

The Judge may draw to the attention of the jury that an explanation offered after consideration of all the evidence may be less convincing than an explanation offered at the time when they were being interviewed under caution and therefore be checked.

Explain that in certain circumstances particularly when interviewing a vulnerable suspect or when you feel that the suspect's understanding of the caution is likely to be called into question, interviewing officers should consider 'testing' the interviewee's knowledge. Discussion of 4 questions to be asked. Emphasise testing does not need to be carried on every interviewee but should be considered with young and vulnerable suspects. It is vitally important that the defendant understands the caution.

Explain that the Investigator must explain the caution to that person in words that he can understand. If a suspect decided to remain silent during the interview, the investigator should warn the suspect, politely without undermining the solicitor, that an adverse inference may still be drawn

Discussion of the six conditions to be satisfied before an adverse inference can be drawn.

SPECIAL WARNINGS discussed in detail including the difference between sec. 34 and sections. 36 & 37. Sec. 36 and 37, the defendant does not have to rely on something in his defence for the inferences to be drawn. The mere fact that he does not mention when specifically given the Special Warning, at the interview stage, means that the inferences can be drawn.

End of lesson 2

Lesson 3 - Planning Considerations – Suspect Assessment - Planning & Prep

AIMS

1. Assess how to use the PEACE interview model when planning and preparing for the interview

OBJECTIVES

- Identify the category and capability of the suspect in order to plan the interview in line with all the legal requirements.
- Identify the correct resources for the interview, including interviewer and facilities;
- Explain how to research and evaluate intelligence and information about the suspect and produce a written ?

SUMMARY – training as given below:

PEACE Model of interviewing and explain that it is a mnemonic to assist in maintaining a structured approach to interviewing.

- P - Planning and Preparation
- E -Engage and Explain
- A - Account, Clarification and Challenge
- C - Closure
- E - Evaluate

No rigid boundaries between the phases and flexibility is required throughout for example, during closure if the interviewee provides new information, this may need examination and probing i.e. to reopen the 'Account' phase.

Planning and preparation is an important phase in effective interviewing and should be carried out no matter what type of interview is being considered, whether it is a victim, witness or suspect.

Role of the Second Officer discussed - Who will lead the interview and who will be 2nd. What jobs will each have?

Discussion on Appropriate Adults and students asked how often do we interview suspects whom you feel should have an appropriate adult but the FME and Custody Officer has stated that he is 'fit for interview'. Importance stressed of getting an appropriate adult in any event or there may be a possibility that if the suspect confesses, the evidence gained may not be admissible in court.

End of lesson 3