DOCUMENT 10 - OBSERVER'S ROLE

You have an important role to play in respect of this scenario. You will be undertaking an evaluation of the scenario with your group at its conclusion. It is important that you are fully cognisant of police station procedure and that you observe and record the critical incidences as the role-play unfolds.

As part of this exercise, solicitors will speak with the investigating officers in order to extract as much information as they can about the current state of the investigation and what evidence the police have against Peter West. You will be given a copy of the investigating officers’ brief so that you are in a position to evaluate this exchange. You will also have a copy of the custody record.

Solicitors will interview their client with a view to obtaining his version of the facts and give advice to Peter as to what he should do in interview. Evaluate the solicitor’s interviewing skills. Obtain a copy of the client’s brief to see if you feel all the relevant information was extracted. Please keep the client’s instructions confidential throughout the entire exercise, even during feedback.

The investigating officers will conduct an initial interview of Peter West. You will be observing the interview and critically evaluating the role of the solicitor through-out.

Consider how effective was the solicitor at extracting all the necessary information from the investigating officers. How important do you feel this interview with the investigating officers is? Did you feel the investigating officers were true to their role?

Solicitor interviews client in private: critically evaluate the interview. Did you feel the solicitor achieved all that should be covered in the initial interview? Did the solicitor deal effectively with Peter’s needs? Did the solicitor do enough probing? Did the solicitor demonstrate knowledge and understanding of inter alia, PACE/search/detention procedures etc.? What was the quality of the solicitor’s note-taking? What advice did the solicitor give Peter West as to how to conduct himself during the interview? Was the advice correct in your view?

The interview: critically appraise the performances of the client, his solicitor, and the investigating officers. What useful evidence did the investigating officers obtain as a result of the interrogation? Did they put Peter under pressure? Did Peter abide by his solicitor’s instructions? Did the solicitor interrupt at any time and, if so, for what reason? In short, what were the critical incidents, if any, during the interview?

Give the solicitor/s a mark out of 20 for their handling of the interview situation. What were they particularly good at? Where is there scope for further self-reflection and improvement?
Final stage of role-play: Custody officer speaks with investigating officers/CPS lawyer to determine the most appropriate course of action. Solicitor liaises with custody officer who must decide what to do in relation to Peter West at this stage. How effective was/were the solicitor’s representations at this stage?

You are invited to make notes to facilitate some constructive feedback to all the participants at the conclusion of the exercise.

At the conclusion of the role-play please lead a discussion to ascertain your group’s feelings about the scenario, dealing with any queries/concerns the participants in your group may have and considering what has been learned/reinforced as a result of this exercise.