2.8 Improving Eyewitness Testimony: The Cognitive Interview

AQA 7182 · about 60 minutes · Write-in edition

Total Marks

Name: _____ Date: ____ / ____ / _____

Answer ALL questions.

1 State one practical step police forces can take to reduce the risk that increased incorrect details from the CI will lead to wrongful conclusions, giving one short reason.

(Total for Question 1 is 2 marks)

2 Describe the 'reinstate the context' technique from the cognitive interview and explain how it helps an eyewitness recall events of a car crash scene.

(Total for Question 2 is 2 marks)

3 Describe the 'recall from a changed perspective' technique in Fisher and Geiselman's cognitive interview and state how it could be used to obtain different details after a witness saw a fight in a park.

(Total for Question 3 is 2 marks)

4 Describe the 'recall in reverse order' technique from the original cognitive interview and explain why recalling a sequence of events backwards might improve accuracy for a witness to a burglary.

(Total for Question 4 is 2 marks)

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5 A witness, Erin, saw a late-night shopfront window broken in a busy street. She reports feeling shaken and focuses mainly on the sound of glass when first questioned. Which single cognitive interview technique would you choose to help Erin expand her recall of visual details, and justify your choice referring to how the technique operates?

(Total for Question 5 is 6 marks)

6 Police forces report that the enhanced cognitive interview puts more emphasis on the interaction between interviewer and witness than the original CI. Outline one time or resource-related disadvantage of using the enhanced cognitive interview compared with a standard police interview, and explain why this matters in a practical police setting.

(Total for Question 6 is 6 marks)

7 Outline two ways the enhanced cognitive interview attempts to reduce witness anxiety and interviewer distraction, and explain briefly why each would help improve recall.

(Total for Question 7 is 4 marks)

8 Evaluate the cognitive interview as a way of improving the accuracy of eyewitness testimony. In your answer, refer to Fisher and Geiselman (1992), the enhanced cognitive interview, and empirical evidence where relevant.

(Total for Question 8 is 16 marks)

9 Kohnken et al.'s meta-analysis found that the cognitive interview increases the amount of correct information recalled but also leads to an increase in incorrect details. Outline the key finding and explain one implication of this result for legal use of cognitive-interview-derived statements.

(Total for Question 9 is 6 marks)

Mark scheme · 2.8 Improving Eyewitness Testimony: The Cognitive Interview

Question 1

states a practical step, e.g. corroborate CI details with independent evidence, or audio/video record interviews, or flag uncorroborated details in reports oe **B1**

gives a reason, e.g. corroboration prevents reliance on potentially incorrect CI details, or recordings allow later review and protection against suggestion oe **B1**

Answer: Example answer: Corroborate CI-derived details with independent evidence, because this prevents investigators or courts relying on details that may be incorrect.

Question 2

states that witnesses are asked to mentally recreate the physical and emotional context of the original event oe **B1**

explains that reinstating context provides environmental and internal cues that aid retrieval of stored memories oe **B1**

Answer: Witnesses are asked to mentally recreate the scene and their feelings at the time, because restoring environmental and internal cues helps retrieval and improves recall of event details.

Question 3

states that witnesses are asked to recall the event from another person's viewpoint or to imagine a different vantage point oe **B1**

explains that changing perspective can trigger different cues and reduce reliance on schema-driven reconstructions oe **B1**

Answer: Witnesses are asked to describe the incident from another person's viewpoint or a different position, which can activate alternative cues and reveal details not retrieved when using a single perspective.

Question 4

states that witnesses are asked to recall events in a different temporal order, such as backwards oe **B1**

explains that reversing order disrupts normal narrative reconstruction, reducing the insertion of expected details and revealing additional memories oe **B1**

Answer: Witnesses are asked to recount events in reverse order, which disrupts usual narrative reconstruction and can reduce expectation-driven errors while revealing details omitted in forward recall.

Question 5

selects an appropriate CI technique, e.g. reinstating the context, or report everything, or changing perspective cao **M1**

explains how the chosen technique operates in general terms, e.g. reinstating context prompts environmental and internal cues; report everything prompts even trivial visual details oe **M1**

applies the technique specifically to Erin's case, e.g. reinstating the late-night scene, lighting, smell, her emotional state to cue visual memories of the attacker or clothing oe **A1**

explains why this is likely to increase visual detail compared with her current focus on sound, linking to cue-dependent retrieval oe **A1**

offers a brief acknowledgement of a limitation, e.g. risk of increased incorrect details or need for careful interviewer control oe **B1**

justifies the choice overall, weighing benefit of increased correct detail against the limitation and concluding the chosen technique is most suitable oe **A1**

Answer: Example answer: Reinstating the context would be chosen. The interviewer would encourage Erin to mentally recreate the late-night street, the lighting, smells, and her emotional state, because restoring environmental and internal cues can trigger visual memories that are not accessed when she focuses on sound alone. Applied to Erin, this could prompt recall of clothing, the attacker's height or direction of movement. This is likely to increase correct visual details, though it should be done carefully because context reinstatement can also increase incorrect details if leading prompts are used.

Question 6

identifies a relevant disadvantage, e.g. enhanced CI takes more time to conduct or requires specialist training for interviewers oe	**M1**
explains why the identified factor is a disadvantage, e.g. longer interviews reduce the number that can be conducted per shift or training budgets are limited oe	**A1**
links the disadvantage to practical consequences, e.g. delayed investigative leads, backlog of cases, or inconsistent application across forces oe	**M1**
explains the consequence in context, e.g. delayed memory-sensitive enquiries may reduce evidence quality or create public-safety risks oe	**A1**
provides a brief example or further elaboration, e.g. small local forces may lack funds or staff to implement enhanced CI fully oe	**B1**
concludes why the disadvantage matters overall, weighing the trade-off between improved recall and resource constraints oe	**A1**

Answer: Example answer: Enhanced CI requires longer, more careful interviews and trained interviewers. This is a disadvantage because it reduces how many interviews a police team can carry out and requires training budgets and time that some forces lack. Practically this can delay investigations and reduce the chance of obtaining timely evidence, so although enhanced CI may increase recall, resource constraints may limit its routine use and value in busy or underfunded forces.

Question 7

identifies one interpersonal technique, e.g. establishing rapport and using open, non-leading questions oe	**M1**
explains how this reduces anxiety and helps recall, e.g. a calm rapport lowers stress so memory retrieval is less impaired and witness feels safer to report details oe	**A1**
identifies a second interpersonal technique, e.g. minimising interruptions and allowing the witness to speak without distraction oe	**M1**
explains how this helps recall, e.g. uninterrupted free recall preserves the witness's retrieval cues and prevents loss of focus, increasing correct detail reported oe	**A1**

Answer: Example answer: Enhanced CI builds rapport with the witness and uses open, non-leading questioning to reduce anxiety, which can improve access to memory. It also minimises interruptions and interviewer distraction so the witness can maintain retrieval cues and speak freely, reducing loss of detail. Both approaches make retrieval conditions more supportive and so can increase correct recall.

Question 8

Level 4 Knowledge of the cognitive interview and enhanced CI is accurate and well detailed. Evaluation is thorough and shows a wide range of developed points, including methodological critique, practical implications, and consideration of supporting and challenging evidence. Material is used interactively to reach a balanced judgement about CI's value for improving eyewitness accuracy. Specialist terminology is used appropriately and answer is clearly organised.	**13-16**
Level 3 Knowledge of the cognitive interview and enhanced CI is clear with some development. Evaluation is present and generally effective, covering strengths and limitations, and uses some empirical evidence. The answer makes a balanced judgement but may lack depth in places. The response is mostly coherent and uses some specialist terms appropriately.	**9-12**
Level 2 Knowledge is present but limited in depth or detail. Evaluation is superficial or one-sided, with limited use of empirical evidence. Application to practical contexts may be brief. The answer shows some organisation but may be partially descriptive.	**5-8**
Level 1 Knowledge is minimal or inaccurate. Evaluation is weak or absent, and there is little or no use of evidence. Answer lacks structure and specialist terminology is missing or used inappropriately.	**1-4**
Level 0 No creditable content.	**0**

Indicative content:

- AO1: Fisher and Geiselman (1992) components of the original cognitive interview: report everything, reinstate the context, recall from a changed perspective, recall in reverse order.
- AO1: The enhanced cognitive interview adds focus on social aspects such as establishing rapport, reducing witness anxiety, minimising interruptions and interviewer distraction, and adapting questioning style to the witness.
- AO1: Mechanisms underlying CI: mental reinstatement and cue-dependent retrieval, disruption of schema-driven reconstruction, multiple retrieval routes.
- AO3: Empirical support: Kohnken et al. meta-analysis showing CI increases correct detail but also increases incorrect detail, so CI raises quantity and also error risk; Milne and Bull showing report everything and context reinstatement are particularly effective and work well in combination.
- AO3: Methodological critiques: many supporting studies are laboratory-based with student samples and staged events, limiting ecological validity; field studies show more mixed results and variation by interviewer skill and witness stress.
- AO3: Practical issues: enhanced CI requires interviewer training and more time, creating resource constraints and possible inconsistent application across forces; recording and corroboration are required to manage increased incorrect details.
- AO3: Ethical and legal considerations: need to avoid leading questions during CI, and to ensure witnesses are not pressured; courts must be informed about the nature of CI-derived evidence and the risk of increased incorrect details.
- AO3: Balanced judgement: CI is a valuable tool that can produce more useful leads and increase correct recall when used properly, but it is not a panacea; its benefits must be balanced against training, time, ecological validity concerns and the legal requirement to corroborate CI-derived details.

Question 9

outlines the key finding: CI yields more correct detail than standard interviews but also more incorrect detail overall, as reported in Kohnken et al.'s meta-analysis oe	**M1**
quantifies or clarifies that gains in correct detail were statistically significant while incorrect details also rose, reducing net precision oe	**A1**
identifies a relevant legal implication, e.g. need for caution when relying on quantity of details as an indicator of accuracy oe	**M1**
explains the implication, e.g. more careful corroboration is required, such as seeking independent evidence for key points, or giving jury guidance about possible increased false details oe	**A1**
offers a further practical consequence, e.g. police may need to record CI interviews fully and highlight which details are corroborated, or defence may challenge CI-derived evidence in court oe	**B1**
concludes how the implication affects the balance between increased information and legal reliability, e.g. CI is valuable but requires safeguards to prevent miscarriages of justice oe	**A1**

Answer: Example answer: Kohnken et al. reported that CI elicits significantly more correct details than standard interviews, but it also increases the number of incorrect details. This implies that while CI can provide useful additional leads, legal professionals must be cautious: the quantity of detail alone is not proof of accuracy and key CI-derived details should be corroborated before being used as firm evidence. Courts and police should therefore record CI interviews and apply safeguards so that the risk of false incriminating detail is minimised.