



UNIVERSITY OF
BATH

What to do when...

Conducting an investigative interview with an autistic person



Who this guide is for

This guidance is for police and other investigative interviewers who want to improve the way they interview people with autism and find out what adjustments can be made during the interview to make it more successful. It will provide you with some techniques that will help you to improve the interview process and elicit better quality evidence.

It's important to remember that all autistic people are different. No two autistic people are the same and adaptations should be tailored to the individual.

This guidance has been prepared by **Dr Katie Maras** from the **Centre for Applied Autism Research** and is based on over 10 years of research supporting autistic adults in interviews.

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Interviewing about an event or incident

Autistic people can find it challenging to recall relevant information about an event or incident. However, they are often able to recall as much information and as accurately as those without autism if you adjust the way you ask questions to help them give you the information you need.

For example, if you are interviewing an autistic person for an eye witness account, adjust your questions so that they understand exactly what information you require.

Things you can do to help

- Avoid very open, unfocussed questions, such as, 'tell me everything that happened'
- Use questions that have specific parameters, for example 'tell me what happened yesterday in the park between 2pm and 3pm'

- Specify the type of information you need. For example, that they should describe 'who', 'what', 'when', 'where' and 'how' the events occurred. This encourages the interviewee to be specific but without constraining their answers (as would happen, for example, with a question that only requires a yes/no response)
- Allow the interviewee extra time to process questions

Creating topic cards or a pie-diagram relating to elements of the event can also help prompt answers in a non-leading way, for example:

When:

Tell me when this happened

Who:

Tell me about the people that were there

Actions:

Tell me about what happened, and who did what

Setting:

Tell me about the place where it happened

Objects:

Tell me about what was there and what it looked like

The Witness Aimed First Account (WAFA) interview technique

You can use the Witness Aimed First Account (WAFA) interview technique to help an autistic person to give you relevant information about an event by breaking it down into parts, to help them focus their recall into smaller chunks of information at a time.

This is an example of how this could be done in an eyewitness interview:

- Explain to the interviewee that you will be asking them to separate out the main parts of the event, and that you'll then ask them to go into detail on each one. Most interviewees, but especially those who are autistic, do better when they know what will happen from the outset
- Ask them to tell you in a few words what the most important thing that happened during the event was. Write this down and clearly display it somewhere you can both see (for example, on a post-it note), and explain you'll return to it later to talk about it more
- Next, ask them to tell you about something else that happened, then write it down and put it next to the first note. Carry on doing this until they have told you each part that makes up the event
- Once you've got all of the main parts of the event, go to each one and ask the interviewee to tell you everything that happened in as much detail as they can. For example, ask 'You said that the passenger's bag was stolen. Please tell me everything you remember about that, in as much detail as you can'
- Once the interviewee has given their account, you can then follow up on specific details by asking 'tell/explain/describe' questions, for example, 'tell me more about that' or 'describe the man who took the bag'. Try to use the same terminology that the interviewee uses (for example, 'the mugger', if that is the word that they used to describe the thief)




Understand your objectives for the interview

Before the interview, it is also important to think about whether you want to obtain the most detailed account possible, the most accurate one, or a balance between the two. Research shows that when recalling a past event, most people - including autistic people - tend to prioritise giving information in detail, often at the expense of accuracy.

Both autistic and non-autistic people can switch to recalling details more accurately if they are specifically asked to. Decide which of the following is the most important from an investigative perspective, so that you can tell the interviewee at the beginning of the interview whether to:

- Be as detailed as possible, recalling as much fine detail as they can, even if they only have a weak or partial memory for it
- Be as accurate as possible, only recalling details if they are certain they are correct recall as much detail as they can, but only if they are confident that it is correct



'It was hard to keep [the witness] on topic. They had lots of information to give, not necessarily in a logical order. They also got very upset because the victim was a very close friend. I had to really think about how my questions were phrased. Had I known about their autism before the ABE interview, I would have definitely got advice / used an intermediary.'

- POLICE CONSTABLE

Planning and preparing for the interview

You will need to adapt what you do in order to accommodate for differences in memory and communication, and to minimise stress and anxiety. Stress impairs most people's ability to concentrate and recall information - better evidence will always be obtained if the interviewee feels at ease.

As autism is characterised by difficulties in social communication, a police interview is an inherently stressful situation for a person on the autism spectrum. A common misconception about autism is that if a person is unaware of social rules then they don't care about how they come across - in fact, autistic people are often very aware of their difficulties with social interaction, which can cause them a great deal of anxiety. You can help to reduce this anxiety by planning the interview with the individual's needs in mind as much as possible.

Intermediaries and Appropriate Adults (AAs)

Autistic individuals should be treated as vulnerable regardless of their level of intellectual functioning. This is because even autistic individuals with very high IQ have difficulty with social interaction, communication, and sensory issues.

Treatment as a vulnerable person therefore includes the provision of an intermediary (for Achieving Best Evidence interviews with vulnerable witnesses and victims, and in some cases suspects) or appropriate adults (AAs; for vulnerable suspects), who should be appointed at the earliest stage possible in order that they can provide professional support where appropriate in the planning, preparation, and undertaking of the interview where appropriate. Professionals can be invaluable sources of information and support.

Early identification of needs - planning checklist

Achieving Best Evidence guidance

You should read the Achieving Best Evidence (ABE) in Criminal Proceedings (2011) guidance for advice for interviewing vulnerable witnesses. New ABE guidance is due out soon and is likely to include more information about autism and interview plans.

Autistic people represent the group of vulnerable witnesses defined under S16 of the Youth Justice & Criminal Evidence Act 1999, and as such are entitled to a video interview and registered intermediary.

Organise an appropriate support person

Autistic individuals should be treated as vulnerable and be allocated an intermediary or AA as appropriate, who can also assist in planning the interview. Intermediaries can have long waiting times, so it is important to organise this early in the process.

Sensory sensitivities

Does the person have particular sensory sensitivities and how can the environment be adapted to minimise these? Many autistic people are hyper-sensitive, meaning that can find sensory information such as lighting or noises almost painful and have difficulty screening them out. This is often worsened under new or anxiety-provoking situations - such as a police interview. At best it will impact on their ability to concentrate - at worst it will lead to sensory overload and meltdown.

Identify any potential sensory issues before the interview. This could include:

- Flickering/strip lighting
- Noises from outside the room
- Echoes
- A ticking clock
- Buzzing from lighting
- Fire alarm testing scheduled

Consider whether the layout of the room needs adapting. For example, the person might prefer to be able to see the door, or they may want to sit far away from the interviewer.

'Standard police setting was very distressing and shut down communication.'

- DETECTIVE CONSTABLE

Alternative location

Would an alternative location be more appropriate? Modifications to the interview room may not be enough – there may still be noise, for example, or the person may simply be too distressed anywhere other than a familiar environment such as their own home.

'I know my environment and am not having to contend with sensory distress, which would prevent good communication'

- AUTISTIC ADULT

Stressors

Find out what makes the person particularly distracted, anxious, or stressed, and how this can be minimised. Is it not having a particular thing happen at the same time each day, or not having access to a particular object? Novel events can be particularly stressful for an autistic person, and they may need extra support and adjustments to minimise their anxiety.

Inform them of the process

Inform the interviewee of what's going to happen and what is expected of them ahead of time. Most people – but especially autistic people – like to know what is going to happen and what it will be like. Ideally this should be in a letter (with a visual timetable and pictures if appropriate) as well as being provided verbally. Stick to this plan as much as possible.

'Setting expectations again... keeping them informed... allowing them to help with the decisions by giving them appropriate options which fit into the legislation.'

- DETECTIVE CONSTABLE

Pre-interview visit

Organise a pre-interview visit to the place where they will be interviewed, if possible. This will help to put their mind at ease and prepare for the interview so they are more relaxed on the day.



'It was very stressful for me to go into a new formal environment that I wasn't able to see beforehand for a formal procedure.'

- AUTISTIC ADULT

Plan your questions and techniques

Plan how you will ask your questions and what techniques you will use. A person's ability to express themselves and their level of understanding are central to obtaining an account but expressive and receptive language abilities can be mismatched in autism – a person may appear to be very articulate, but that doesn't mean they understand all of what is said back to them. So, they may need extra time to process questions, and to formulate and communicate their response.

It is important to gauge their level of language before conducting the interview, to plan how you can adapt your language and questions. For example, you may need to break questions down a lot more than you usually would and avoid questions that are posed as statements. Shorter, direct questions are best, and you should avoid using irony, sarcasm, and metaphors.

Other methods to assist in recall such as sketching should also be considered.

'I think it might be a good idea prior to the interviews that the person with autism should be given practise questions to help them prepare for the interviews.'

- AUTISTIC ADULT

Intellectual level

What is their level of intellectual functioning? Do they have a good grasp of concepts such as dates, times, size for example? What is their attention span like? This is also important for the wording of questions and the planning of breaks.

'Very careful preparation was required for the interview structure and in the phrasing of questions to not upset or confuse the victim.'

- DETECTIVE CONSTABLE

Plan breaks

Talk to the individual and those who know them about their attention span, how frequently they will need a break, and for how long. Make a plan for breaks and stick to it wherever possible.

'The police were very accommodating. We had breaks and they said that I could have a break if I wanted to. We didn't do the whole interview in one go.'

- AUTISTIC ADULT



Minimise interruptions

Plan to minimise interruptions and avoid 'waiting room' time. Schedule the interview during a quiet period where possible, and at a time when interruptions are unlikely. Being left waiting can be extremely anxiety-provoking for an autistic person. If avoiding a wait time is difficult, be sure to communicate that they may need to wait and keep them updated as much as is possible.

Involve the individual

Remember to involve the individual, their family, friends, carers, and professionals where you can to gather this information.

Autism is highly variable – no two individuals are the same and each person will have very different needs (and strengths). The best expert on a person's needs is the individual themselves, and their family members, friends, and carers, as well as professionals such as an intermediary. Consult them at the earliest point for advice on adaptations that you can make to elicit best evidence from them.

Further guidance

The National Autistic Society:
Guide for police officers and staff

tinyurl.com/fjary9r

Ministry of Justice: Achieving Best Evidence
in Criminal Proceedings

tinyurl.com/v8bum8hr



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