HERITAGE RAILWAY ASSOCIATION

GUIDANCE NOTE

INCIDENT INVESTIGATION

Purpose
This document describes good practice in relation to its subject to be followed by Heritage Railways, Tramways and similar bodies to whom this document applies.

Endorsement
This document has been developed with, and is fully endorsed by, Her Majesty's Railway Inspectorate (HMRI), a directorate of the Office of Rail and Road (ORR).

Supply
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1. Introduction
   A. This Guidance has been provided to assist the duty holder of heritage railways, tramways and similar bodies in meeting the requirements for accident and incident investigation in their Safety Management System (SMS) as required under the Railways and Other Guided Transport Systems (Safety) Regulations 2006: SI 2006 / 0599 (ROGS). It may also be of use to those operators of systems, such as rail mounted cableways, that do not come under these regulations.
   B. Schedule 1, paragraph 2(i) of ROGS requires duty holders to have “procedures to ensure that accidents, incidents, near misses and other dangerous occurrences are reported, investigated and analysed and that necessary preventative measures are taken”
   C. Duty holders should be aware that they have a legal obligation to passengers, contractors, other visitors and staff under the Health and Safety at Work etc Act, 1974.
   D. The term ‘man’ or ‘men’ in this Guidance note should be read as applying equally to men and women and ‘he’, ‘him’ and ‘his’ should be similarly interpreted.
   E. The term ‘staff’ in this Guidance note should be taken to include unpaid volunteer workers as well as paid staff.
   F. The term ‘railway’ should be taken to include heritage tramways and similar bodies where appropriate and ‘train’ should be similarly interpreted.

2. Recommendations
   A. This Guidance note is issued as recommendations to duty holders.
   B. Many railways are already operating systems, which, in some cases, are to a higher standard than those set out in this Guidance note. This highlights the fact that it is the responsibility of the duty holder having undertaken the necessary risk assessments, to implement controls that are applicable and necessary relative to the operating conditions on their railway.
   C. Where railways decide to take actions that are not in conformity with these recommendations, following appropriate risk assessments or for other reasons, it is recommended that those decisions are reviewed by the senior management body of the organisation and a formal minute is recorded of both the decision reached and the reasons for reaching it.

3. Definition of an Accident, Incident and Near-Hits/Near-misses
   A. Accident: Unplanned, uncontrolled event leading to death, injuries, ill health, damage or other loss.
   B. Incident: Unplanned, uncontrolled event, which could have resulted in death, injuries, ill health or other loss. This includes events sometimes known as “Near-misses” or “Near-hits”.
   C. The term “incident” is hereinafter to be taken as including “accident”.

4. Roles of investigating bodies
   A. Following an incident on a railway or tramway, a number of investigations may be started by different organisations. The objectives of these investigations will be different.
   B. The Rail Accident Investigation Branch (RAIB) provides a focus and lead for the technical investigation into the causes and consequences of the incident.
   C. The role of the police, the Crown Office and Procurator Fiscal Service (COPFS) in Scotland, and the Office of Rail and Road (HMRI) is not changed by the existence of the RAIB. Any of these agencies may investigate to bring about a prosecution if there has been a breach of the law.
   D. This Guidance Note is concerned with Internal Investigations by the Duty Holder only.
5. **Appointment of Investigators**

   A. The appointment of investigators should be based on aptitude and competence. Some guidance is given in Appendix A.

   B. The investigators need to maintain an independence from the people and issues of any specific investigation. To this end it may be appropriate for smaller operations to consider appointing an investigator from another heritage railway.

   C. If more than one investigator is to be appointed one of their number should be appointed as the lead investigator.

   D. All investigations are part of a process to enhance railway safety. It is important that the investigator is aware that to contribute to those objectives, investigations should go beyond just establishing the immediate cause of an incident. They need to establish the root cause and the associated underlying causes and any other deficiencies. In addition, one of the key outcomes required from the investigation is to recommend the necessary changes to remedy the deficiencies.

   E. The investigator, or lead investigator, should at the outset agree with the railway management the scope and remit of the investigation. This should not in any way act to limit reasonable lines of enquiry that emerge during the investigation.

6. **Guiding considerations**

   A. No investigation should seek to apportion blame. The apportionment of blame may be a consequence of an investigation. However, it should never be its purpose.

   B. Never start with a pre-conceived conclusion about what happened.

   C. Once you understand what has actually happened, develop a clear strategy for the collection of evidence:

      1. What to collect (i.e. what is important).
      2. Who will collect the evidence.
      3. When and how (focus attention on the perishable and vulnerable).

   D. Work fast to collect the key evidence and interview those involved:

      1. Human recollections are both perishable and subject to ‘alteration’.

   E. Know the limits of your own competence (i.e. know when to phone a friend).

   F. There is rarely one ‘simple’ cause.

   G. Additional information on “Managing the collection of evidence” is given in Appendix B.

   H. Additional information on “Evidence handling and management” is given in Appendix C.

   I. Additional information on “Conducting interviews” is given in Appendix D.

7. **Purpose of the investigation**

   The purpose of any incident investigation is to:

   A. Collect effectively all necessary information and evidence.

   B. Identify all of the factors relevant to the causation of the incident.

   C. Document what has occurred.

   D. Provide an explanation to the safety authority and stakeholders.
E. Make recommendations to improve safety (or reduce commercial loss) by:
   1. reducing the probability of recurrence; and/or
   2. reducing the consequences of a recurrence; and/or
   3. addressing issues and deficiencies identified during the investigation.

8. The scene of the incident
   A. Make sure that evidence at the scene of the accident is preserved. Appoint someone to do this
   immediately, even if you have not yet decided who will investigate. Remember that in the case of a
   serious accident which has to be reported immediately to RAIB, you MUST NOT move any of the
   vehicles or other evidence until RAIB gives you permission to do so.
   B. Even though RAIB may have ‘released’ a site and given their agreement to things being moved,
   consultation should still be made with other relevant parties such as the ORR or Police as they may
   still require the site to be preserved until they have inspected it.
   C. In other cases, or when RAIB gives you permission, you should make sure that someone has made a
   full record of the site before you start recovery operations (see Appendices B and C).

9. Releasing the scene
   The lead investigator should review the entire scene before releasing it to permit the repair and
   restoration of rail services. This should only be done after the completion of evidence collection and
   removal.

Identifying the causes

10. Causal analysis
   A. Immediate cause
       The condition, event or behaviour that directly resulted in the occurrence.
   B. Causal factors
       Any condition, event or behaviour that was necessary for the occurrence. Avoiding or eliminating
       any one of these factors would have prevented it happening.
   C. Underlying factors
       Any factors associated with the overall management systems, organisational arrangements or
       the regulatory structure.
   D. Observations
       Elements discovered as part of the investigation that did not have a direct or indirect effect on the
       outcome of the accident but do deserve scrutiny.

11. The “Swiss Cheese” model
   A. Organisations manage risk by identifying the things that can cause harm and putting in place barriers
       to prevent these things from turning into incidents.
   B. Incidents occur when these barriers are inadequate or absent.
   C. Barriers can fail in different ways, as people make errors.
   D. As people are fallible, most work processes have multiple barriers to create resilience.
   E. If one barrier fails, there should be another one that prevents an incident.
   F. Sometimes, all the holes in the barriers line up, like holes in Swiss cheese, and you can see daylight
       right through them.
G. The system as a whole has allowed the hazard to be realised

H. Example

1. The crossing gates were across the line.
2. A train was approaching.
   i. First hole: The crossing keeper did not open the gates.
      1. Why? Because he did not know the train was coming. Why?...
   ii. Second hole: The distant signal was not at caution.
      1. Why? Because its wire was too tight. Why? Because...
   iii. Third hole: The train did not slow down.
      1. Why? Because the driver did not respond to the AWS horn. Why? Because...
   iv. Fourth hole: The crossing keeper did not realise the train was close.
      1. Why? Because he was asleep. Why? Because...

12. Underlying factors
   A. Managerial, organisational or regulatory factors.
   B. Condition of the physical assets.
   C. Creating the setting for errors to occur.
   D. These may be long-standing and deep-seated.

13. Observations
   A. Things that are wrong, but did not cause the incident.
   B. Example:
      1. Maintenance was not being done in accordance with the procedures described in the safety management system.
      2. The on-train data recorder was not working because its battery was flat.
14. What to include in a report

A. The facts: who, what, where, when.
   1. Include enough information so that it still means something in ten years’ time.
   2. Don’t include irrelevant material: e.g. if the report is about a collision, you don’t need to describe the construction of the track.

B. The events, in a clear and logical order.

C. A picture is worth a lot of words.

D. Diagrams are useful, but if you can’t make them right, leave them out!

E. The causes and the causal analysis.

F. Comparisons to previous similar reports from the railway, RAIB or ORR(HMRI).

G. The conclusions (a summary of the causes).

H. The recommendations.

15. Recommendations

A. What objective must be achieved.

B. What has already been done.

C. What needs to be done to achieve this.

D. Who should do it.

E. What the outcome should look like.

NOT

Who should be disciplined?

16. Action on Report

A. The investigation findings should be recorded.

B. The report should be reviewed by appropriate levels in the company management structure, to ensure that:
   1. all the actions are considered and allocated to people to deliver in a set time period;
   2. the outcome of the actions is monitored to ensure completion; and
   3. the report, where necessary, is shared with insurers and in some cases with ORR and RAIB.

17. References

A. HSE Guidance

B. HSE Material on collecting evidence and statements:
C. RSSB Investigation Guidance 2014:
    Guidance and examples of good practices in accident investigation in Britain’s railway industry
    1. PART 1 The role of the senior manager.
    2. PART 2 Development of policy and management arrangements.
    3. PART 3 Practical support for accident investigators.

D. Railway Group Standards
    1. GO RT3119 Accident and Incident Investigation.
    2. GO GN3519 Guidance on Accident and Incident Investigation.

E. Specific HRA Guidance Notes
    1. HGR-A0020 - Emergency Planning.
    2. HGR-A0550 - Incident Reporting.

end of main document
Appendix A: Investigator Competence

A. People who are appointed to lead investigations should, as far as possible, be familiar with the principles and practice of accident investigation. This document can be used as a basis for training. More guidance material is available from RSSB. It is also important that an investigator is familiar with the technical areas relevant to the investigation, and is able to understand and challenge experts in technical disciplines who are brought in to assist the investigation.

B. Almost all railway incidents are likely to involve a complex mix of components and activities. It is unlikely that any one investigator will be able to call on a personal detailed knowledge of all aspects of every relevant activity but they should have a clear understanding of when to call for assistance. The investigator may need to ensure that he has access to persons with the necessary knowledge, experience and objectivity at every stage of the investigation process, and organisations should endeavour to create teams that maximise the availability of the necessary skills. Investigators having access to human factors expertise may be particularly important throughout the investigation.

C. Some organisations may not be able to create an investigation team with all the necessary competence from their own resources. Arrangements may need to be made for support from experts outside of the investigating organisation. External investigators can assist in ensuring that necessary objectivity and competence is achieved.

D. People who may have to collect evidence on site should understand how to do this in a way that will minimise any potential loss of information. They should know where to find guidance on the practical techniques of evidence collection, and know where evidential material can be safely and securely stored after it has been taken from the scene of the accident.

E. Whilst technical competence of investigators is important, it is also necessary to ensure that investigators have the necessary inter-personal skills to get the best out of interviews. in particular the ability to question critically and analyse information.

F. Investigators should maintain objectivity despite very considerable pressures that will be experienced from many sources. There may be pressures to quickly accept what some will consider “obvious” answers before a proper consideration of all the evidence has been possible. There may be those with concerns about liability who may give undue emphasis to one factor or another in order to try and limit their exposure. Others may be selective in their presentation or assessment of evidence for the same reason.

G. A co-operative approach and openness by the investigator to all persons with a direct interest in the findings of the investigation will be important. Ensuring that opposing views are not dismissed without due consideration will also be necessary. The investigator can demonstrate and encourage cooperation and openness by setting up processes that create opportunities for routine sharing of progress and priorities through scheduled review meetings, regular written progress reports and allowing controlled access to accumulated evidence.

H. To create and assess competence in investigation, organisations should consider training, briefing and/or exercises to simulate incidents, and the investigation of them. These can usefully be combined with exercises testing the organisation's emergency preparedness and arrangements for co-operating with police, fire and ambulance services.
Appendix B: Managing the collection of evidence.

Key principles - collecting evidence

A. Following a serious railway or tramway accident, the law in the UK requires that the express permission of the RAIB is required for anyone to disturb evidence. The only exceptions to this rule are to carry out rescue of persons or ensure the safety of the railway (e.g. to secure a train). If you have permission, or if the accident is not serious enough to immediately be notified to the RAIB (see https://www.gov.uk/government/publications/a-quick-guide-to-notifying-accidents-and-incidents-on-uk-railways), you may go ahead and collect evidence and recover and repair the railway.

B. When collecting evidence ensure that you do not change its state.

C. Record as much information as you can as you will not initially know what is or is not relevant.

D. Photograph and note the position of all evidence before moving any of it.

E. Mark the position of components before moving an object.

F. Package evidence and record the date and place it was found.

G. Store evidence at a secure location.

Securing and gathering physical evidence

The main categories of evidence are:

A. Perishable evidence – evidence that self-degrades or is degraded by the environment (e.g. rain), it requires no human intervention.

B. Vulnerable evidence – evidence that may change or be degraded due to actions or intervention by humans or animals.

C. Documentary evidence – procedures, instructions etc.

D. Electronic evidence – train data, signalling records, CCTV.

E. Physical evidence – parts of the train or infrastructure etc.

Securing and gathering physical evidence at site

A. Capturing evidence - in-cab e.g.:

1. Perishable:
   i. Temperature.
   ii. Atmosphere/ventilation.
   iii. Instrument and gauge readings.
   iv. Drugs and alcohol readings on workers.

2. Vulnerable:
   i. Position of driver.
   ii. Position of other persons.
   iii. Condition & position of controls / indicators.
   iv. Unexpected items – e.g. water on desk or floor.
   v. Presence of food and drink.
   vi. Presence of medication.
   vii. Presence of mobile phone.
B. Capturing evidence – exterior of train e.g.:
   1. Perishable:
      i. Escaping air/gas/steam.
      ii. Pressures.
      iii. Temperature of wheel rims/brake discs/ blocks/ pads.
      iv. Leaking fuel.
      v. Melting ice and snow.

   2. Vulnerable:
      i. Position of moving parts of brakes.

C. Capturing evidence – trackside e.g.:
   1. Perishable:
      i. Railhead condition.
      ii. Railhead marks.
      iii. Road traffic signal indications (visual and audible).
      iv. Effect of sun on road traffic signals/signs.
      v. Road surface markings or damage.
      vi. Position of damaged Overhead Line Equipment.

   2. Vulnerable:
      i. People or animals in the vicinity.
      ii. Position of other vehicles/obstructions to visibility.
      iii. Level crossing controller data logger records, as some controllers only have a Limited memory and may be overwritten if not downloaded in time.

D. Remote evidence
   1. If the incident involves a signalling system, prevent changing the status of equipment:
      i. Prevent the movement of trains and/or points that will affect the status of signalling equipment.
      ii. All manual controls should be maintained in original position. (Where signal levers have to be put to the normal position to give protection, the position as found needs to be recorded before any such lever is moved).
      iii. Signalling rooms should be secured.

   2. CCTV records should be retained and secured.

E. Records Evidence:
   1. Investigators may need to access records of inspection and maintenance of track, structures, equipment and rolling stock. They may also need to review records of staff training and competence checks. Depending on the incident the investigator may also need access to relevant medical records for staff – the railway may need a procedure to ensure that this access is appropriately controlled.

   2. Records of previous incidents and investigations will need to be made available.

   end of appendix
Appendix C: Evidence handling and management

Aims

A. To identify, protect, collect and preserve all of the evidence that will be needed to inform the investigation:
   1. Physical evidence.
   2. Electronic data records.
   3. Documentary evidence.
   5. Witness marks.

B. To prioritise and organise the collection of evidence.

C. To ensure that evidence is not lost or missed.

D. To avoid corrupting evidence.

E. To share evidence with others as necessary to further safety.

F. To measure, examine and test evidence in an effective manner.

G. To reconcile the evidence collection needs of the various parties.

H. To track evidence and information – continuity.

I. To handback the railway as soon as possible.

Evidence Collection Plan

At the start of an investigation, it is good practice to develop a plan for collecting evidence. The advantage of this is that it will enable an investigator to:

A. prioritise and organise the collection of evidence;

B. reconcile the evidence collection needs of the various parties;

C. minimise the chance for corrupting evidence;

D. ensure that evidence is not lost or missed;

E. mark positions of components and photograph before moving;

F. measure, examine and test evidence in an effective manner;

G. measure and record before changing state or transporting evidence;

H. manage continuity;

I. store evidence at a secure location;

J. track evidence and information; and

K. hand back the railway at the earliest opportunity.
Lead Investigator Issues

Before the recovery of evidence starts, the lead investigator or the investigator responsible for the area to be searched should consider, and, wherever it is feasible, decide:

A. **Is this evidence relevant – does it relate to the cause of the incident, or is it related to a consequence of the incident?**

B. What will it tell me?

C. What analysis / processes / techniques can be used on site to recover it?

D. How do I need to package it to preserve it?

E. Will I need to show it to a witness – if so use an evidence box with a clear window?

F. What packaging materials do I need?

G. How do I forensically photograph it?

H. How do I forensically recover it?

I. What are the risks and hazards?

Evidence integrity - Continuity

A. Investigators should recover evidence in a professional manner and be able to demonstrate that it has been handled professionally throughout every stage of the investigation process.

B. It is good practice to adopt the national judicial evidential standards for:
   1. packaging evidence;
   2. sealing and securing evidence bags and containers;
   3. the completion of exhibit labels; and
   4. identifying evidence with evidence labels.

C. It is good practice for the investigator to record contemporaneously in their notebook as items of evidence are collected, and the stages that it is passed into the keeping of others.

Recording physical evidence

A. Physical evidence can be shared with other bodies therefore it is important to keep a record of:
   1. **What**: a description of the object or item.
   2. **Where**: the place where the evidence was obtained.
   3. **When**: the date and time of evidence recovery.
   4. **Who**: the evidence was collected from.
   5. **Why**: the item is evidence and its connection to event.
   6. **How**: the way the evidence was recovered.

B. Some evidence requires specialist skills to access i.e. an electronic signalling system or on-train data recorder may require a trained technician to download the data correctly, similarly for CCTV data. In these cases the investigator should observe the download being done and record in their notebook who did it, what was done and how they received that evidence.
Appendix D: Conducting interviews

*It is important to remember that human evidence is perishable over time and needs to be collected and/or photographed as early as possible.*

**Aims**

A. Early capture of data held in human brains.
B. Promoting accurate recall of information.
C. Maximising the extraction of useful information.
D. Discouraging and/or recognising unreliable information.
E. Identification and prioritisation of witnesses.
F. Accurate records of witness evidence.
G. Avoidance of undue distress to witnesses.

**Categories of Witnesses**

A. Interviewing witnesses offers the opportunity to obtain a first-hand account of what a person experienced either in, or whilst observing, an incident and it could help to establish why the incident occurred.

B. Witnesses are:
   1. People who were present and whose actions affected the course of events.
   2. People who were not involved at the scene but whose decisions or actions at some earlier time may have affected the course of events.
   3. Eyewitnesses who were present when the incident, or events leading to it, occurred and whose evidence can confirm the course of events.

C. After an event, witnesses and those involved should be asked to write down an initial account or report of what happened. As far as practicable those involved should be separated after the incident until they have written their first account. This avoids both deliberate collusion, but more generally ensures that each individual gives only their version of the events and is not unconsciously influenced by the recollection of others.

**A Model for Interviews**

A. A common model for interviewing used by investigators is the PEACE model; PEACE stands for Preparation and Planning, Explain, Account, Closure, Evaluate.

B. The Preparation and Planning stage occurs before the interview(s) and determines what the purpose is and the key issues to be explored. The Explain stage is the beginning of an interview where the witness is put at ease and has the interview purpose explained to them. The Account stage is where the witness recalls what they can and then the interviewer explores this with them as necessary. The Closure stage ends the interview and gives the witness a chance to ask questions and be told what happens next. The Evaluate stage is an important end to the interview process when the interviewer reflects on what they have learned from the witness, whether this changes other interview plans or the view of events, and separately, the interviewer should reflect on their own performance and how they might improve future interview techniques.

C. Each of these is an important stage in the interview process and is expanded on below.
Prepare an interview plan

A. An interview plan should be developed for each witness - the purpose is to help focus the questioning on the areas of particular interest.

B. It should identify the areas where there are gaps in the investigation knowledge e.g. about what happened at the time and historically.

C. It might list the areas where the particular witness might be able to help.

D. It should record the key questions to be asked and list them in a co-ordinated and planned manner.

E. It should be structured to help the interviewer carry out the witness interview.

F. It should be flexible to enable the interviewer to adapt the interview process and technique during the interview.

Types of interview questions

A. Closed questions will often confirm facts or clear up ambiguities. They offer the investigator the opportunity to:
   1. clarify facts;
   2. verify information already given; or
   3. control a conversation.

   4. Examples include: Did you? Were you? Questions requiring a yes / no answer.

B. Open questions will often lead to the most information from the witness. They offer the witness the opportunity to say what they want. Examples include:

C. Specific examples of open questions include things such as ‘Can you explain to me the management structure …’ or ‘Can you give me an outline of the working arrangements for …’."

Why? Because…

A. For each element of the immediate cause, ask “Why did this happen”?
   1. Every “Because” response is a cue for another “Why”?

B. Continue until you reach a point where there is no more “Because” (at least, not that you can do anything about).

C. Example
   1. A train ran through a set of level crossing gates; Because
   2. The train driver did not brake in time; Because
   3. He had seen the distant signal protecting the gates at ‘clear’; Because
   4. The crossing keeper had over-adjusted the wire working the signal; Because
   5. The crossing keeper was inexperienced and inadequately trained; Because
   6. The adjustment of signal wires had not been included in his training; Because
   7. The need for it had not been identified; Because
   8. The person who delivered the training was not aware of the existence of wire adjusters; Because
   9. The company’s risk assessment had not identified this risk.
Conducting interviews

A. Preparation

1. Write down what you need to know:
   i. Topic areas.
   ii. Key information you require.
   iii. Order of questioning.

2. Plan who will carry out each interview:
   i. Two interviewers is ideal (one to ask questions, the other to listen).
   ii. Who will lead?

3. Plan your equipment:
   i. A digital voice recorder is ideal.

4. Find a comfortable, private location, avoid interruption.

5. Plan the room layout, trying to avoid an ‘across the desk’ confrontational approach.

B. Technique

1. Always start by explaining who you are and the purpose of the interview.

2. Try to put the interviewee at ease.

3. Determine if the interviewee has any special needs or is vulnerable in any way, explain that breaks may be taken if necessary.

4. Confirm basic facts:
   i. Name;
   ii. Role;
   iii. Contact details.

5. Once ‘rapport’ is established ask the witness to describe what has happened. Invite them to start at a ‘human moment’ before the event (e.g. arriving at work):

6. Do not interrupt their free recall of events but note those issues you wish to return to.

7. Do not jump in when you think they have finished (don’t be afraid of silence).

8. Take regular breaks and pause if the interviewee is distressed.

9. Avoid asking “leading” questions, such as “after that, did you apply the brakes?”

10. Use “open” questions that encourage the witness to describe what happened, such as “what did you do next?”, rather than “closed” questions such as “did you apply the brake?” that invite a yes/no answer.

11. If you intend to show documents or recordings to the witness, ensure that they have some initial recall of what you intend to show them before they are allowed to see (or hear) it. It is possible that the format may affect their recall of what happened, leading to “autosuggestion” and false evidence.

12. Do not come to the interview with preconceived ideas about the interviewee’s role, and avoid giving the impression that you have formed any judgement about their culpability or otherwise.

13. Use of photographs, drawings, sketches and plans can help recollection and/or clarity of response.

14. Where an interviewee gives the names of people in an interview who were involved in some way ensure that you either interview these people as well to corroborate the account or have clear justifiable reasons for not conducting such interviews.
C. Technique - The ‘report everything’ instruction
   1. Encourage the witness to tell you absolutely everything they can remember and not leave
      anything out.
   2. The ‘tell me everything’ method relies on the interviewer not interrupting.
   3. This method is used so as to ensure that even the most cooperative witness has told you
      everything and has not been selective. It is useful when you do not know a lot of information at
      the outset of the investigation.

D. Technique - Context reinstatement
   1. This method is to encourage the witness to look back into their memories, and to visualise what
      occurred telling the witness to:
      i. use their mind’s eye;
      ii. close their eyes;
      iii. think of the scene in their mind; and
      iv. tell me everything;
   2. You must not interrupt their thoughts as they relate their story.

E. Technique – Clarification and Challenge
   1. Once the interviewee has given their account you should go back over the information in smaller
      sections to help the witness focus on the issues. First accounts can often be very broad brush
      and the interviewee may have unconsciously skipped over details that may be of interest to you.
   2. You should try and clarify any points that seem inconsistent in the interviewees account.
      Remember that human memory is far from perfect; reviewing inconsistencies will help the
      interviewee focus.
   3. You need to challenge any points that seem inconsistent with other evidence and records. Again,
      remember that a interviewee who is saying something may honestly believe it even though it may
      be factually incorrect.
   4. Be careful to explore and record what the interviewee can actually confirm directly and what it is
      that they may be reporting that others said to them or which they have inferred.
   5. Once you have concluded the interview and have a written report, allow the interviewee to read
      the report and ask them to sign it as a true record.

Effective interviewing

A. The keys to effective interviewing are:
   1. applying the interview strategy;
   2. thorough preparation in identifying questions to ask & areas to explore;
   3. having a clear plan for the interview;
   4. introducing visual and physical aids at key stages in the interview;
   5. capturing the information provided - note taking or recording;
   6. use of cognitive techniques;
   7. using the interview model – PEACE;
   8. understanding and reacting to the findings from the interview;
   9. summarising and closing the interview;
  10. allowing the interviewee to read and sign the report as a true record.
  11. cold review – re-interview.
Remember: Eye-witnesses are the most unreliable source of evidence

The Police services often use the ADVOKATE model to help judge eye-witness evidence reliability:

<table>
<thead>
<tr>
<th>A</th>
<th>Amount of time the witness actually saw what was happening.</th>
</tr>
</thead>
<tbody>
<tr>
<td>D</td>
<td>Distance between the witness and the event.</td>
</tr>
<tr>
<td>V</td>
<td>Visibility of the event from the location of the witness.</td>
</tr>
<tr>
<td>O</td>
<td>Obstructions that might have been between witness and event.</td>
</tr>
<tr>
<td>K</td>
<td>Knowledge – does the witness know the ‘suspect’ or activity.</td>
</tr>
<tr>
<td>A</td>
<td>Any specific issues that make the incident stand out to the witness.</td>
</tr>
<tr>
<td>T</td>
<td>Time elapsed– how long between the event and the recollection / interview.</td>
</tr>
<tr>
<td>E</td>
<td>Errors – how far adrift from factual evidence is the witness account.</td>
</tr>
</tbody>
</table>

Avoiding “Blame Culture”

A. This is as much about management as investigation.
B. Use an independent investigator.
C. Make sure they are competent.
D. Give them complete backing.
E. Keep the investigation and disciplinary processes completely separate.
F. Be fair and open.
G. Provide feedback.
H. Consult on the draft report.