



# BEHAVIOURALLY INFORMED INTERVIEWING

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ECBA  
Spring Conference  
Barcelona  
25 April 2026



## **Increasing involvement criminal networks**

EPPO Annual Report 2025

## **2% of criminal assets are recovered**

EFECC, 2020

## **Highest acquittal rate**

Sognnæs Andresen and Button, 2019

## **Certainty of punishment between 25 to 40% required**

Van Rooij & Fine, 2021



# Principles on Effective Interviewing for Investigations and Information Gathering

May 2021



Department of Peace Operations  
Office of the High Commissioner for Human Rights  
Office on Drugs and Crime

## Manual on Investigative Interviewing for Criminal Investigation



With the support of



association pour la prévention de la torture  
asociación para la prevención de la tortura  
association for the prevention of torture



UiO Norwegian Centre for Human Rights  
University of Oslo



SMART

ELOQUENT



THE WHITE-  
COLLAR

PERSUASIVE

DOMINANT

# THE INVESTIGATION

## Author

The question is often not who is the author but of a criminal offence has occurred

Reeves-Latour, 2017

## Mens rea

The notion of intention applies to all those criminal offences

recital 11 PIF directive

## Complexity

Smart business practice or fraud?

## Evidence

Considerable amount of reliable evidence available at the start of the interview

Hoekstra & Verhoeven, 2021



# THE INTERVIEW

Avoidance



Argumentation



Negotiaton



Assistance specialised and **qualified lawyers**

Hoekstra, 2017

engage in **strategic games of influencing and persuasion** to confirm or infirm the evidence gathered

Vanderhallen et al., 2014

fraud and corruption interviews, characterized by the presentation and discussion over documents and processes of influencing, persuasion and **negotiation** in a setting of contradictory interests.

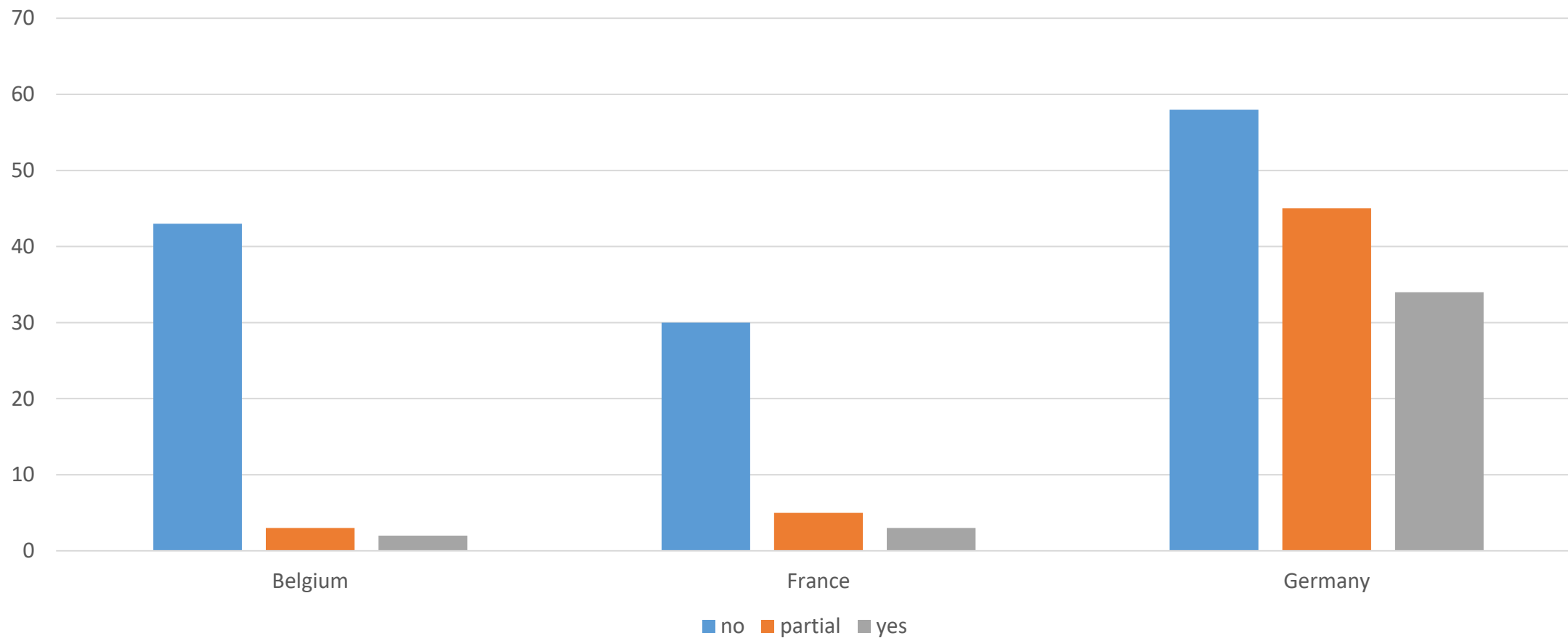
Verhoeven & Duinhof, 2017; Oostinga, 2018

Negotiation crystallizes in **agreement on interview record**

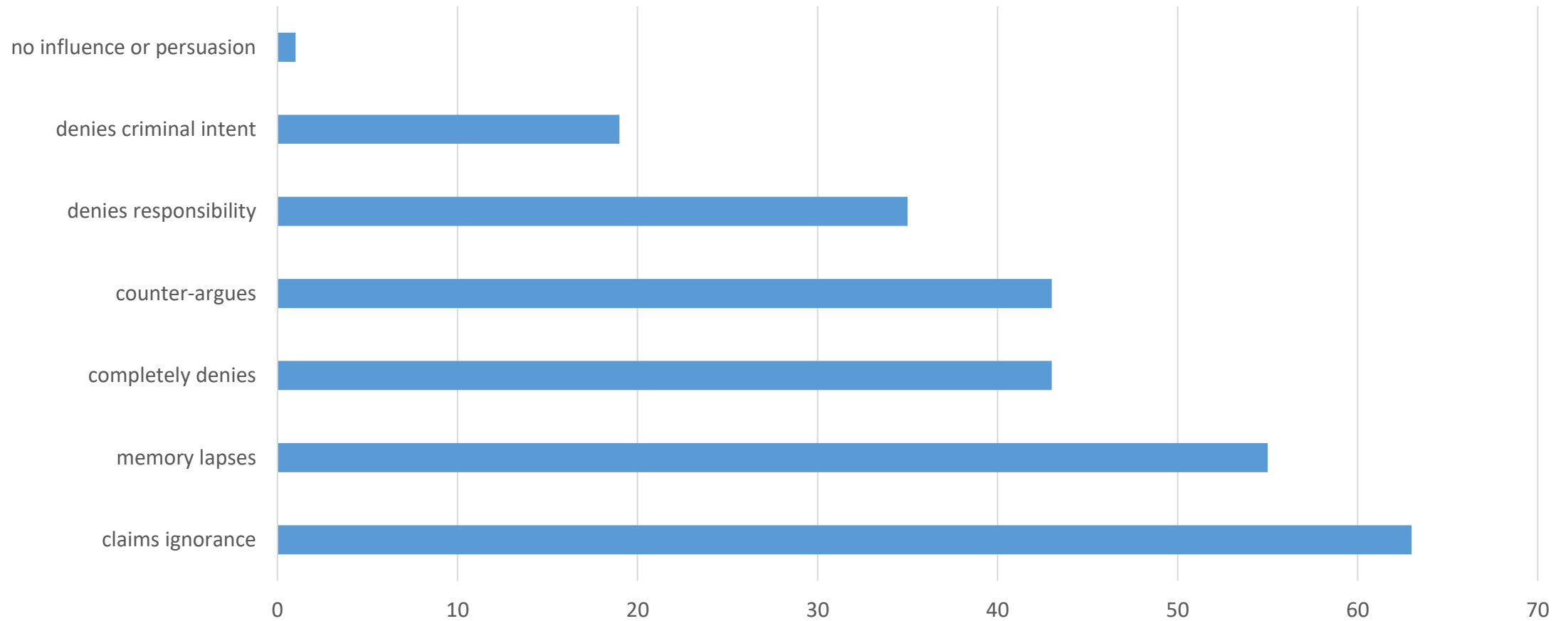
Komter, 2012

# REMAINING SILENT

(Willems & Noc, 2026, in press)



# COUNTER STRATEGIES (Willems & Noc, 2026, in press)





# PIF INTERVIEWS VERSUS OTHER INTERVIEWS

	TERRORISM	VOLUME CRIME	FRAUD & CORRUPTION
KNOWN AUTHOR?	yes	no	Yes
MAIN QUESTION	Where is the bomb?	Who is the perpetrator?	Guilty intent?
OBJECTIVE	intelligence	evidence	contradiction/confession
MAIN EVIDENCE	intel	Eye-witnesses	Accounts, procurement file, emails..
SOURCE	memory	memory	Positions taken/documents presented
PROFILE		impulsive	Educated/rational/dominant
RAPPORT/RESISTANCE	ideological		Neutralisations/instrumental



**NEED FOR A  
SPECIFIC  
APPROACH !**





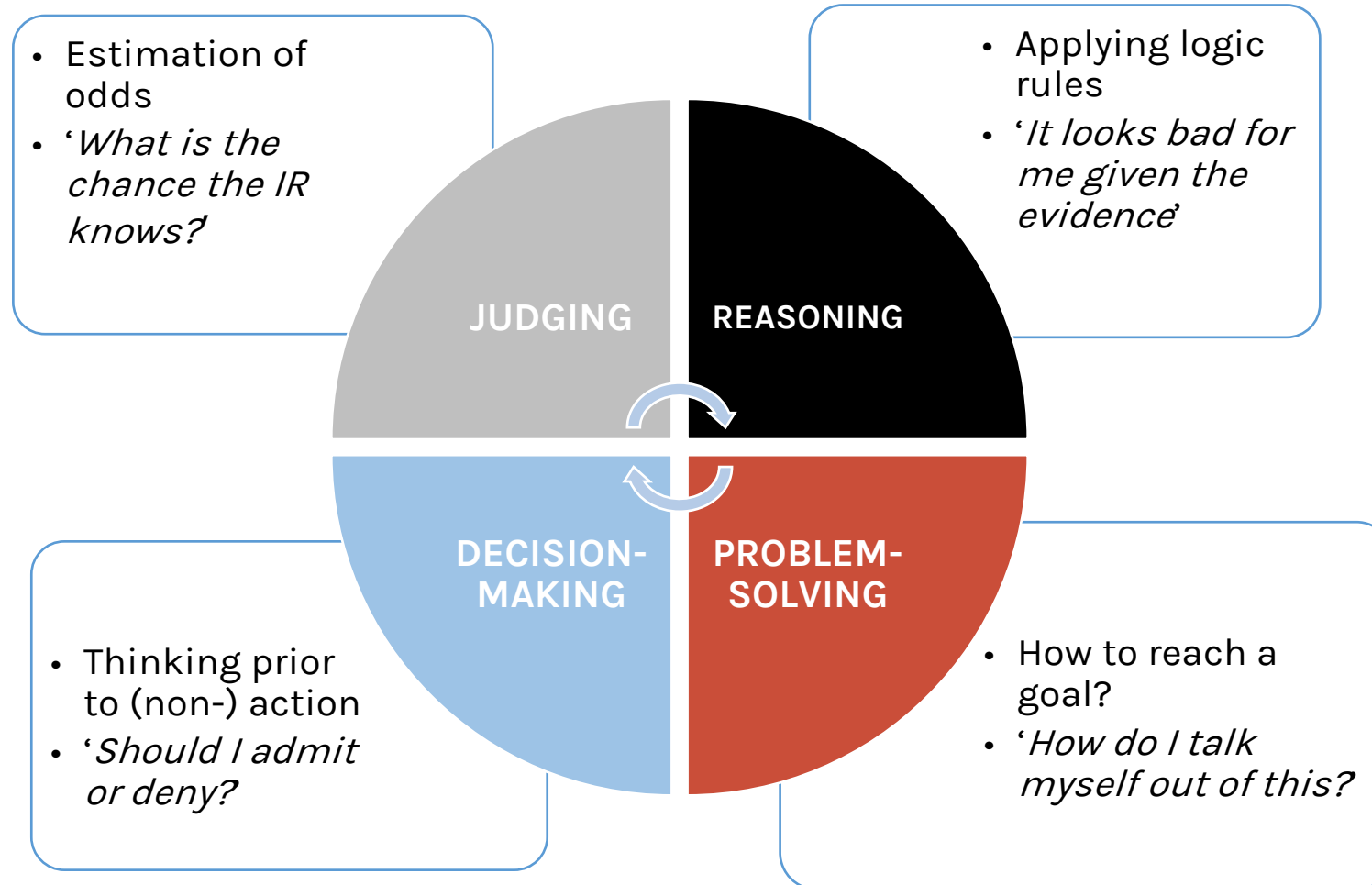
# MÉNDEZ PRINCIPLES (2021)

Principle 1:

Effective interviewing is instructed by **SCIENCE**,  
law and ethics.



# THE ARENA: the suspect's thinking process



# EXPLANATIONS FOR BEHAVIOUR

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## PROXIMAL EXPLANATIONS

*"Why does Tom (...) do that?"*

Because it gives him/avoids:

- Pleasure (e.g. drinking because he is thirsty) / pain
- **FEAR** / hope
- Happiness/Despair
- Rejection/acceptance



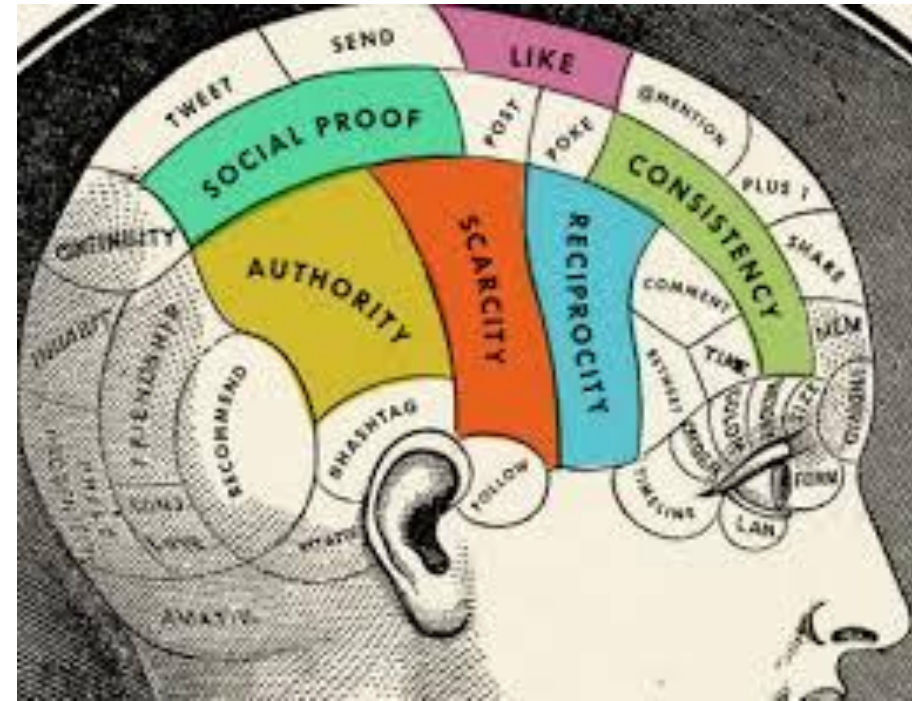
## ULTIMATE EXPLANATIONS

*'Why does mankind do that?'*

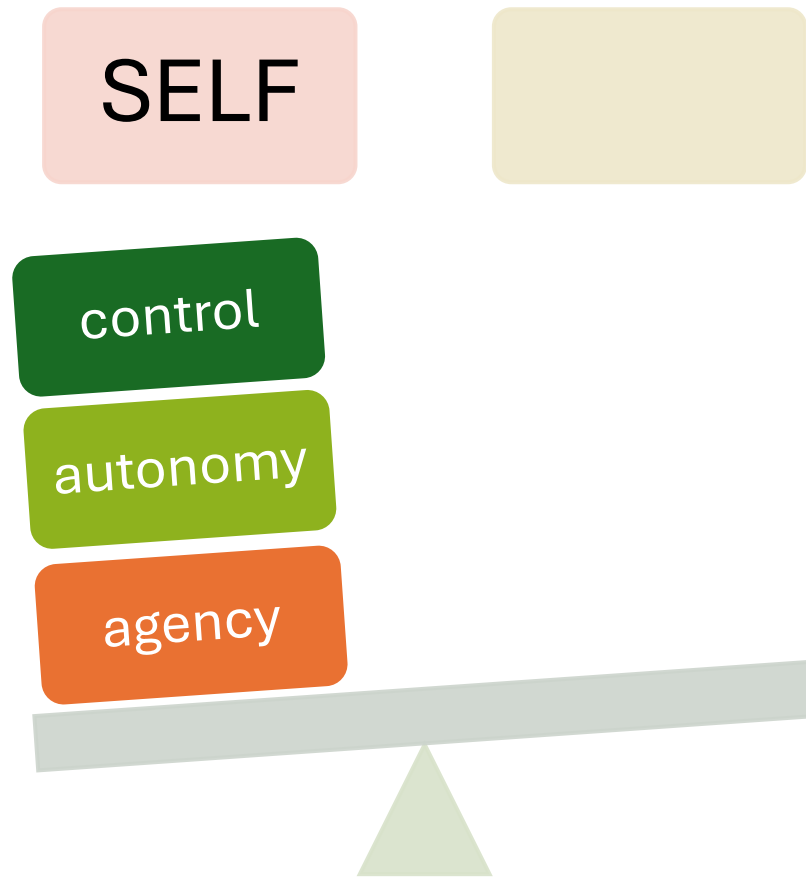
Because we are programmed to satisfy the **adaptive rules** for:

- 1) **SELF-PRESERVATION**
- 2) **BELONGING** ('to get along')
- 3) **SELF-ENHANCEMENT** ('to get ahead')
- 4) **A STABLE ENVIRONMENT** ('autonomy and control')

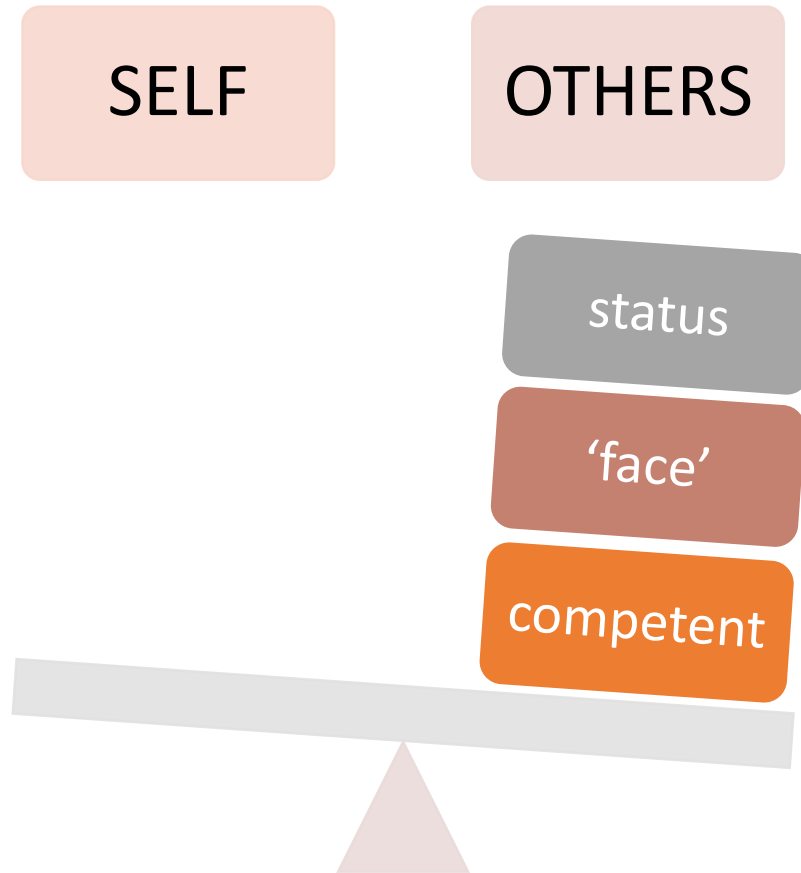
# BELONGING



# SELF-ENHANCEMENT



# SELF-ENHANCEMENT





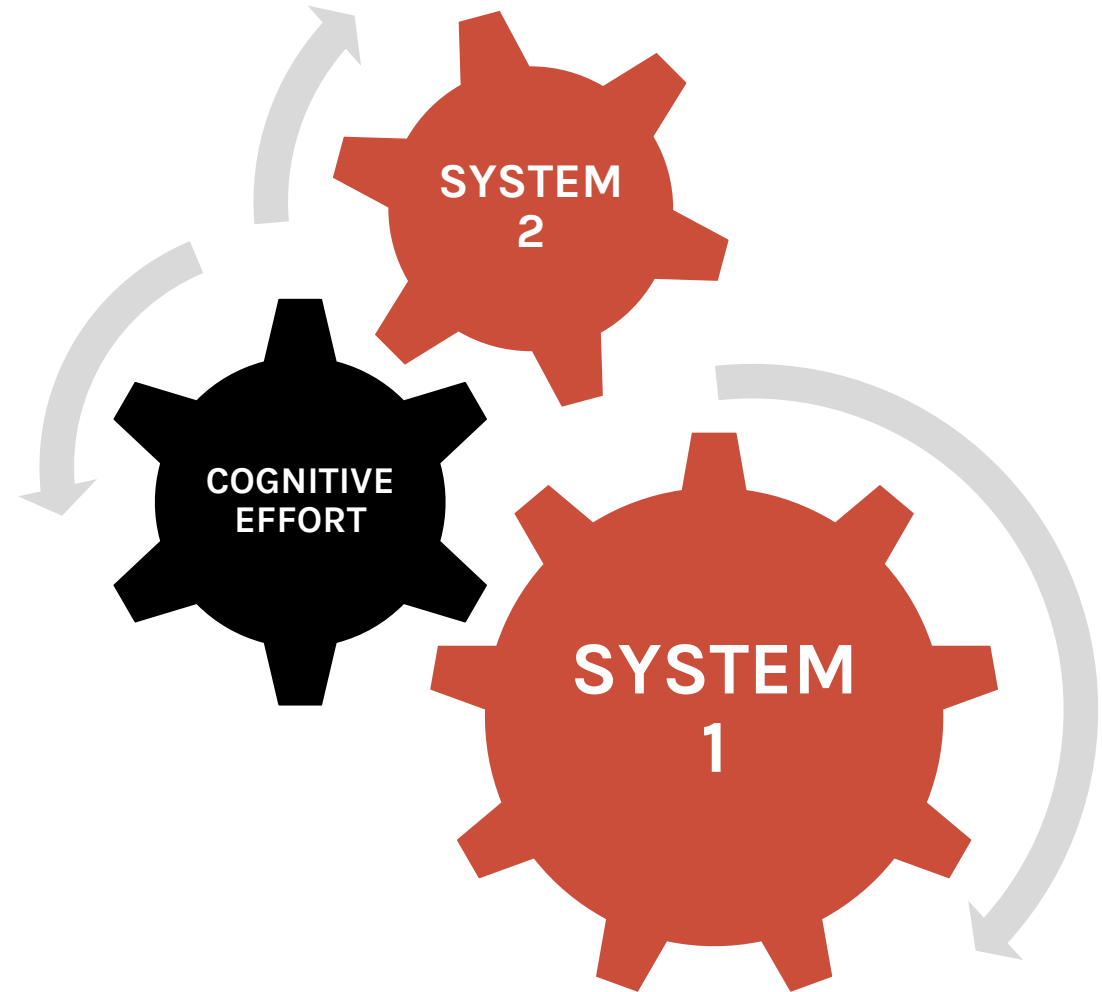
# DUAL PROCESSING

## SYSTEM 1

Largest part of our decisions are based on System 1 (intuition)  
S1 works with **HEURISTICS**: thinking shortcuts that reduce complex problems into simple rules of thumb  
But also leads to **cognitive biases**: systematic, predictable errors.

## SYSTEM 2

Decontextualised, abstract and rule-based reasoning  
Generally, leads to better decisions, but takes a lot of (**FINITE**) cognitive effort





# MINDSPACE

M ESSENGER

I NCENTIVES

N ORMS

D EFAULTS

S ALIENCE

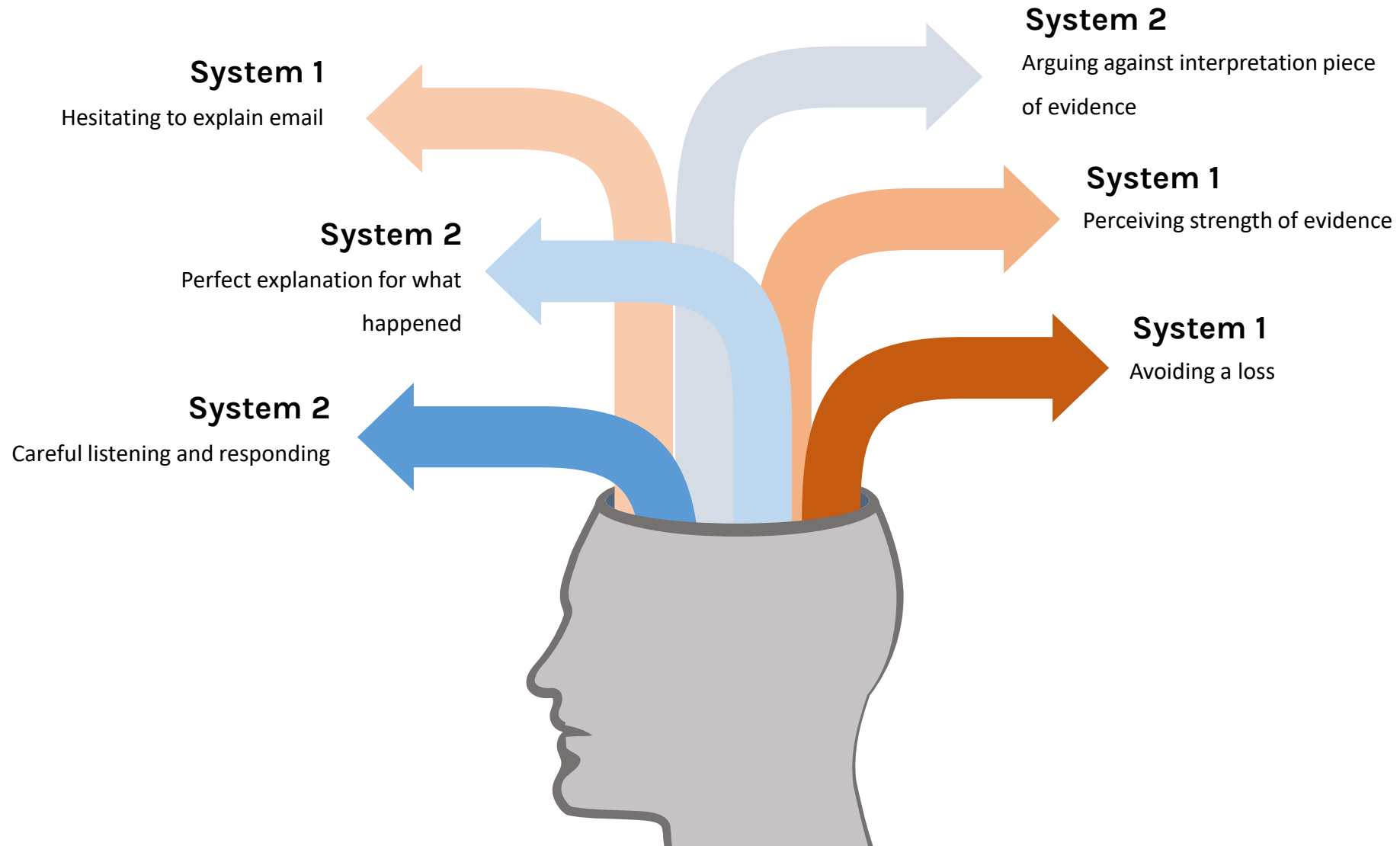
P RIMING

A FFECT

C OMMITMENT &  
CONSISTENCY

E GO

# JDM during interview



# THE ECBA CASE



(Top) investigator WILLEMS is informed during the conference that Ms. Van ZIJL has embezzled a portable paid for by ECBA in the run-up for the conference.



L  
A  
W

RIGHT TO  
SILENCE

NOT TO  
INCRIMINATE  
ONESELF



UN  
AUTHORISED  
PRESSURE



NO  
COERCION



## MÉNDEZ ETHICAL STANDARDS

### RESPECT

respect for the law, the rights and **dignity** of the person, and the integrity of the information-gathering process. It includes respect for individual **autonomy**, including every interviewee's right to choose whether to speak or not, and thus encapsulates respect for the **privilege of self-incrimination**, the right to remain **silent** and the right to **legal assistance**.

### FAIRNESS

interviewers should treat interviewees justly, without **favouritism** or **discrimination**. It also entails that the interviewer needs to act with self-control and professionalism at all times, even in the face of provocation, and putting aside all personal views

### HONESTY

interviewer should always be sincere and truthful in his or her dealings with interviewees. They should not **manipulate** or **deceive** interviewees with lies, misrepresentations, overstatements, partial truths, or any other means

Date of purchase order: 08 December 2025  
Model: MacBook 5.1 Pro  
Year of production: 2025  
Registration number: 2EF-MC-02.23658-25  
Software: Classic MacBook Pro  
A.I. Master  
Zenang 253

User I.D.

name: Léon van ZIJL  
Address: Kalverstraat 2 Amsterdam  
The Netherlands

Invoice:

Name: Rosa van ZIJL  
Address:  
Email: [r.vanzijl@gmail.com](mailto:r.vanzijl@gmail.com)

## ENGAGE

### CLASSIC

- Impression management
- Establishing rapport

### BINT

- liking
- cooperation
- reciprocity

*“We could talk **Dutch** to each other. Don’t hesitate to address me in Dutch at some point **if that is easier**, I am confident, together we’ll manage to find a way to put it on paper in acceptable English.”*

## EXPLAIN

### CLASSIC

- Notification rights
- Routines and routemap

### BINT

- Social proof
- Autonomy
- Commitment

“Just like in other cases with lawyers, you are free to represent yourself. I know you are an **experienced defence lawyer**, but still I want to remind you of your rights. You have ....

I have prepared some questions, which hopefully you can answer so we understand what happened. You can dictate your answers, or **if you allow me**, I can try to summarize them for my colleague to type down.

Can you **please check** if your name was spelled correctly?

## FREE ACCOUNT

### CLASSIC

- TED questions
- IN-questions
- Active listening

### BINT

- Sell or tell
- Critical listening
- Source securing

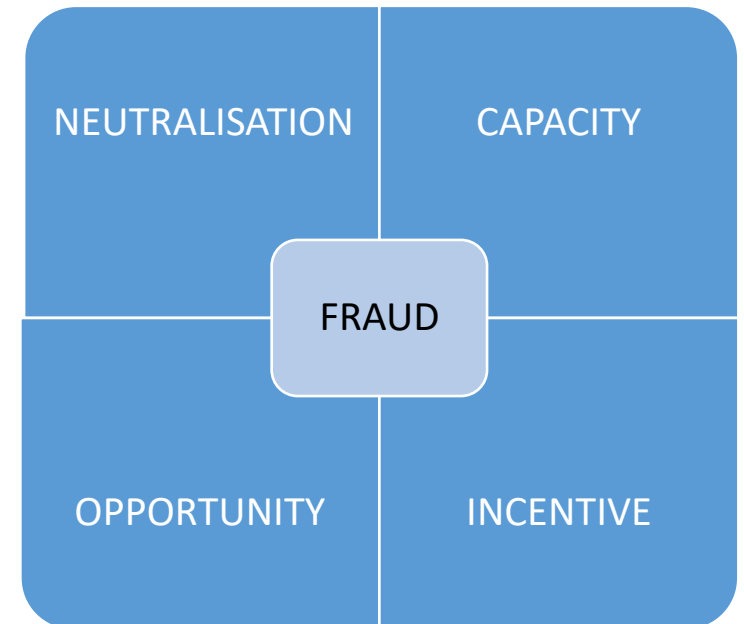
## CLARIFY AND COMPLETE

### CLASSIC

- Productive questions
- W/W/W...

### BINT

- Story construct
- “Less is more”
- Cognitive load



# ADDRESSING INCONSISTENCIES

## CLASSIC

- Strategic Use of Evidence
- Maintain ‘rapport’

A|Incorp.

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## BINT

- “Show don’t tell”
- Project it
- ‘all-seeing’ eye

# HANDLING RESISTANCE

CLASSIC

• ????  
•



BINT

- Ultimatums
- avoidance
- 'no comment'

# CMS (Taylor, 2002)

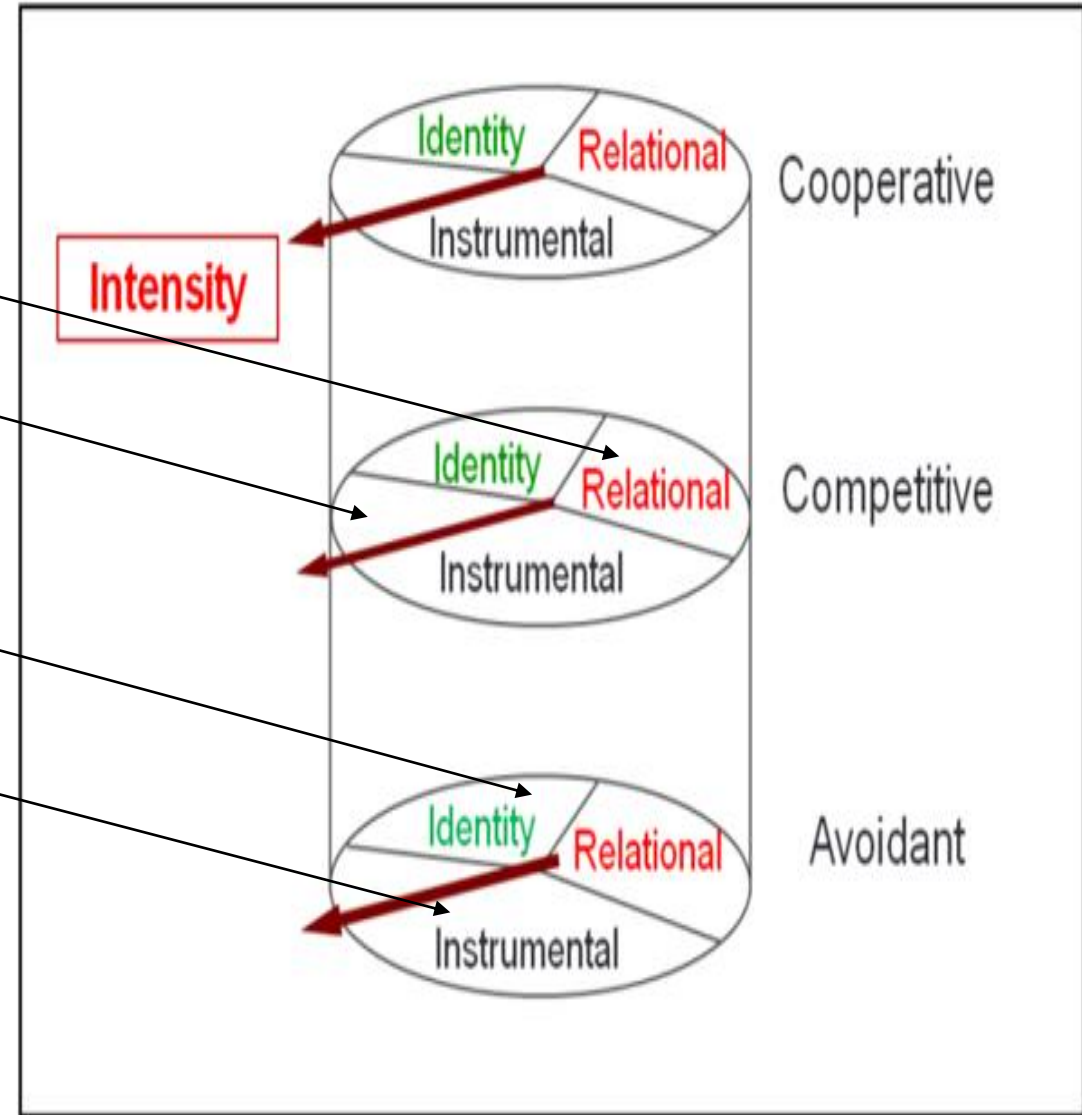


DISRUPTIVE BEHAVIOUR

DISPLAYS OF DOMINANCE

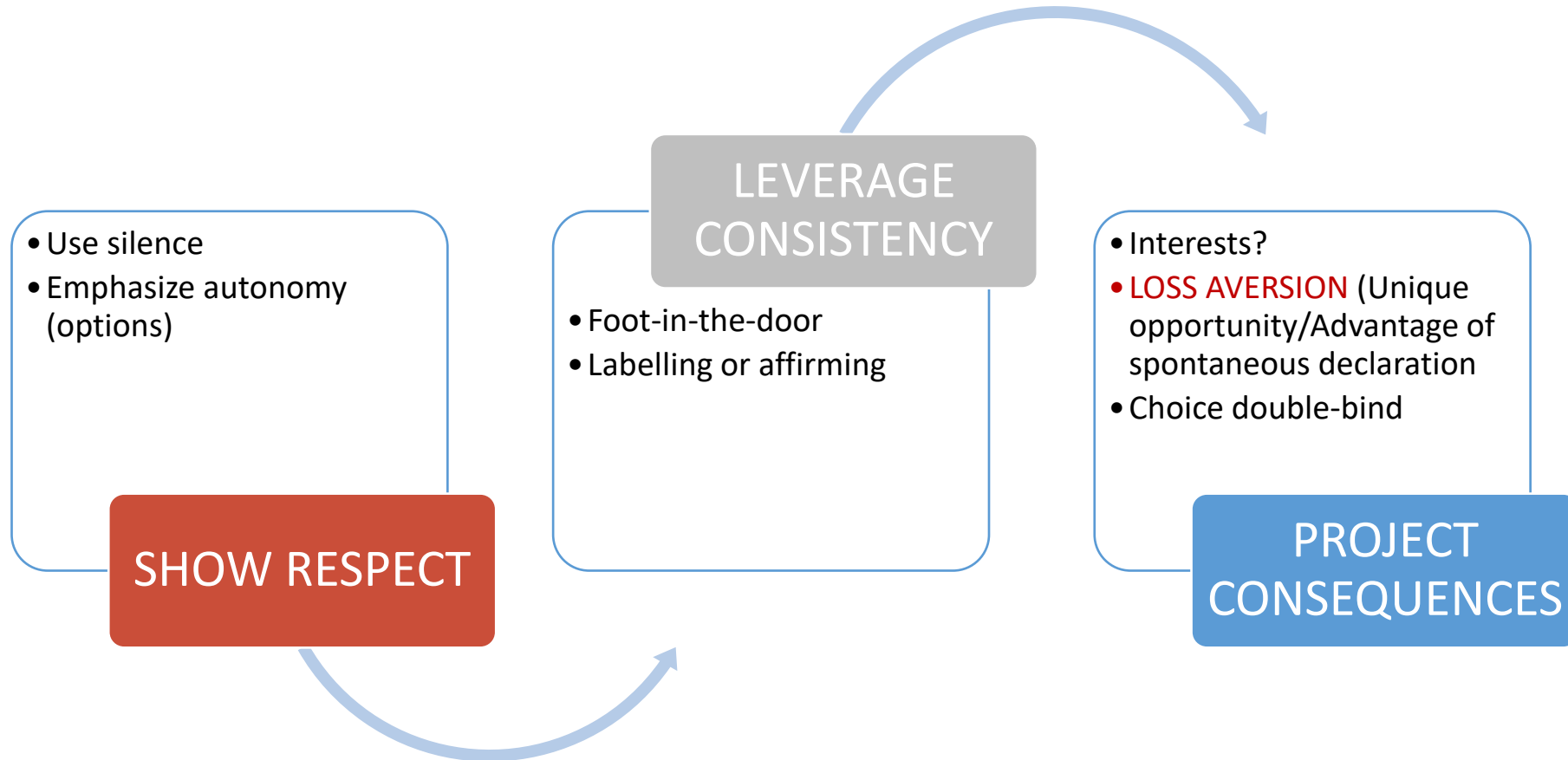
EVASIVENESS

REFUSAL TO ENGAGE



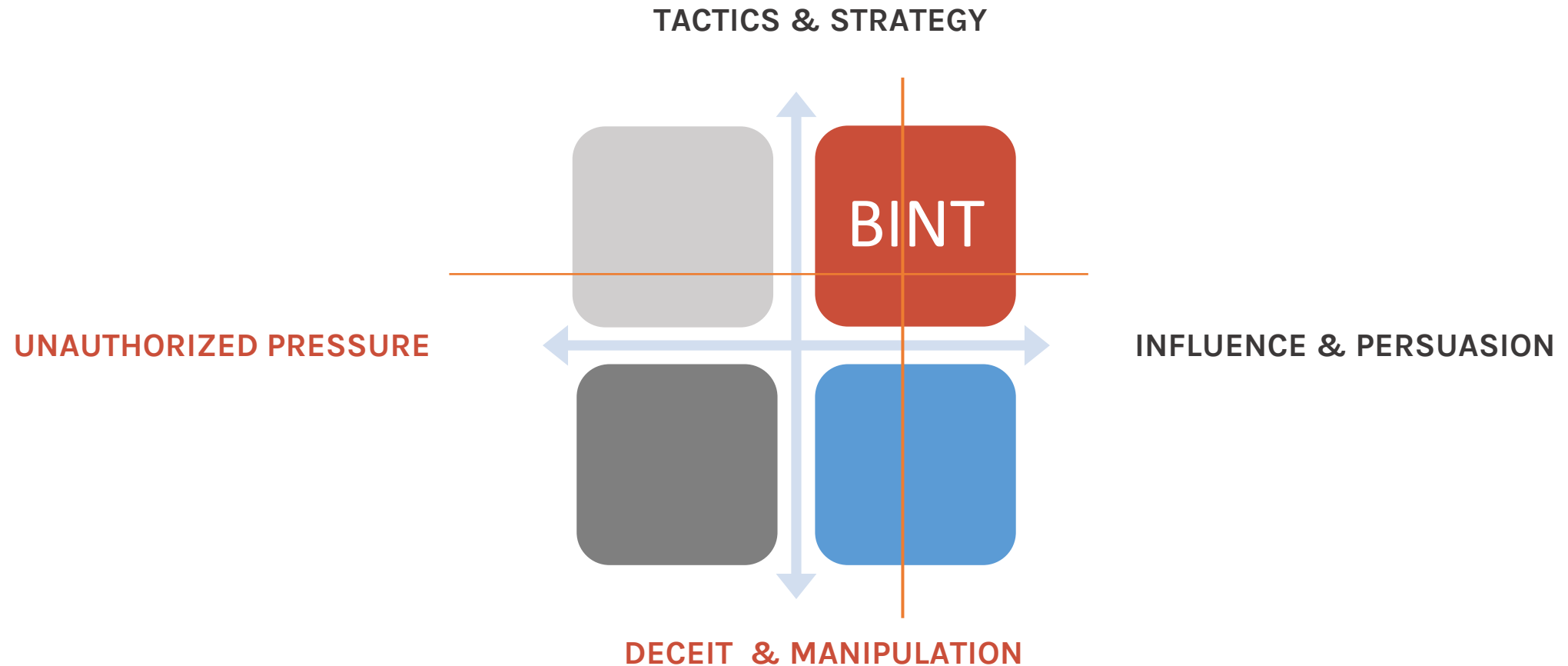


# "NO COMMENT"



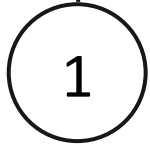
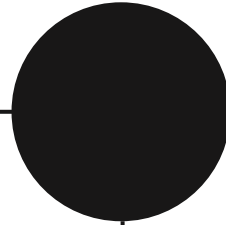


# ETHICAL BOUNDARIES

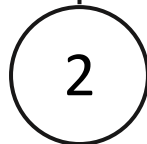




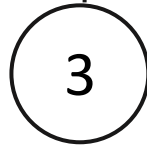
# INITIAL PITCH



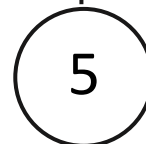
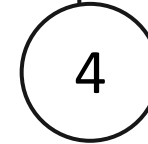
**SUMMARY OF  
FINDINGS**



**REASON-BASED CHOICE**



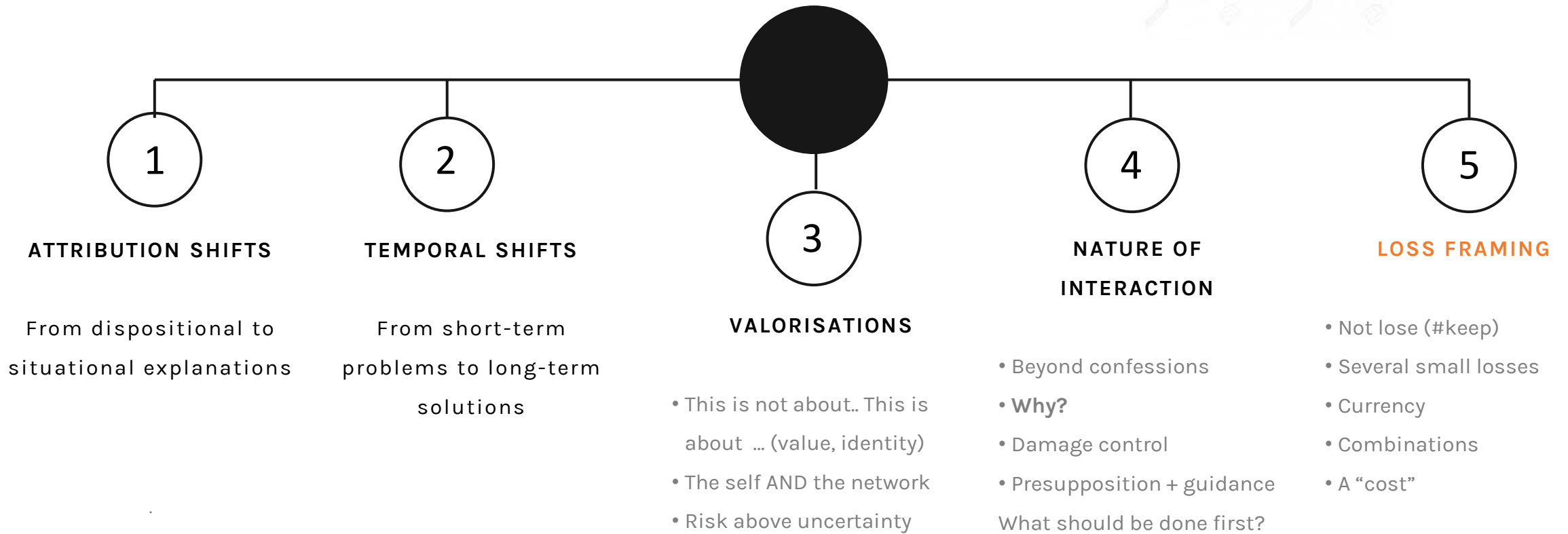
**METAPHORS &  
NARRATIVES**



- (not so strong case)
- Difficult to oppose
- Emotional immersion
- Discourse markers  
(‘now’, ‘.well’..)
- Course of action



# REFRAMING



Thank you for your time and (S2?)  
attention

Please provide me your **comments** (an  
opportunity you do not want to lose ;-)