scope of this chapter, a focus will be placed on memory recall and current retrieval techniques that can be applied to the intelligence interview.

An interviewer's understanding of the fundamental principles of memory and the powerful influence they can have as an interviewer on retrieval, provides a foundation of knowledge from which successful interviewing can take place (Milne & Bull, 1999). However, an understanding of memory alone is not sufficient, as the next phase comprises of actually conducting the interview, which incorporates strategic planning, effective implementation of interviewing techniques, and disseminating the gathering of information post-interview. Therefore, the following will contain a synthesis of a number of models and techniques relevant to the collection of HUMINT.

The PEACE Model

PEACE (Central Planning and Training Unit, 1992) provides suspect and witness interview training for LEA officers, within a tiered approach (Clarke & Milne, 2001; Griffiths & Milne, 2006), underpinned by psychological theory and research, highlighting memory fallibility, interviewee vulnerability, and the consequences of unethical interviewing procedures (Loftus,

1979; Nunan & Milne, 2016). The PEACE model exemplifies the information gathering approach, whereby this non-accusatory model focuses on open-mindedness, rapport building, an understanding of memory, and information gathering. As will be discussed, each stage comes together to create a model, rather than what is commonly misunderstood as PEACE being an interview technique. Therefore, this model is flexible, often encouraging the use of Cognitive Interview (CI) or Conversation Management (CM) techniques within the *Account* stage. This section will discuss the PEACE model's application when interviewing for HUMINT.

The first stage of PEACE requires interviewers to *Plan and Prepare* for the interaction. This may include accessing information already held on the interviewee or where appropriate through proactive means (i.e. through pattern of life surveillance and analysis). Prior knowledge of the interviewee enhances interviewer understanding of questioning strategies and techniques including building rapport. The second stage encourages interviewers to actively *Engage and Explain* with the interviewee, by building rapport while outlining the interview process. This stage allows the interviewer to determine the interviewee's possible motivations for cooperation (or not) and reinforce the desired outcomes of the current interview, secure and then organise subsequent meetings. The third stage permits the interviewee to provide their *Account*, requiring the interviewer to actively listen and question the interviewee. This stage incorporates the use of the CI or CM techniques. The *Closure* of the interview is vital to summarise, clarify, and if appropriate challenge the interviewee's account. Finally, an *Evaluation* of all previous stages is conducted together with a critical reflection from the interviewer (Milne & Bull, 1999). One obvious difference between an investigative interview and an intelligence interview is that the former is generally undertaken within the context of a collapsing detention time frame, known as the *PACE* clock associated with *relevant time* (see *Police and Criminal Evidence Act 1984*). The circumstances associated with intelligence interviews vary, some requiring the application of rapid rapport building, while other circumstances can afford a more patient and long term approach to rapport building i.e. a sentenced prisoner or an existing CHIS (informant) relationship. Although the PEACE model is situated within the domain of investigative interviewing, its application to interviewing for intelligence is possible due to the model's flexible design and emphasis on rapport.

An evaluation of PEACE's application in the field will determine its impact on LEA interviewing practices. Since the introduction of PEACE, the general standard of investigative interviewing has considerably improved, as confession-gathering techniques have been replaced with ethical and open-minded interviews, with an information gathering focus (Milne & Bull, 2016). Clarke and Milne (2001) established evidence for improved planning and preparation in comparison to Baldwin's (1992) research, which reported a need for training developments which go beyond improving training courses. However, this improvement appeared to concern procedural and legal aspects rather than the more complex skills of communication (Clarke, Milne, & Bull, 2011), information linking, and challenging accounts (Griffiths & Milne, 2006). These more elusive and complex aspects of interviewing remain a demanding task for interviewers to maintain after training. Thus, empathising the importance of continuous professional development and intrusive supervision of LEA officers' ongoing application of learnt interviewing techniques and associated methodology.

The National Prison Debriefing Model

The process of eliciting intelligence from remanded and sentenced prisoners across the English and Welsh prison estate requires a systematic approach, emphasising the application of rapport building before the interview moves to elicitation strategies. The *National Prison Debrief Model* (NPDM), has five stages to its planning and implementation. The NPDM is not about securing evidence as part of a traditional PACE 1984 interview. It is about exploiting the

prisoner community knowledge of criminality to close intelligence gaps, to corroborate existing intelligence, and to identify emerging trends in criminality. The first two stages relate to the identification and prioritising of suitable prisoners for approach but the third stage, the *Exploratory Initial Interview* is the focus of rapid rapport building between the interviewer and interviewee. The fourth and fifth stage relate to the development of intelligence opportunities provided by the prisoner.

The effectiveness of the NPDM was examined by Jeffrey (2011). This research examined debriefing of 243 prisoners held in English and Welsh prison establishments. While the overall figure showed high levels of prisoner cooperation (57 per cent), the findings revealed a significant correlation between age and cooperation, with older prisoner debriefs deemed more effective. In terms of sentences served, the highest degree of cooperation (73 per cent of approaches) was those serving indeterminate sentences, and those serving 4 years or more. The lowest cooperation came from mandatory lifers (only 50 per cent cooperated) and those held for immigration sentences (36 per cent), whereas debriefed drug offenders (79 per cent) were the most cooperative. Interestingly, the reality is that Authorising Officers and Controllers are reluctant to support drug offenders as CHIS, even when the proportionality case is justified.

There was also a significant correlation between interviewee gender, where 61 per cent of successful debriefs were with male interviewees, although this dropped to 45 per cent if one or both interviewers were female. Where the study scrutinised the success of female debriefers, the sample subject to analysis was heavily based on debriefs of male Muslim prisoners (Iraqi and Algerian males). Accordingly, it may be that there was a negative impact based on the influence of faith and cultural norms. This raises the issues of ensuring diversity is a consideration at the operational planning stage for any intelligence approach.

Cognitive Interview techniques

To date, memory research within forensic psychology has predominantly focused on the retrieval stage of the three-part memory process (see Chapter 6, this volume for more on this subject). Simply addressing the question, what techniques enhance the quality and quantity of interviewee recall? Within this wealth of research, the CI has by far received most attention, by empirically testing the CI in numerous contexts (see Memon et al., 2010). However, a lack of research has applied the CI to the context of gathering intelligence. Nonetheless, the evidence so far still applies, because regardless of how HUMINT is defined, it is quite simply units of information collected from an interviewee by which the CI could be used to assist.

The CI, originally developed by Geiselman and Fisher during the 1980s, aims to elicit accurate and reliable accounts from witnesses. The original CI techniques (context reinstatement, report everything, change order, and change perspective) were designed to assist the interviewee's retrieval process. *Context reinstatement* instructs the interviewee to mentally recreate the physical environment (e.g., the location, people present, and encouraging use of the human senses) and psychological environment (e.g., the interviewee's feelings while the event took place), as context can support memory retrieval for the to-be-remembered (TBR) event (Godden & Baddeley, 1975).

The *report everything* instruction encourages interviewees to actively engage with the interviewer, reporting all information regardless of how partially remembered or trivial it seems, and not to confabulate. This technique is popular among LEA due to its effectiveness and simplicity (Kebbell, Milne, & Wagstaff, 1999). The *change order* instruction is designed to increase recall after the interviewee has provided their account in their desired order. This is to avoid recalling expectations or probabilities of what typically happens, commonly known as memory *scripts*, and places a focus on recalling what happened at the particular TBR event (Milne & Bull, 1999). The *change perspective* instruction asks the interviewee to recall from

the perspective of another witness/victim. However, there are concerns that the change perspective instruction may confuse the interviewee and lead to fabricated accounts (Memon et al., 2010). Hence, contemporary use refers to a *spotlight* technique, whereby the interviewee is instead instructed to focus on one individual from the event and report all they can about the actions of that individual (Milne, 2016; Milne & Bull, 2016).

To incorporate the CI techniques into practice, a review conducted by Fisher and Geiselman (1992) introduced a framework that fused the social psychology of communication theory together with the techniques of the original CI, thus developing the Enhanced Cognitive Interview (ECI). The ECI provided the interview with a structure (introduction, explain the aims of the interview, initiate a free report, questioning, varied and extensive retrieval, important investigative questions, summary, closure, and evaluation), introducing the significant elements of rapport building, appropriate questioning, and transfer of control to the interviewee (Milne & Bull, 2016). Over 100 empirical studies have tested the effectiveness of the CI and ECI, with the majority providing evidence that they elicit more correct information than a comparison interview (Memon et al., 2010).

In cases where the interviewee is required to recall specific details from a series of events, (e.g., serious organised crime networks, human trafficking victims, informants attending numerous meetings), cognitive interviewing techniques may help. Cognitive mnemonics (based on the CI) can be used by the interviewee, for example, a timeline (see Hope, Mullis, & Gabbert, 2013, and Chapter 6 this volume, for a timeline technique) and self-generated cues (see Leins et al., 2014). It was found that the use of self-generated cues within a set of mnemonics helped interviewees recall more than twice as many person, conversation, action, and setting details (Leins et al., 2014). Furthermore, the CI has been found to elicit significantly more event related information in comparison with the five-step model (standard training offered at Federal Law Enforcement Training Centre), in regards to specific details of recurring events (Rivard, Fisher, Robertson, & Hirn Mueller, 2014). Skilled and professional interview trainers who understand the psychological theory are key to providing an interview training programme, which educates and transfers the skills learnt into practice (Milne & Bull, 2016). However, the application of the CI/ECI to the forensic field has encountered numerous practitioner barriers (see Chapter 6 this volume).

Regardless of the interview context, whether that be an investigative or intelligence interview, the aim is to elicit information that is accurate and detailed from the interviewee. Although the CI has predominantly been tested and applied to witnesses, the underlying psychological principles of human sources are equivalent. This overlap between interview aims and the underlying psychological principles, provides a strong foundation for the implementation of the CI instructions into HUMINT practices.

The Scharff technique

The Scharff technique is a HUMINT collection technique that was established for detained individuals who were not fully cooperative (Scharff, 1950). Its origins can be traced back to a World War II German Luftwaffe interrogator Hanns Joachim Scharff. In stark contrast to his colleagues' approach at the time, Scharff's success incorporated a friendly, noncoercive, and conversational approach to eliciting intelligence (Scharff, 1950). His genuine ability to take an interest in the prisoners, as well as treat them humanely may have caught some individuals by surprise. However, behind his *innocent* depiction, Scharff's goal was that of *information elicitation*; a technique used to gain information in a way that the source remains oblivious to the collector's real goal.

In order to maintain the effectiveness of this technique, Scharff adopted the prisoner's perspective and was therefore able to understand, effectively converse with the prisoner, and counteract counter-interrogation strategies. *Perspective taking* is considered a skilful ability,

which requires the cognitive capacity to understand the past, present, and future situation from another's viewpoint, thereby anticipating their reactions and behaviour. This skill is considered beneficial for implementing an effective interviewing strategy (see Risan, Binder, & Milne, 2016 for emotional intelligence). By using perspective taking, Scharff identified three counter-interrogation strategies employed by Allied airmen:

1. "I will not tell very much during the interrogation."
2. "I will try to figure out what they are after, and then make sure not to give them what they want."
3. "It is meaningless to withhold or deny what they already know."

(Granhag, Kleinman, & Oleszkiewicz, 2016, p. 136)

It was from identifying these counter-interrogation strategies that the following tactics were established. Granhag et al. (2016) outline five interrelated tactics that make up the Scharff technique:

1. *A friendly approach*. This comprises of a humanistic style of interviewing, by making the interviewee feel comfortable and at ease. This may be demonstrated by the interviewer displaying elements of perspective taking and accepting the interviewee.
2. *Not pressing for information*. The interviewer will provide the interviewee with opportunities to confirm or disconfirm claims, instead of being asked specific questions. This tactic requires the interviewer to acknowledge the interviewee's motivations and autonomy.
3. *The illusion of knowing-it-all*. The interviewer will begin the interaction by discussing known information to the interviewee, displaying some degree of reliable knowledge about the topic of interest. First, this tactic requires the interviewee to provide information that was not provided by the interviewer to be perceived as cooperative. Second, the interviewee might assume that the interviewer holds additional information to what was discussed. Therefore, if the interviewee misperceives the interviewer's knowledge on the topic of interest, as well as aiming to provide information already known (a common counter-interrogation strategy), the interviewee could unknowingly provide new information.
4. *Confirmation/disconfirmation of claims*. The interviewer will provide the interviewee with a series of claims that requires the source to confirm or disconfirm. The purpose of this tactic is to encourage the interviewee to cooperate in a less formal or active manner as perceived by answering direct questions.
5. *Ignore new information*. This tactic requires the interviewer to downplay the importance or state that new information provided by the interviewee was already known. This may encourage the interviewee to share additional information (on top of the already provided new information) in order to feel they have cooperated.

The Scharff technique has been tested against the Direct Approach, which is commonly used by U.S. interrogators stated within the U.S. Army Field Manual (2006). It has been consistently established that the Scharff technique elicits more new information than the Direct Approach, is better at disguising the objectives of the interview, interviewees underestimate the amount of new information they reveal during the Scharff technique and overestimate when faced with the Direct Approach, and those interviewed by the Scharff technique believe the interviewer held more information than what was portrayed (Granhag et al., 2016; Granhag, Oleszkiewicz, Strömwall, & Kleinman, 2015). Echoing earlier research findings, using the Scharff technique in a series of interviews resulted in a greater amount of information elicited in comparison to the Direct Approach (Oleszkiewicz, Granhag, & Kleinman, 2017a). A strong evidence base exists in favour of the Scharff technique, but can it be trained to practitioners?

Despite limited research addressing this question, handlers who experienced Scharff training embellished *the illusion of knowing-it-all* tactic, used claims to elicit conformations/disconfirmations, and used comparatively less (if any) explicit questions to the topic of interest. In comparison, untrained handlers relied on the interviewees' motivations to elicit information and used an abundance of explicit questions (Oleszkiewicz, Granhag, & Kleinman, 2017b). Not only does it seem possible to train the Scharff technique, Scharff-trained handlers elicited more new information in a less eager manner than those untrained in the technique. The Scharff technique provides a subtle, yet effective way of gathering human intelligence.

The Scharff technique does have its limitations. As it is designed for detained individuals, its effectiveness in some HUMINT interactions requires further research. *The illusion of knowing-it-all* should not comprise of particularly sensitive or detailed information when the interviewee is not in custody. Disclosing such information may well be detrimental if the interviewee's motivation is to share what is known by LEA and is free to leave after the interaction (Granhag et al., 2015). However, this illusion can be established with general background information if carefully and skilfully portrayed. Nonetheless, interviewers may only hold little (if any) information in the first place, thereby rendering the illusion tactic impractical. The *confirmation/disconfirmation of claims* tactic did not produce any issues within the laboratory research, though this tactic should be used with caution, as there is the possibility that false intelligence could be generated by the interviewee disconfirming correct claims or providing false positive claims (Oleszkiewicz et al., 2017b). Finally, the previous treatment of detainees before meeting Scharff, such as experiencing accusatory methods of interrogation, may have positively impacted on Scharff's techniques. This variable may be of importance to further establishing the capabilities of the Scharff technique. However, this will require a strong imagination on behalf of researchers to truly test this whilst achieving ethical approval.

The Reid Technique

The Reid Technique of interviewing and interrogation consists of a nine-step process (see Inbau, Reid, Buckley, & Jayne, 2013 for a detailed outline of each step). Within this process, the early steps instruct LEA to conduct a Behaviour Analysis Interview (BAI) to determine signs of guilty knowledge. If these signs are identified, the interaction becomes accusatory in nature, whereby the interviewing officer employs a range of persuasive tactics to overcome objections, denials, and gain a confession (see also Chapter 8 this volume).

The Reid Technique is often used to illustrate the accusatory approach of interviewing and interrogation. Some examples of the techniques used within the accusatory approach consist of repetitive questioning, intimidation, isolation, and the use of fabricating evidence against the interviewee (Kelly, Miller, Redlich, & Kleinman, 2013). The use of psychological coercion is promoted by the accusatorial approach, which usually contains three phases (Kassin & Gudjonsson, 2004):

1. Interviewee anxiety, uncertainty, and insecurity is created by manipulating the environment, such as leaving the interviewee in a small room;
2. Maximisation: The interviewee is accused/confronted (sometimes falsely), prevented from denying their involvement, and warned about the major consequences of their actions and/or involvement; and
3. Minimisation: An interrogator now provides a sympathetic approach by offering justifications for their involvement and aims to gain their trust by providing alternative and more lenient consequences should the interviewee comply.

Though the Reid Technique proposes the need to establish rapport, the use of psychological coercion overpowers any opportunity to effectively build and maintain rapport. This is because the interviewer creates a situation whereby it is psychologically and emotionally appealing to

confess in order to escape the interrogation (Borum, Gelles, & Kleinman, 2009). Moreover, in contrast to the previously discussed interviewing models and techniques, the Reid interrogator *does all the talking*; how is information elicited if the interviewee is not talking? These methods used within the accusatory approach, especially The Reid Technique, contradict the optimum conditions required to build and maintain rapport and promote memory recall, detrimentally impacting on the collection of reliable and detailed information.
The Reid Technique is often viewed as the most commonly used *gold standard* of LEA interviewing across the United States (Gudjonsson & Pearse, 2011). However, the training application of this technique is not well understood, with limited research exploring its use (Cleary & Warner, 2016). While interrogators speak (from experience) that the accusatory approach is a successful technique for gaining a confession/information, scientific evaluations note that accusatorial methods increase the possibility of both true and false information (see Meissner et al., 2014). Thus, these methods lead to a confirmatory information gathering approach that is in fact detrimental to the collection of HUMINT. It is of no surprise that the Reid Technique has received an array of criticism throughout the academic literature (Gudjonsson & Pearse, 2011; Meissner et al., 2014).

Concluding remarks

Information is the lifeblood of LEA. It informs strategies that seek to deliver community safety through effective crime prevention and reduction programmes. It provides operational insight for decision-makers. It determines the prioritisation and allocation of finite resource prioritisation. The aim of this chapter was to highlight whether psychological based research could both support and enhance elicitation of information. The available extensive empirical and theoretical literature on rapport, memory, models and techniques of interviewing, all proffer powerful and compelling evidence of the benefits of psychological research and what it offers to enhance intelligence generation.
An understanding of the fundamental principles of memory provides a foundation of knowledge from which the appropriate selection and application of interviewing models and techniques can take place. This chapter does not advocate which interviewing model or technique is *superior* for elicitation, but rather promotes a tool belt approach, whereby models and techniques will be more or less appropriate depending on the context. A *one size fits all* approach to interviewing demonstrates an interviewer's lack of versatility and understanding of the interview's context they currently face. Furthermore, interviewing is not just a cognitive process, but a social one too. With all models and techniques, the golden thread of rapport flows throughout, establishing a platform for interviewers to maximise the likelihood of securing vital intelligence.
Interestingly, even with strong indications that rapport building may be a significant component of successful elicitation strategies, there is very little empirical research that has examined this area systematically in a covert LEA or intelligence setting (Abbe & Brandon, 2013). Nor does the research attempt to define what is meant by rapport, how it is built and then maintained in a LEA context (Vallano et al., 2015). A better understanding of how rapport develops in these contexts and its impact on interview outcomes would enhance awareness of the interpersonal dynamics in these situations, and the effectiveness of interviewing in general. This and subsequent research holds opportunities for LEA training and practice. By synthesising the existing psychological literature, identifying areas for future research, and acknowledging the potential that research can have on informing intelligence gathering practices, the underlying purpose of this chapter is to act as a force for change.
Public reaction to the extent of electronic surveillance highlighted through the Edward Snowden revelations and increasing encryption technology available on publicly accessible

communication devices has meant that the landscape of intelligence collection is *going dark*. This now places an importance on HUMINT collection and requires the adoption of effective elicitation techniques based on scientific research.

Recommendations:

To address these issues, a national response is required, one where research is viewed as a key component of developing and enhancing current policy and practice associated with elicitation techniques. The authors recommend six areas for change:

1. Law Enforcement learning and development leads should continue to support evidence based research but place a priority on intelligence elicitation techniques and wider intelligence based research.
2. Law Enforcement learning and development leads should produce guidance that is of sufficient depth to enable law enforcement agencies to provide effective training on intelligence elicitation to all staff involved in investigation and intelligence processes.
3. Law Enforcement learning and development leads should commission bespoke intelligence elicitation courses to be made available to law enforcement practitioners.
4. Law Enforcement learning and development leads should review existing investigative and intelligence (covert and overt) courses to ensure current practice is underpinned by available evidence based research.
5. An international adoption of the UK's *What Works Centre for Crime Reduction* model should strengthen the links between law enforcement, academia, and industry through enhanced collaboration and partnership on elicitation research and techniques.
6. Evidence based policing ethos should be embedded within policy development methodology. Findings should be shared with policy makers, investigators, and intelligence professionals.

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