

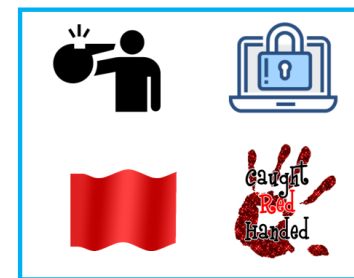
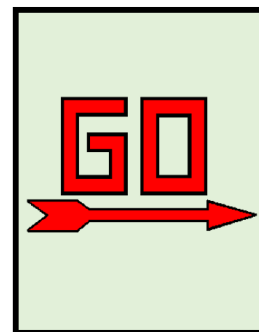
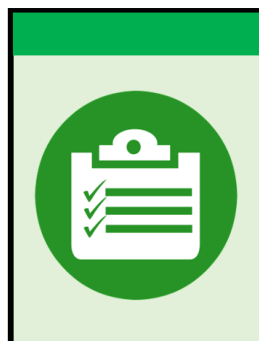
# **Practical Approaches to Handling Investigations**

**Bob  
Pointer**



**Pan Asia Pharmaceutical and Medical Device Congress 2018**

# Recap

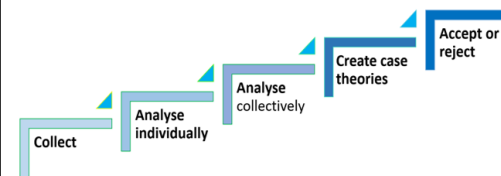
**1****2**

## Critical decisions

Decisions made in circumstances which present a high level of **risk** and **uncertainty**

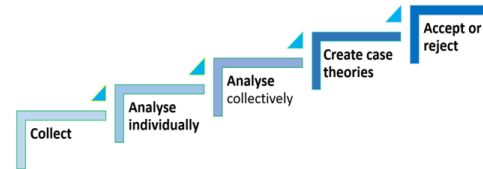


The Problem	
• Facts	
• Information	
What is known identifying what is needed	
System 1 response	
• Feelings	
• Hunches	
• Instinct	
• Intuition	
Emotional response	
System 2 response	
• Issues	
• Problems	
• Difficulties	
Rational response	
Informed response	
• Evidence based	
• Verification focused	
• Impartial evaluation	

**3**

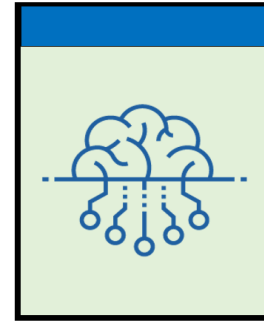
# Recap

4



FRAUDOPOLY

5



## An Informed position

What do  
we now  
know?

What do  
we now  
believe?

What is  
still  
unknown?



FRAUDOPOLY

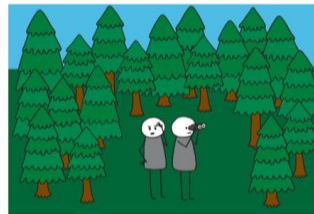
6



"SFO's low productivity and conviction rates compared to its New York counterparts is due to a lack of focus – in whole or in part – in some SFO investigations.

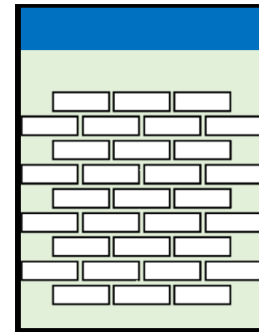
Unfocused investigations are a matter of grave concern".

Jennifer De Grazia



FRAUDOPOLY

7



# Recap

8

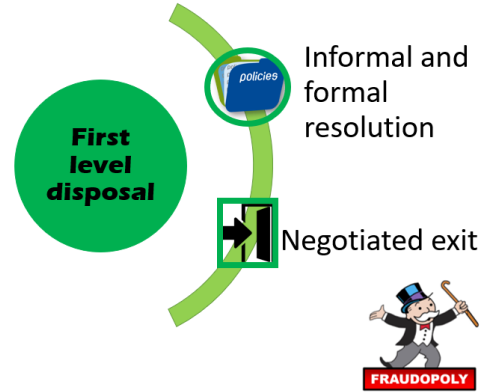


**"Interviews represent the most basic and human element of any investigation."**

**Diligent interviewers constantly search for a complete and truthful telling of events".**



9



10



Organisational	Operational	Personal
Process strengths and weaknesses.	What went well?	What have I learnt?
Procedural and policy issues.	What needs improving.	Do I have any development needs?

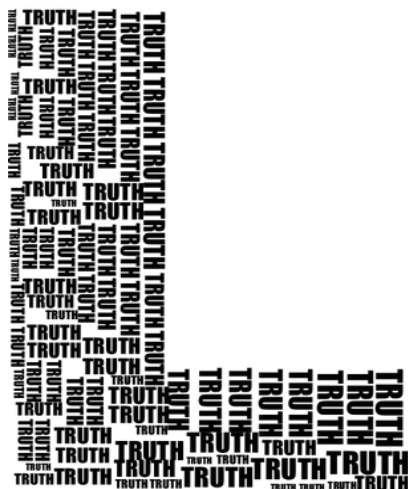


# The truth

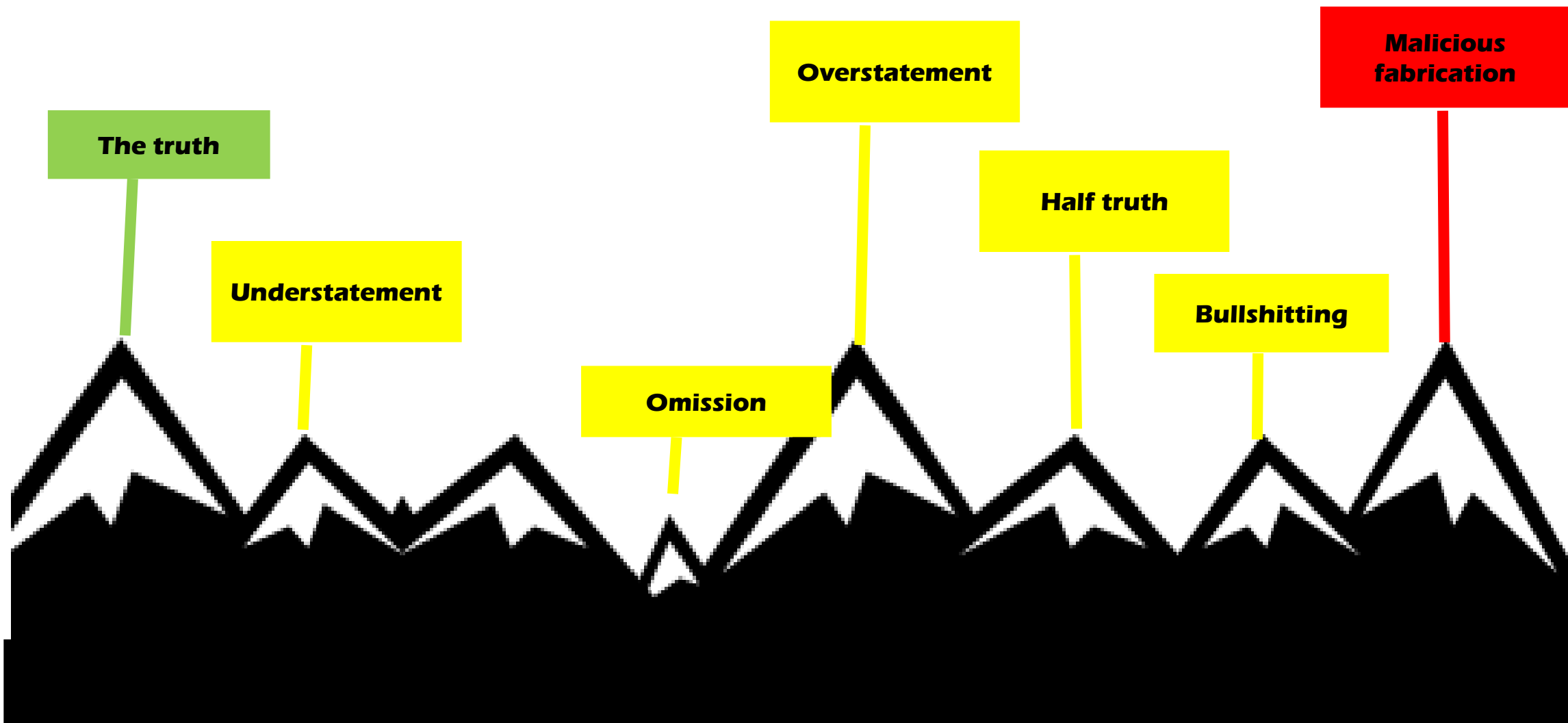
You can be **deceptive** without **lying**.

**BUT**

You cannot **lie** without being **deceptive**.



# A landscape of lies



# The investigative process

## **Pre-Investigative stages**

**The search for understanding**

**Informal fact finding conversations**

**Elicitation**



## **Investigative stages**

**The search for the truth**

**Formal witness conversations**

**Formal person of interest interactions**





# Approaches

## Conversation



A talk, especially an informal one, between two or more people, in which information and ideas are exchanged.

## Elicitation



An informal conversation with a specific purpose: to collect information and do so without raising suspicion that specific facts are being sought.

## Forensic or Cognitive interview



A structured conversation that is designed to obtain fine grain information about an event that has been experienced.

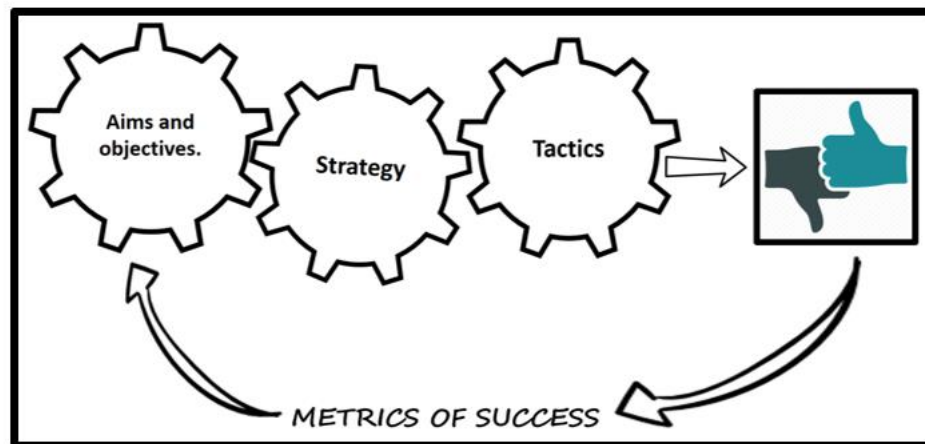
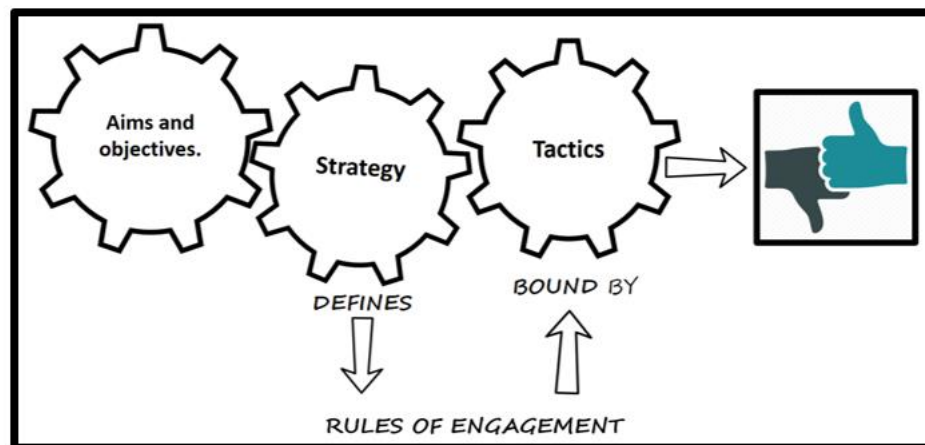
## Interrogation



A formal interview which utilises techniques designed to lower resistance and obtain confessions.

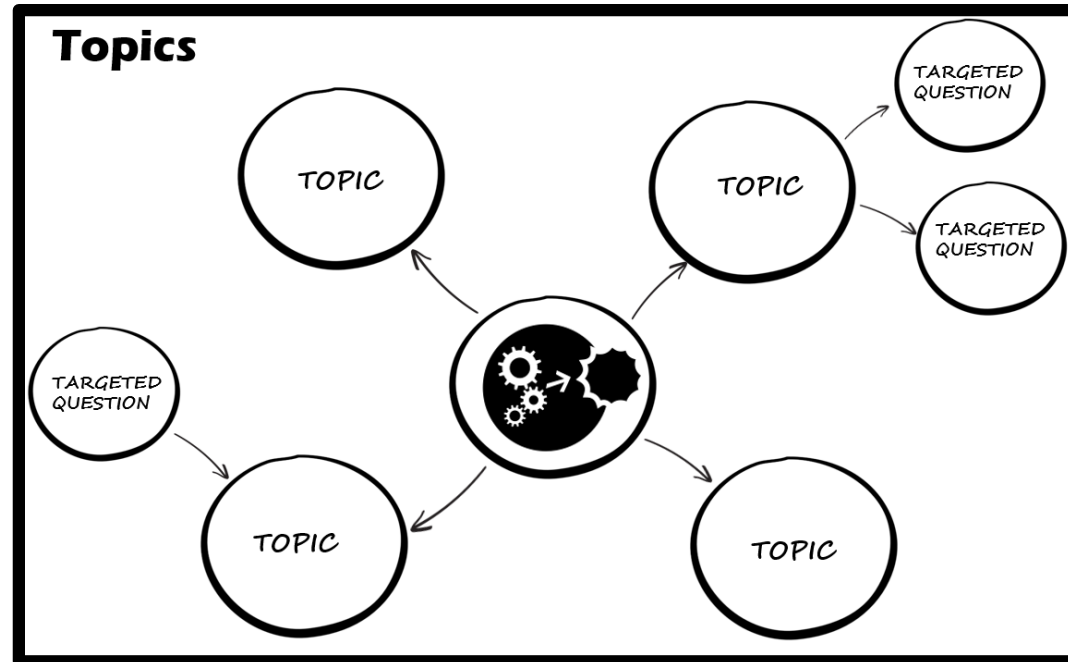


# A forensic approach

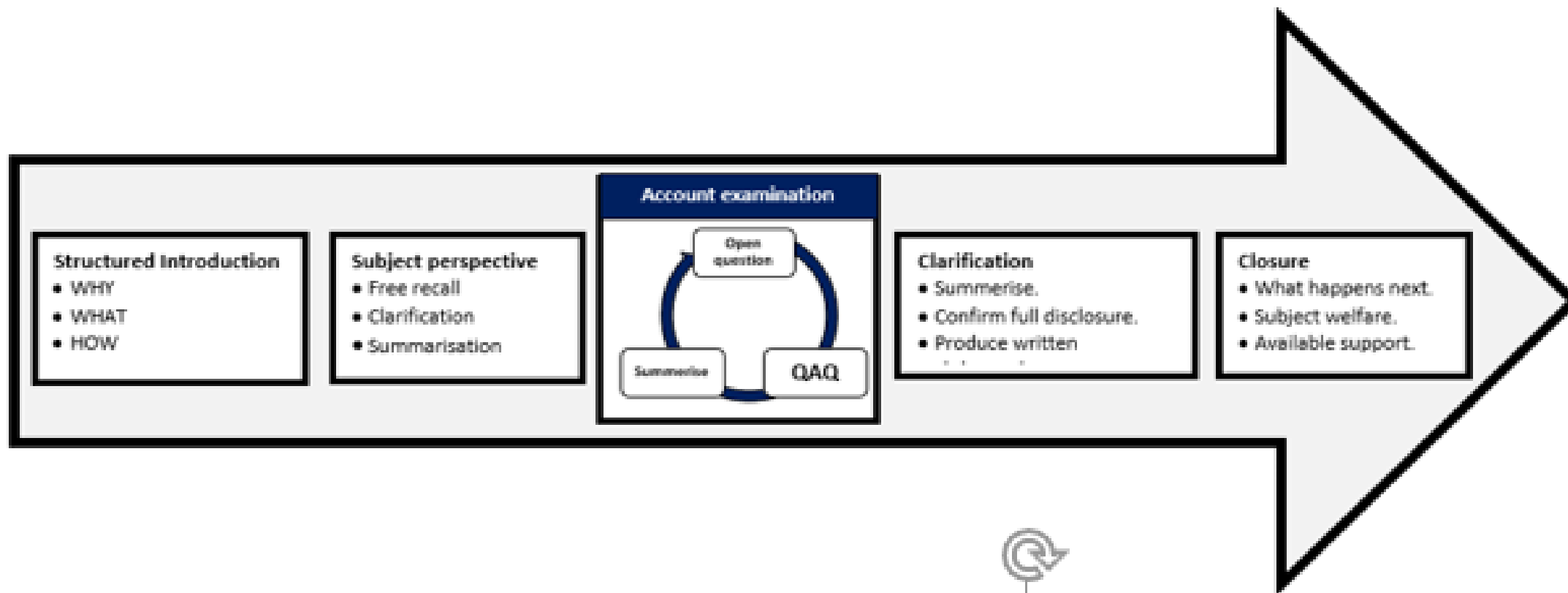


KNOWN	BELIEVED	UNKNOWN
The things we know we know And How many sources are saying it.	The things we believe have happened - working out from what we know.	The things we know we don't know.

## Topics



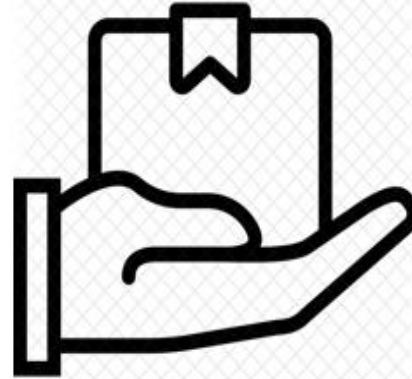
# The conversational witness model



# Categories of witness testimony



**Narrative statements**



**Production statements**

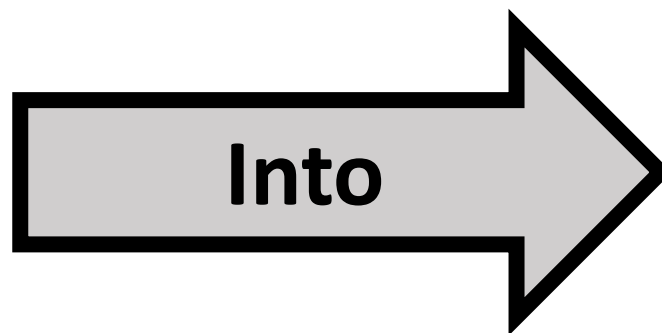


**Continuity statements**



**Negative statements**

# Statements of evidence



The Conversation

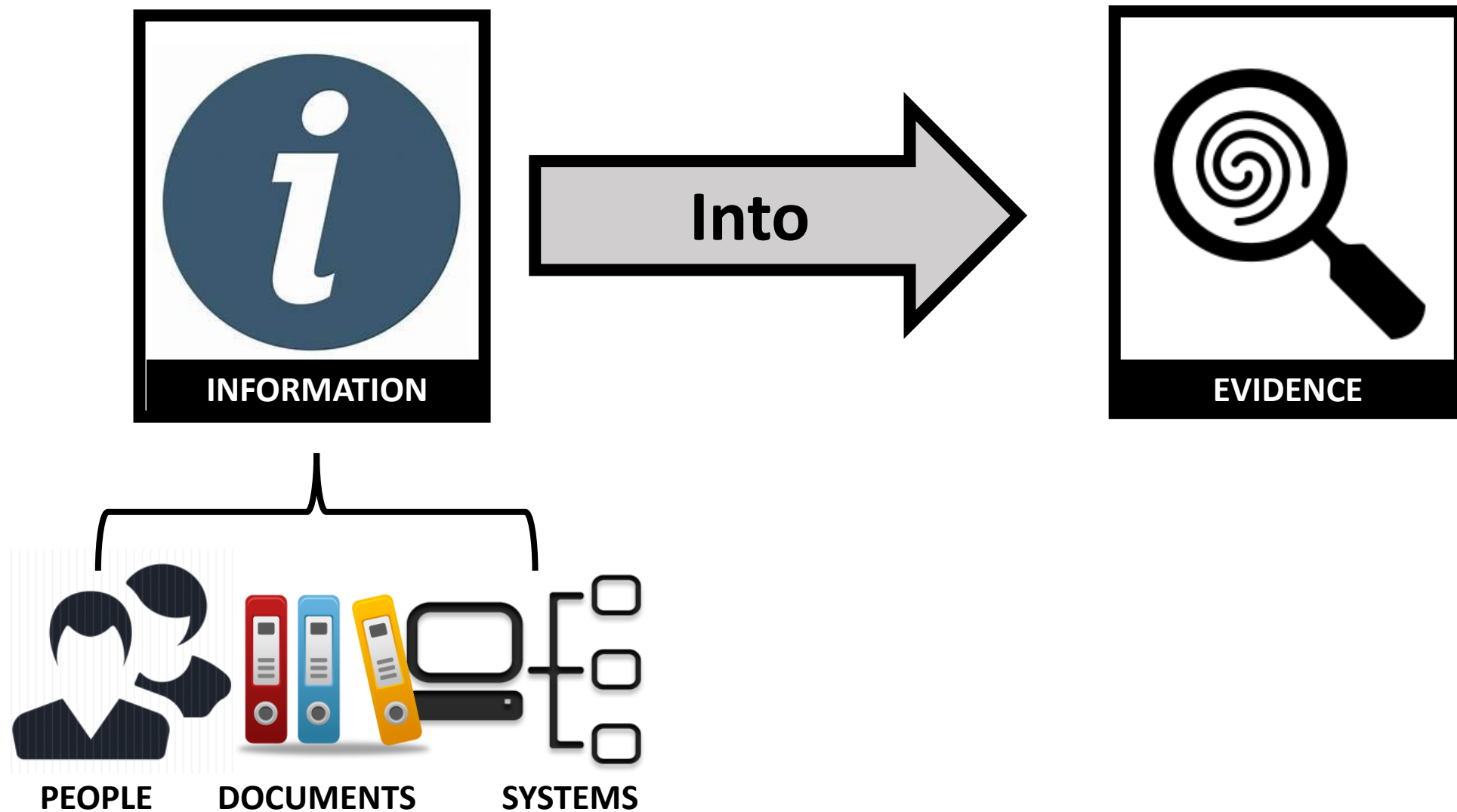


The notes

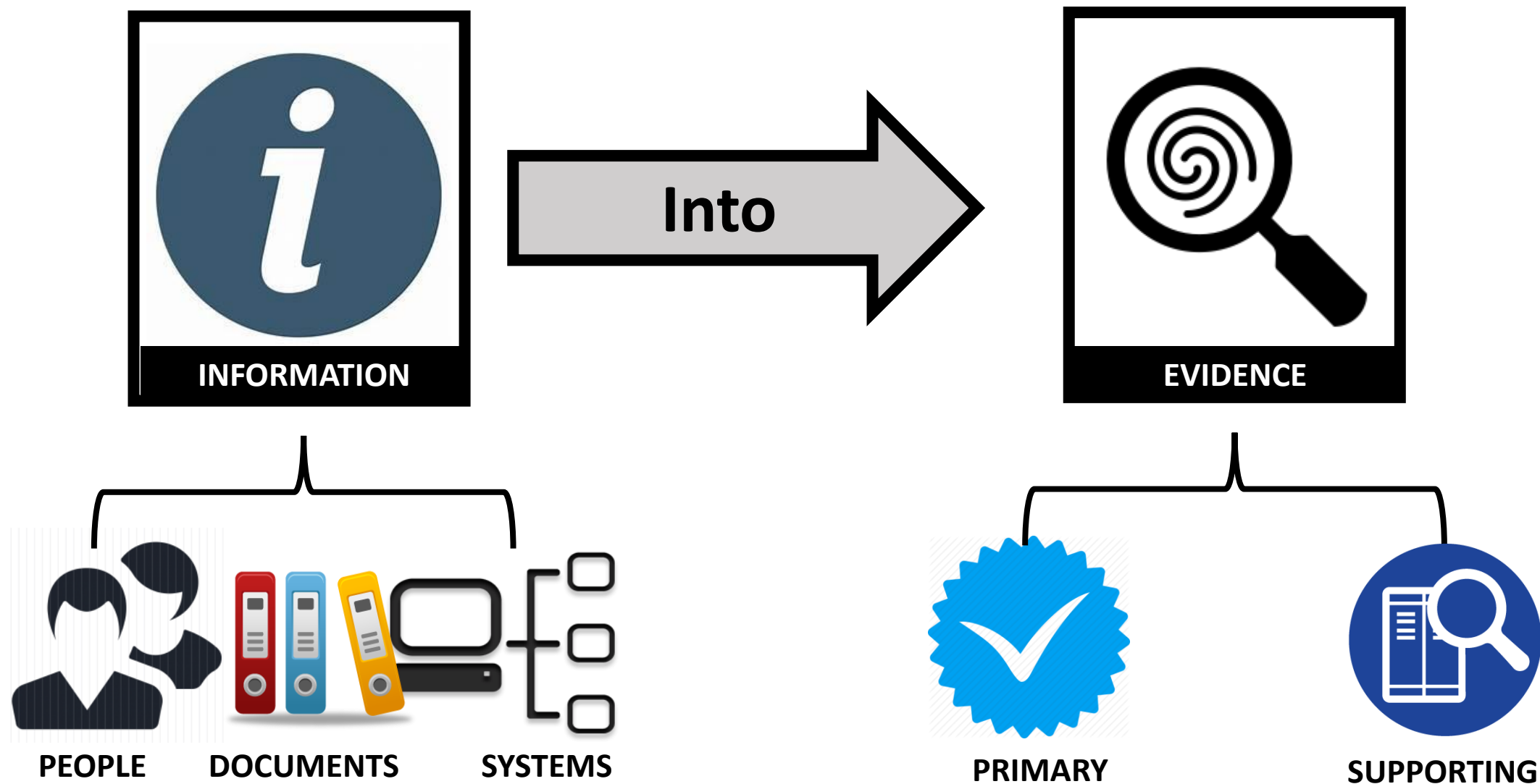


The statement

# Statements of evidence

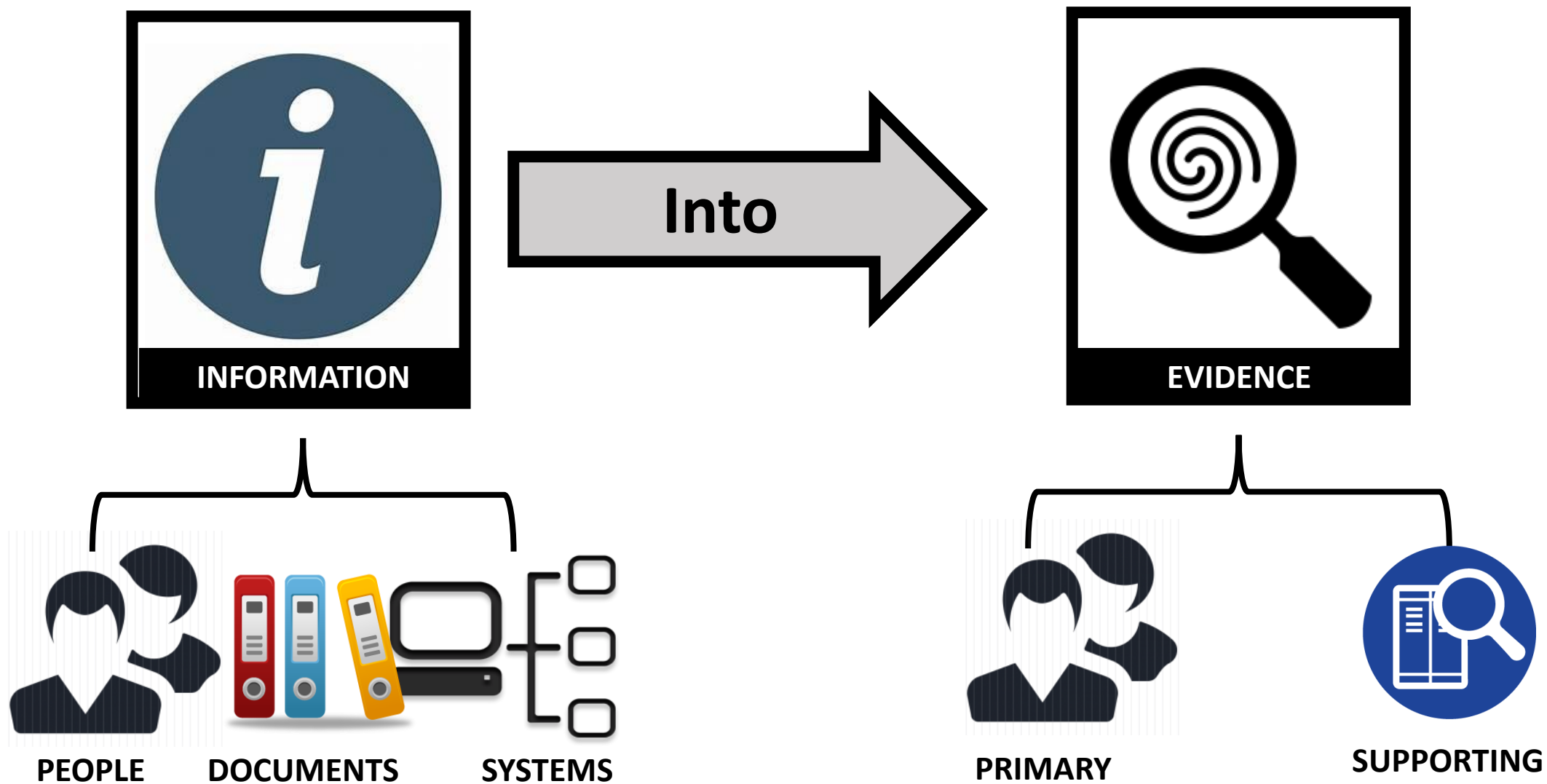


# Statements of evidence





# Statements of evidence



# Strength of evidence



## Source Information.

The report which initiates the enquiry.



## Documentary Information

Records, print outs and data storage devices which contain information deemed of investigative importance



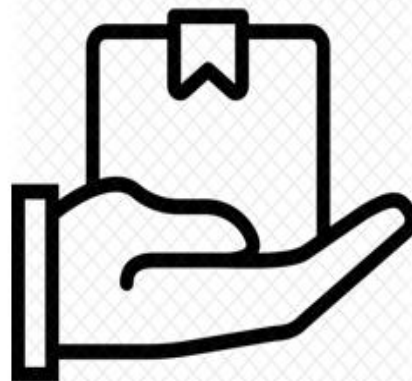
## Testimony

Primary evidence from individuals who have information which supports or negates the event under investigation.

# Categories of witness testimony



**Narrative statements**



**Production statements**



**Continuity statements**



**Negative statements**

# Question...

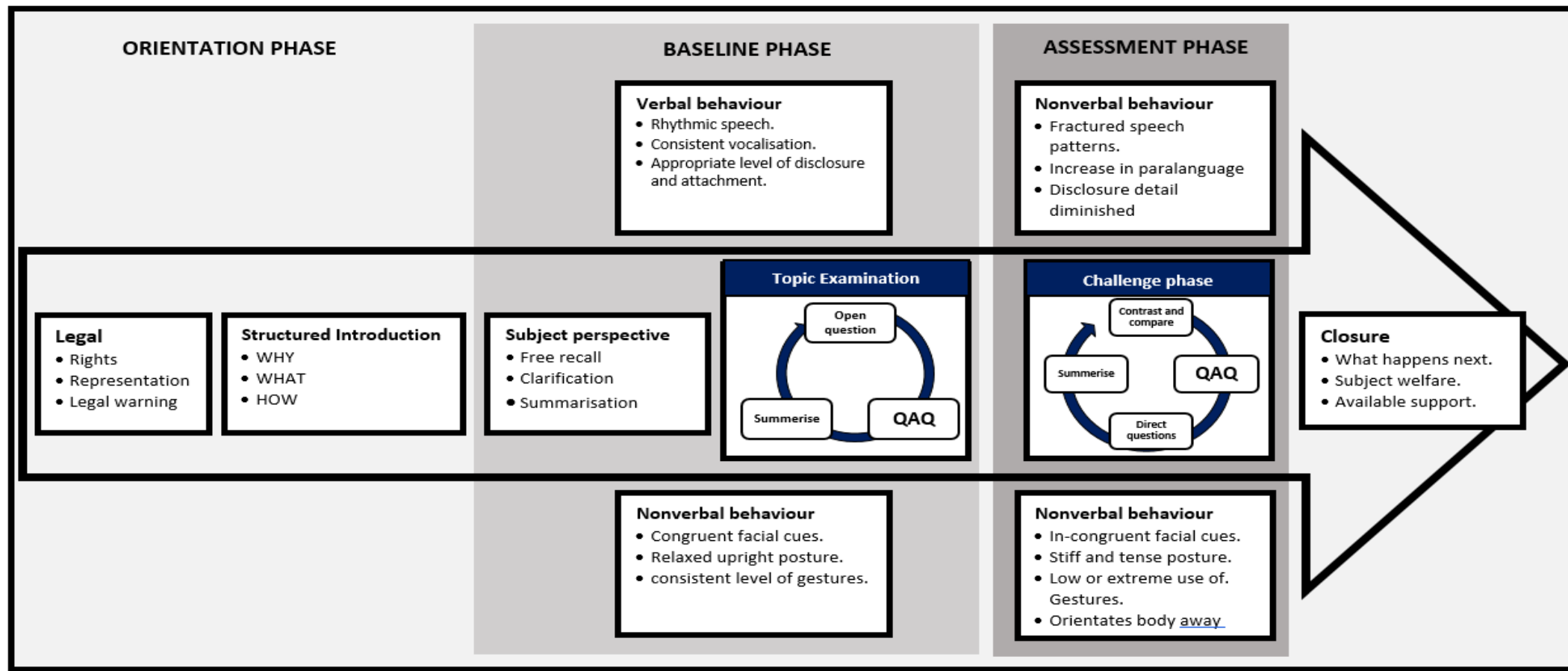


**Why do we make written witness statements?**

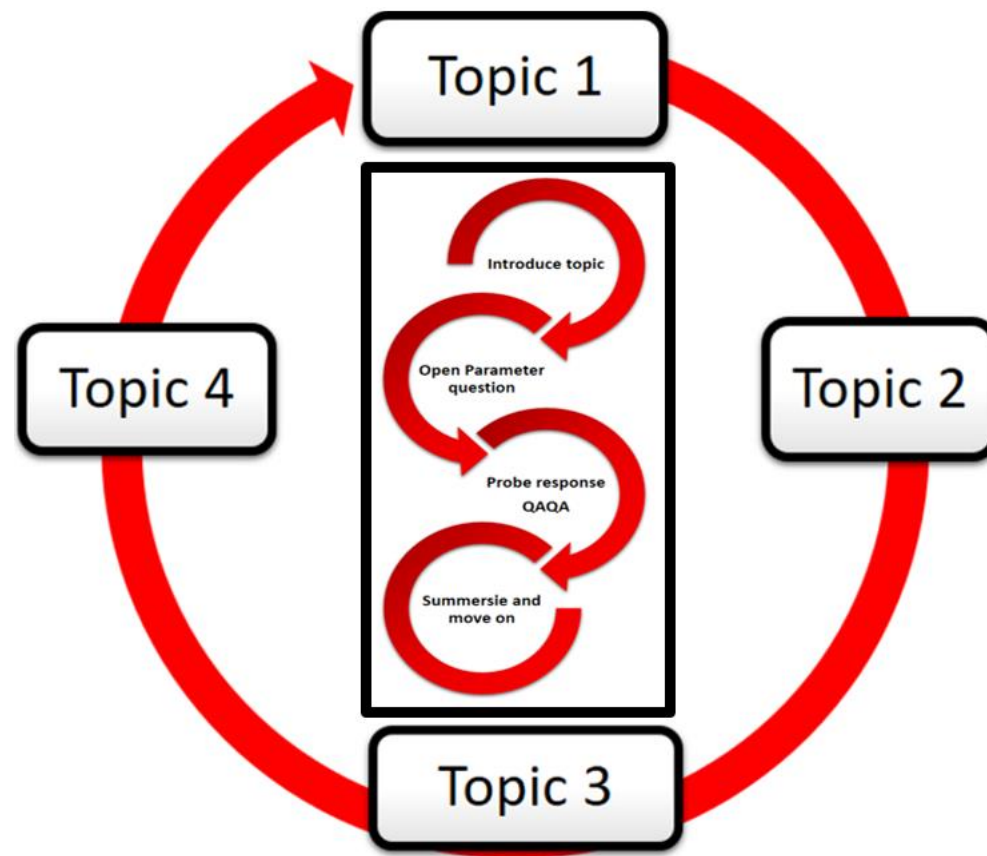
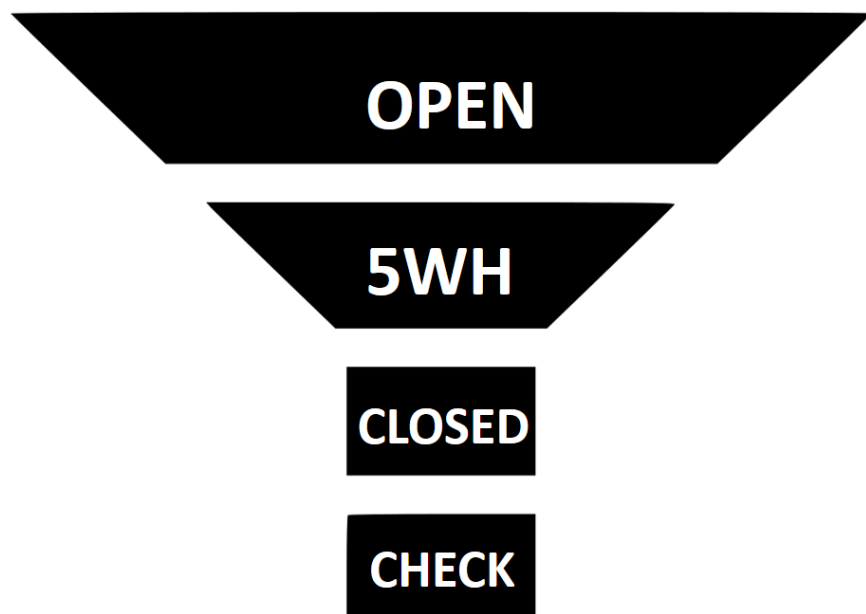
## TO AVOID

- Abstraction from work / daily life.
- The court/hearing experience itself.
- Nerves.
- Sleepless nights.
- Confronting suspect & family / friends.
- Being visually identified in public.

# The conversational SOI model



# Questioning





*The  
End*

