Enhanced Interrogations: The Expanding Roles of Psychology in Police Investigations in Canada

STEPHEN PORTER
University of British Columbia

KATHERINE ROSE
University of British Columbia

TIANNA DILLEY
University of British Columbia

Abstract
For decades, forensic psychologists have dedicated much effort to applying their research and theory to improve the criminal justice system. However, recently, the roles of psychologists have expanded to more direct involvement as consultants in criminal investigations. The recent scandal involving the collusion of the American Psychological Association leadership with torture-endorsing interrogation programs suggests that it is an optimal time to reflect upon these expanding consultation activities. Here, we explore emerging practical and ethical issues confronting forensic psychologists acting as consultants in criminal investigations, and provide recommendations for best practices in this context. Specifically, we focus on the increasing application of psychology in 3 investigative contexts: advising police on interrogation or other investigative strategies, evaluating the credibility of suspect statements, and consulting with emergency response teams in hostage-taking or barricade situations. The application of psychological science in law enforcement settings is rapidly evolving, which means it requires more empirical attention, ethical analysis, and specific training to ensure that psychologists are acting in the best interest of everyone involved.

Keywords: forensic psychology, ethics, consultation, effective practice, criminal justice system

In accordance with their collective ethical principles, the American Psychological Association (APA) joined forces with the American Psychiatric Association in 1985 to denounce the use of torture; their position statement recognised that psychological knowledge could be misused to interrogate detainees inhumanely, violating a primary obligation to respect human dignity (APA, 2015c). Thirty years later, the APA has been implicated in the development and application of torture and coercive interrogations of national security targets. In August, 2015, the group announced that its chief executive officer, deputy CEO, and communications chief were no longer associated with the APA; in the 542-page independent Hoffman report all three were found to have worked in conjunction with the Pentagon and the CIA by contributing to coercive interrogation practices (Hoffman et al., 2015; American Psychological Association, 2015b). This reportedly transpired through the contribution of psychological knowledge to enhance torture techniques (e.g., sensory deprivation) for intelligence gathering, the manipulation of ethical guidelines to conceal such practices (Soldz, 2008), and the alignment of such guidelines with policies implemented by the Department of Defence (Hoffman et al., 2015).

These deplorable revelations have left the psychology community engaging in much self-reflection and head scratching: what were the APA psychologists in leadership positions thinking when participating in this type of activity? After the damning report emerged, a somewhat understandable but obvious knee-jerk reaction occurred; the APA convened in Toronto and voted in support of a new policy barring psychologists from participating in national security interrogations altogether (APA, 2015c); her letter stated that although psychologists in the APA are now strictly forbidden from being involved in national security interrogations altogether (APA, 2015c). Was this an appropriate decision? While APA members appear to have committed an egregious ethical violation by contributing to coercive interrogation practices, should psychologists never be permitted to contribute to the interrogation of individuals suspected to represent security threats? After the publication of the Hoffman report, APA President-elect Susan McDaniel provided elaboration around this issue (APA, 2015c); her letter stated that although psychologists in the APA are now strictly forbidden from being involved in specific national security interrogations, they are permitted to be involved in “providing general policy guidance concerning humane interrogations” (McDaniel & Kaslow, 2015, para. 4).

McDaniel’s clarification acknowledges that psychologists may have useful knowledge regarding interrogation practices at a policy level. However, it fails to apply to the broad scope of psychological consultations; it could potentially be interpreted to mean...
that we have few meaningful nor positive direct contributions to make to criminal investigation or intelligence gathering, and/or that we cannot be expected to act ethically in such contexts. Yet, in recent years, the roles of psychologists as consultants in criminal investigations have been expanding in many ways (see Porter & Wrightsman, 2014). The first author, who is consulted on a regular basis by Canadian law enforcement and courts, hoped to take this opportunity to reflect upon the evolving roles and responsibilities of psychologists in criminal investigations. Canadian psychologists should acknowledge the ethical shortcomings demonstrated by the APA and reevaluate their own practices to ensure that they are not only providing the most suitable consultation, but also abiding to their obligations as acting psychologists. If consulting psychologists in Canada ensure that their work in any type of criminal or terrorism investigations is being applied appropriately, our field has much to offer in facilitating criminal investigations. Given these circumstances, it is an appropriate time to examine the practical and ethical issues confronting forensic psychologists who act as consultants in criminal investigations, and, accordingly, suggest the most effective and ethical practices and directions for future research. Specifically, we address the increasing application of psychology in three investigative activities in Canada: advising police on effective interrogation strategies, evaluating the reliability and credibility of suspect statements, and consulting with police on Emergency Response Teams in crisis (hostage-taking, barricade) situations. Little attention has been given to the unique practical and ethical issues arising within these psychological services.

**New Roles and Responsibilities for Psychologists in the Legal System**

Contributing some of the most important advances in both research and practice, Canada has long been a leader in the field of forensic psychology (see Bloom, Webster, Hucker, & De Freitas, 2005; Bousfield, Cook, & Roesch, 2014; Chong & Connolly, 2015; Dalby, 2014; Helmus, Babchishin, Camilleri, & Olver, 2011; Ogloff, 2004; Porter, 2004; Porter & Wrightsman, 2014). Much of the ground-breaking research in major areas of forensic psychology, including eyewitness memory, psychopathy, victimology, criminal behaviour, rehabilitation, and risk assessment has been, and continues to be, conducted in Canadian institutions. As the broader literature on such topics is comprehensive, practical and ethical guidelines for psychologists working or consulting in correctional (such as conducting risk assessments; e.g., Baker, Porter, ten Brinke, & Udala, 2015; Mills et al., 2010; Otto & Douglas, 2011) or courtroom (e.g., Cutler & Kovera, 2011; Faust, 2012) contexts are well established. However, far less attention has been directed to psychological consulting with the police, an increasingly common practice for forensic psychologists. Police hire psychologists as consultants in their criminal investigations for many purposes; for example, the first author has been consulted to plan suspect interviewing, to generate a psychological profile of a known suspect (or suspects), to evaluate the credibility of a complainant’s allegations or a suspect’s alibi/denial, and to assist in emergency response situations. Given the nature of our psychological expertise, these applications seem to make good sense, despite the APA’s decision to abuse their position by using specialized knowledge to act in an unethical and harmful manner. However, while striving to maintain an evidence-based, ethical approach, there are many situations and ethical questions regarding these expanding services that have not been adequately addressed in the existing literature.

**Psychologists Consulting on Interrogation Techniques to Elicit Accurate Accounts and Valid Confessions**

While the APA responded to its scandal by forbidding psychologists to be involved in security interrogations, it is apparent to us that psychology has much to contribute to police interrogations in terms of training and advising on the use of particular interrogation strategies tailored to specific suspects as well as evaluating the credibility of suspects’ statements (e.g., Kassin, 2014; Loftus, 2011; Vrij, Mann, & Leal, 2013; Mann et al., 2011). It should be noted that the psychologists who advised the CIA on coercive interrogation techniques not only were acting unethically but also incompetently from a strictly scientific perspective. If these psychologists had worked according to an intelligence-gathering or truth-seeking agenda, they would have advised the CIA against using physical or extreme psychological coercion; such techniques have been found to predominantly generate misinformation from individuals who are desperate to placate their tormentors (e.g., Costanzo, Gerrity, & Lykes, 2007; Kassin, 2005; O’Mara, 2015; Porter & ten Brinke, 2010).

**Trends and Implications of Problematic Interrogation Practices**

Psychological science has made clear that in planning and conducting their interrogations, police interviewers must be cognizant of and concerned about memory distortion, the potential for false confessions, and accurately detecting deception (Loftus, 2011). Yet, traditionally the police have been relatively unconcerned about the former two, and overly confident in their ability to detect lies (e.g., Carlucci, Compo, & Zimmerman, 2013; Kassin et al., 2007). In terms of memory distortion, consulting psychologists can advise police on the potential influence of questioning approaches on the reliability of both suspect and eyewitness accounts. Over the last few decades, it has become abundantly clear that memory is fundamentally malleable and reconstructive (e.g., Frenada, Nichols, & Loftus, 2011; Porter et al., 2014; Schacter, Guerin, & St. Jacques, 2011), which has tremendous implications in legal contexts (Schacter & Loftus, 2013). Loftus’ pivotal work in the 1970s revealed that after witnessing an event, people who are exposed to information in the form of leading questions frequently incorporate these (sometimes false) details into their memories. For example, witnesses to a car accident recalled the vehicle travelling at a faster speed when asked how fast it was going when it “smashed” versus “bumped” into another car (Loftus & Palmer, 1974). Hundreds of studies since have confirmed the ease of altering memory through the use of leading or probing questions (e.g., Frenada et al., 2011), and have attested that open-ended, uninterrupted, nonleading questions instead lead to more reliable accounts (e.g., Milne & Bull, 2003; Powell & Snow, 2007; Yi, Powell, & Guadagno, 2014).

Studies of real-life police interviews indicate that interviewers rarely use the most effective questioning practices (e.g., Clarke, Milne, & Bull, 2011; Fisher, Geiselman, & Raymond, 1987; Snook, 2015).
& Keating, 2011). In fact, an examination of Canadian police interrogation transcripts showed that fewer than 1% of the questions asked to suspects were open-ended, and 40% and 30% of police questions were yes/no and probing questions, respectively (Snook, Luther, Quinlan, & Milne, 2012). Further, when they were used, open-ended questions elicited longer and more informative suspects' responses relative to probing questions. A free narrative was requested of suspects in only 14% of the interviews and interviewers frequently interrupted such accounts. Consequently, police can benefit from the consultation of psychologists in terms of the type of questioning that will likely to lead to reliable, more complete versus inaccurate and stunted accounts of an event (e.g., Sharman & Powell, 2012; Wachi, Watanbe, Yokota, Otsuka, & Lamb, 2015).

The style of suspect interviewing traditionally favoured by Canadian police is an accusatory interview strategy (Meissner et al., 2014; Vrij, Granhag, & Porter, 2010), an approach that actually lowers the likelihood of obtaining a complete account or valid confession from a suspect. With this approach, interviewers confront suspects with direct accusations (e.g., “You're lying to me”). In contrast, with an information-gathering style, interviewers ask suspects to give detailed statements about their activities through open questions (e.g., “Tell me everything that you did on Monday between 6 and 8 p.m.”). Whereas accusatory interviews typically yield brief denials (e.g., “I’m not lying. I can’t help it if you don’t believe me”), information-gathering interviews typically elicit more information about an event through longer responses (Vrij, Mann, & Fisher, 2006; Vrij, Mann, Kristen, & Fisher, 2007). Despite sharing the difference between optimal and less effective interview practices with police, this training does not always lead to the desired improvements (Bull & Soukara, 2010; Soukara, Bull, Vrij, Turner, & Cherryman, 2007). As such, direct consulting with police in preparing and executing their interrogations has the potential to lead to better interview outcomes.

From our perspective, forensic psychologists have specialized knowledge with which to advise the police on the best approaches to obtain a valid confession while reducing the potential for a false one. To begin, psychologists should discourage the use of coercion and deception in interviews in an attempt to decrease the risk of false confessions. In the modern Canadian police interrogation, physical intimidation is rare but the same cannot be said for psychological coercion; an analysis of Canadian interrogations (King & Snook, 2009) indicated that 27% of the reviewed interrogations were classified as psychologically coercive (e.g., denying a suspect’s right to invoke his or her Charter rights). Additional psychological tactics intended to elicit confessions include psychological ploys, such as faked sympathy, raising anxiety levels, minimization and maximization, and outright lying (Hasel & Kassin, 2012; Horgan, Russano, Meissner, & Evans, 2012; Smith, Stinson, & Patry, 2009). Although other countries, such as England, do not permit police to lie to suspects, the Supreme Court of Canada (SCC) upholds that police deception is acceptable (R. v. Oickle, 2000). Specifically, the SCC has established that a confession should only be excluded if the deception used by police to evoke the confession would “shock the community,” such as a police officer pretending to be a priest to obtain a confession. However, the use of police deception in interrogating suspects has led to numerous miscarriages of justice (Kassin, 2008, 2012a; Scott-Hayward, 2007). In response to such cases, both the SCC and provincial courts more recently have sometimes disallowed confession evidence derived from extremely manipulative police interview approaches such as the Reid technique (see Inbau, Reid, Buckley, & Jayne, 2001; R v. Chapple, 2012) and outright deceptive undercover operations such as the “Mr. Big” technique. In particular, the Mr. Big technique leads a suspect to believe that an undercover cop is a “crime lord”; after completing a number of illegal tasks for Mr. Big, the crime lord gains the trust of the suspect and proposes that he or she confesses to committing a major crime (typically a homicide under investigation) in order to become an official member of his criminal gang (R v. Hart, 2012; see Poloz, 2015; Smith et al., 2009, 2010 for overviews of Mr. Big). Accumulating scientific evidence supports a shift in perspective on the legal acceptability of police interrogative tactics, including the Reid and Mr. Big Technique (e.g., Gudjonsson, 2011; Kassin, 2012b; Perillo & Kassin, 2011).

The Reality of False Confessions

The traditional assumption—and one still prevalent among the police—is that unless tortured or psychologically disturbed, no innocent suspect would say “I did it” if he or she were innocent. Yet, experimental work beginning in the 1990s (Kassin & Kiechel, 1996) and since replicated in several studies (Horselenberg et al., 2006; Horselenberg, Merckelbach, & Josephs, 2003; Redlich & Goodman, 2003; Russano, Meissner, Narchet, & Kassin, 2005) has demonstrated that participants can be led to falsely confess to transgressions in the laboratory. Recent research on real-life wrongful conviction cases indicates that false confessions contribute to about a quarter of such injustices, and up to 63% of wrongful convictions in homicide cases, specifically (“DNA exonerations nationwide,” 2015).

Why would someone falsely confess to a crime? While the reasons are varied (e.g., Kassin, 2012a, 2015; Perillo & Kassin, 2011), it is thought that the “coerced-compliant” type of confession is the most frequent; they occur when an innocent individual confesses in exchange for a promised incentive, or to escape mistreatment by law enforcement, all while knowing he or she is innocent nevertheless. Another variant called “coerced-internalized” confessions, in which an individual is led by law enforcement to believe that he or she is responsible for committing the crime that he or she is innocent of, is assumed to be the most rare, although experimental and anecdotal evidence substantiates that they can occur (Gudjonsson, Sigurdsson, Sigurdardottir, Steinthorsson, & Sigurdardottir, 2014; Kassin, 2015; Kassin & Kiechel, 1996). However, because such convicted individuals may maintain belief in their guilt, there is virtually no way to measure how frequently such confessions occur falsely (Porter & Baker, 2015). With this in mind, researchers recently examined the extent to which people could be led to falsely remember and confess to perpetrating serious crimes. It was shown that 70% of young adults with no criminal history could be led to falsely recall and confess to committing a theft, an assault with a weapon, or even extreme violence, that had led to their arrest (Shaw & Porter, 2015). Further, their reports had a remarkable level of detail and sensory components similar to reports of true memories from a comparison group. Such false memories for a crime can be explained by the use of multiple, recurrent suggestive questions posed by the inter-
viewer, which simulate the tactics frequently applied in real-world police interrogations. These strategies include: establishing rapport, accusatory and/or leading question types, deceptively presenting irrefutable evidence and postulating some genuine details, applying social pressure, offering feedback, and using problematic memory retrieval techniques. Such findings suggest that regrettably, most people could generate false memories for committing a crime under influence of the highly suggestive interviewing tactics commonly seen in North American police interrogations. However, given that false confessions are not being identified, one must conclude that police and jurors either disbelieve that they can occur (Blandón-Gitlin, Sperry, & Leo, 2011) or are unable to differentiate them from true confessions, the latter notion having received empirical support in studies on perceptions of adolescents (Honts, Kassin, & Craig, 2014) and adult confessors (Kassin, Meissner, & Norwick, 2005).

**Ethical Considerations**

When a psychologist advises police on the manner in which to maximize the integrity of the suspect’s report and minimise the risk of false confessions, he or she is on solid ethical ground. For example, interviewers need to rely on cues that are diagnostic of lying rather than stereotypical false beliefs about lying, such as the notion that liars will avoid eye contact with the interviewer in the eye and behave nervously (Baker et al., 2015; Mann et al., 2013; Vrij et al., 2010). An effective lie-detection strategy is to compare the established facts provided by a suspect with real, tangible case evidence. Such an approach often is successful in the context of an information-gathering interview, allowing the police to observe contradictions between a suspect’s account and factual evidence (Vrij et al., 2010). In contrast, an accusatory interrogation approach may elicit the same stress or fear response in both innocent and guilty suspects (leading to a misinterpretation of credibility) and will consequently affect nonverbal behaviour more so than the actual act of lying (Bond & Fahey, 1987; Ofshe & Leo, 1997). Accordingly, interviews using a accusatory approach often lead to an increase in confessions generally, and tend to produce a higher rate of false confessions in particular. In contrast, the information-gathering approach is associated with the elicitation of a similar rate of true confessions but fewer false confessions (Meissner, Redlich, Bhatt, & Brandon, 2012). The information-gathering approach also encourages suspects to speak more freely thus revealing more nonverbal (Vrij, 2006) and verbal (Vrij et al., 2007) cues to deceit, as the lengthier responses afford more opportunities to observe and record diagnostic nonverbal cues (e.g., DePaulo et al., 2003; Porter & ten Brinke, 2010). Psychological science has validated other strategic questioning tactics that may be used to differentiate liars from truth-tellers (see Vrij et al., 2010). First, interrogators can be encouraged to ask unexpected questions that a suspect could not have prepared or rehearsed prior to the interview. Second, the use of temporal questions (e.g., the time of day/weather) is useful in identifying liars due to the significant cognitive effort required by the suspect to keep specific details from contradicting previous statements. Other methods that may impose cognitive load onto the suspect, such as repeating a
story in reverse, can be applied in order to observe a suspect’s behavioural presentation and any disparities in the information provided (e.g., Blandón-Gitlin, Fenn, Masip, & Yoo, 2014).

In addition to advising police on specific techniques that may enhance the likelihood of a suspect revealing incriminating information, psychologists have specialized knowledge that allow them to directly evaluate cues of deception by viewing the video-recorded suspect interview. While it is clear that there is no Pinocchio’s nose (e.g., DePaulo et al., 2003), the emerging research on high-stakes lies indicates that a holistic approach with concurrent attention to multiple channels of a target’s behaviour and changes from baseline behaviour is optimal in detecting lies (e.g., Hartwig & Bond, 2014). A review of the literature on high-stakes deception indicated that the best-validated cues to consider in such an analysis include: fewer “illustrators” (hand and arm gestures used to complement verbal language), a higher speech pause rate, a slower speech rate, vague details, repeated details, a lack of contextual embedding, a lack of conversation descriptions, and emotional “leakage” in the face (Porter & ten Brinke, 2010). The most comprehensive study of high-stakes lies focused on family “pleaders” (individuals publically pleading for the return of a missing relative, some of whom have killed the relative), and indicated that failed attempts to simulate sadness and a leakage of happiness revealed deceptive pleaders’ covert emotions (ten Brinke & Porter, 2012; ten Brinke, Porter, & Baker, 2012). Further, liars used fewer words but more tentative words than truth-tellers, likely relating to increased cognitive load and psychological distancing (McQuaid, Woodworth, Hutton, Porter, & ten Brinke, 2015). This type of scientific knowledge can be communicated to the police in their investigations and/or can contribute to a psychologist’s opinion about the honesty of a suspect. However, more research on high-stakes deception is needed to better inform our understanding of deceptive behaviour by criminal suspects in police interrogations (Mann, Vrij, & Bull, 2002; Vrij & Mann, 2001). Ultimately, such work will provide a stronger foundation for the responsible application of deception research in law enforcement settings.

Psychologists on an Emergency Response Team (ERT)

Largely as a result of negative high-profile incidents involving the police and suspects (such as the death of Robert Dziekański in the Vancouver airport; see “Robert Dziekanski Taser death,” 2013), police in Canada are increasingly relying on psychologists as consultants in hostage-taking, barricade, or other emergency response (ER) situations. In the Okanagan Valley of British Columbia, for example, the Royal Canadian Mounted Police Emergency Response Team (ERT) has a policy by which they must attempt to involve a psychologist—by phone or in person—in any such ER incident to which they respond. Along with a colleague, Dr. Michael Woodworth, the first author has been involved in training activities with the ERT and consulted in a number of actual ER situations. ERTs typically define “success” as a situation resolution in which there is no loss of life to any of those involved, including hostages, hostage taker, and/or police. The most common roles for a psychologist in an ER situation are to provide ongoing advice on negotiation techniques, assessment or profiling of the subject(s), debriefing, and counselling law enforcement officers after the incident (Call, 2008). Perhaps most importantly, psychologists can provide valuable psychological information about the subject(s) when his or her behaviour is motivated by mental illness, extreme emotional states, and/or substance abuse (Fagan & Ax, 2003, 2010; Feldmann, 2004), and give opinions on the subject’s risk for violence against hostages, the police, or him/herself.

While psychologists play a crucial role in ER situations, there are both practical and ethical issues in this area that remain unresolved. A practical issue pertains to the validity of psychological consulting itself in this context; understandably, given the volatile and dangerous nature of ER situations, there have been no experimental studies or “clinical trials” of various strategies that psychologists can suggest to negotiators. Although role-playing studies (e.g., Van Hasselt et al., 2006) indicate that negotiating with subjects can be enhanced via the use of certain tactics, each actual ER situation has a constellation of unique components and dynamics unforeseen in role-play scenarios. Additionally, it is unclear whether correlational data comparing successful and unsuccessful ER situations would reveal the best evidence-based psychological practices. Further, in ER situations the first author has been asked to provide the police with an estimate of the subject’s immediate risk for violence under a number of potential scenarios. For example, in one case he was informed that the hostage taker was a “diagnosed psychopath” who was high on cocaine and armed with a weapon. While one could confidently say that the individual was a very high risk compared to a sober, unarmed nonpsychopathic individual, we must concede that there has been no research on the immediate risk that such an individual poses, nor on psychologists’ ability to accurately forecast violence in such short-term volatile situations. But such assessments must be made and we rationalize that psychologists are better suited than police to make these calls, despite the salient uncertainties. A possible line of research that would shed light on this issue would involve asking forensic psychologists to predict behavioural outcomes after viewing actual filmed ER situation and receiving the relevant information he or she would have access to as the consultant.

As a psychological consultant in volatile life-or-death ER situations, maintaining ethical practice with considering the safety of all involved can be a delicate balancing act (Gelies & Palarea, 2011). It is crucial that the psychologist identifies and maintains his or her role as an advisor (vs. active negotiator), resist external influences (such as pressures from law enforcement officers) and stay as objective as possible, maintaining an appropriate emotional distance from all involved. One of the most common requests that psychologists receive from law enforcement in these situations is to identify particular psychological vulnerabilities that may persuade the subject to surrender peacefully. Yet, in such a precarious, time-sensitive circumstance there is no opportunity for a direct or carefully deliberated psychological assessment of the subject to form an impression of his or her personality, mental state and intentions. In order to conduct our rapid-fire “assessments,” psychologists typically are provided with second-hand information about the subject from family members or friends, medical records, mental health professionals, or health and correctional agencies. While our recommendations to police rely on the integrity of the secondary information provided, it may not always be reliable and the slightest miscommunication could result in an inaccurate assessment. As such, it should be emphasized—both in training.
contexts and on the scene—that advice given from the consulting psychologist is always to be considered tentative, and must be actively revised as further behavioural information emerges.

The extremely volatile and uncertain nature of consulting in ER contexts brings up another salient but unresolved issue for the psychologist: liability. When the first author initially was asked by the police to act as a consultant to the ERT, he was informed of some recent cases in which fatalities (involving the subject and/or hostages) had occurred during negotiations. While keeping in mind that more than 80% of ER situations are resolved peacefully (Flood, 2003), one must ponder the liability issues; should a negotiation situation take an unfortunate turn, could the psychologist be subjected to a lawsuit if he or she had been actively advising the negotiator prior to a violent incident? The first author soon discovered in discussions with the police, colleagues, and his insurance company that the answer is unclear. The insurance company responded that “The malpractice policy covers any services that fall within the scope of a psychologist as defined by the College.” (email correspondence, August 4, 2014). While consulting in ER situations seems to meet the general criteria outlined for the practice of psychology, it would be useful if the College explicitly addressed this specific type of service or activity so that psychologists can have confidence of coverage if or when a negotiation is unsuccessful.

Future Directions: Considerations for Forensic Psychologists Acting as Consultants in Police Investigations

Thankfully, following influential court cases (see R v. Chapple, 2012, and R v. Hart, 2012), and with consultation and training by psychologists such as Brent Snook in Newfoundland (e.g., Snook & Keating, 2011), both the Royal Canadian Mounted Police and regional police forces (Royal Newfoundland Constabulary, Vancouver Police Department) in Canada have started to transition from the Reid approach to a nondeceptive, information-gathering model of police interrogation known as PEACE (i.e., preparation and planning, engage and explain, account, closure, and evaluation; Quan, 2015). The PEACE model emerged, in part, due to several high profile cases in the United Kingdom in which coercive interrogation tactics were a major contributing factor leading to wrongful convictions (Milne, Shaw, & Bull, 2007; Snook, Eastwood, & Barron, 2014). Clarke and Milne (2001) determined that implementing the model resulted in numerous positive outcomes, including an improved ethical approach, self-assurance and communication from interviewers, and a decrease in undesirable outcomes, such as interrupting and asking the suspect misleading questions. Overall, such changes suggest that the field of forensic psychology is transitioning away, albeit slowly, from controversial practices and toward a more ethical approach to interrogations. Overseeing bodies in the discipline are also taking steps toward ethical applied practice. For example, in addition to amendments clarifying the formal language used in the code of ethics, the APA recently accepted nominations for new Commissions on Ethics Processes; this 12-person commission, devised of both APA-affiliated and non-APA-affiliated psychologists as well as professionals from associated disciplines, will “evaluate and recommend changes to APA’s ethics processes” (American Psychological Association, 2015a, para. 2). The diversity of this committee is significant in safeguarding ethical integrity of the association and its practices. This group will commence in January 2016, jump-starting what we anticipate will be a favourable future for psychologists in consulting roles.

The involvement of the APA in sanctioning and enabling grossly inappropriate interrogation practices with detainees was hypocritical and an egregious ethical violation. Further, its subsequent decision to disallow psychologists from contributing to interrogations involving security-related circumstances was, perhaps, misinformed. As we have reviewed, psychological science has much to contribute to investigations, particularly those carried out by police, in the areas of planning and performing interviews, assessing suspect credibility, and in resolving ER situations. However, the application of psychological science in such investigative settings is rapidly evolving, and requires more empirical attention, ethical analysis, and specific training for forensic psychologists. With an evidence-based and ethical agenda, we hope that moving forward the field of forensic psychology will continue to influence law, policy, and interrogation practices in Canadian police investigations.

Résumé

Pendant des décennies, les psychologues médico-légaux ont consacré beaucoup d’efforts dans l’application de leurs recherches et de la théorie pour améliorer le système de justice pénale. Toutefois, le rôle des psychologues s’est récemment élargi vers une participation plus directe que les conseillers en matière d’enquêtes criminelles. Le récent scandale de collusion de l’American Psychological Association concernant les techniques interrogatoires à base de torture suggèrent qu’il s’agit du moment optimal pour réfléchir à ces activités de consultation en expansion. Ici, nous explorons les questions éthiques et pratiques auxquelles sont confrontés les psychologues médico-légaux agissant à titre de conseillers en matière d’enquêtes criminelles, et fournissons des recommandations sur les meilleures pratiques dans ce contexte. Plus précisément, nous nous concentrerons sur l’application croissante de la psychologie dans trois contextes d’enquête : la fourniture de conseils aux services de police sur les stratégies d’interrogatoire ou d’investigation, l’évaluation de la crédibilité des déclarations de suspects et la consultation avec les équipes d’intervention d’urgence dans la prise d’otages ou de barricades. L’application des sciences psychologiques dans des contextes d’application de la loi évolue rapidement, signifiant qu’elle nécessite une attention davantage empirique, une analyse éthique et une formation spécifique pour veiller à ce que les psychologues agissent dans le meilleur intérêt de toutes les personnes concernées.

Mots-clés : psychologie judiciaire, l’éthique, la consultation, la pratique efficace, système de justice pénale.

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