

Understanding Empathy & Evocation in investigative interviews

Presenters:

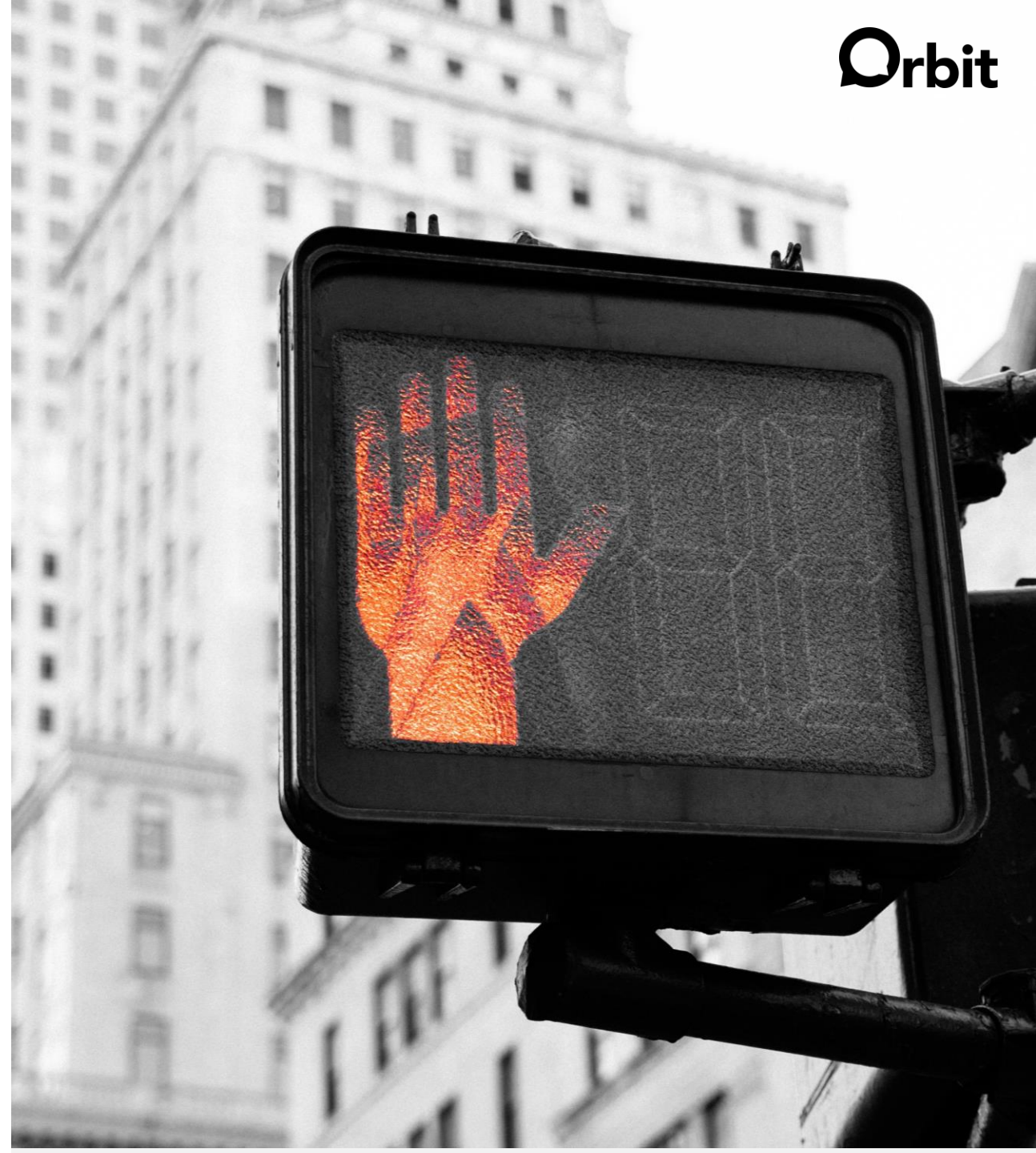
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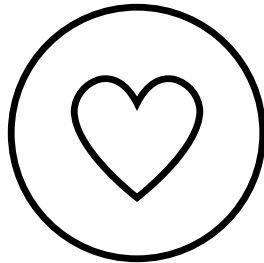


Empathy is NOT:

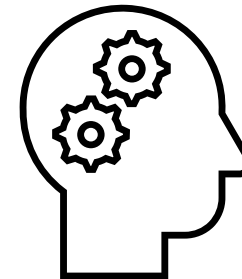
- ⚠️ Trying to make it about yourself
- ⚠️ Searching for common ground or saying “that happened to me too”
- ⚠️ Needing to feel the same emotion as the other person
- ⚠️ Sympathy or pity
- ⚠️ Agreeing with everything being said
- ⚠️ Just saying “I understand”...
- ⚠️ A technique or “trick” to gain compliance



Cognitive vs Affective Empathy



Affective empathy - an automatic emotional/physiological response where an individual vicariously experiences what another is feeling.



Cognitive empathy - the ability to understand another person's thoughts, perspective, or emotional state without necessarily sharing or feeling the emotion yourself (**objective curiosity**)

(Cognitive) Empathic Development

Extent to which the interviewer seeks to understand the interviewee's perspective and / or shows genuine regard for them as a human being

- **Stage one:**

Knowing yourself - why you do things

- **Stage two:**

Putting yourself in someone's shoes - what would I do in their situation?

- **Stage three:**

Putting yourself in someone's head - what would THEY do in their situation?



Evocation:

Actively seek out suspect's thoughts / feelings / core values

Do not only focus on facts
without any interest in
state of mind

Do not present views of
victim / agency / your own
opinion

Differentiating from theme building/minimization:

Cognitive empathy:

- Seeks to understand the interviewee's perspective and emotional experience
- Demonstrates understanding without judgment or agreement
- Keeps the focus on the interviewee's account

Based on what INTERVIEWEE puts in the room...

Theme building:

- Interviewer introduces explanations, excuses, or narratives
- Risks influencing or shaping the account
- Can reduce evidential reliability
- May communicate implied justification

Minimisation:

- Interviewer downplays seriousness, responsibility, or harm
- Can unintentionally reinforce or excuse behaviour
- Risks contaminating the interview process

Based on what INTERVIEWER puts in the room...

How to use empathy effectively:

Acknowledge their headspace:

Where is the interviewee's emotional state of mind?

What are they likely to be thinking/ feeling about their situation?

- Reflect words they have used or clear emotions they are displaying.
- Aim for 3 genuine empathic statements.
- Think as THEM, not 'if this happened to me, how would I feel'. (3rd stage empathy)

