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| <b>Title</b> | <b>Plan, conduct and evaluate advanced investigative interviews in a regulatory environment</b> |                |           |
| <b>Level</b> | <b>6</b>  | <b>Credits</b> | <b>20</b> |

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| <b>Purpose</b> | <p>This unit standard is for people currently employed as regulatory investigators.</p> <p>People credited with this unit standard are able to:</p> <ul style="list-style-type: none"> <li>– explain legal and ethical requirements relating to investigative interviewing in a regulatory environment;</li> <li>– explain memory in relation to advanced investigative interviewing in a regulatory environment;</li> <li>– plan and prepare for advanced investigative interviewing in a regulatory environment;</li> <li>– engage with and prepare the interviewees for interviewing in a regulatory environment;</li> <li>– conduct advanced investigative interviews of people who are not suspects, in a regulatory environment;</li> <li>– conduct advanced investigative interviews of suspects in a regulatory environment; and</li> <li>– evaluate the advanced investigative interviewing in a regulatory environment.</li> </ul> |
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| <b>Classification</b> | Public Sector Compliance > Public Sector Compliance Investigations |
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| <b>Available grade</b> | Achieved |
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## Guidance Information

### 1 Definitions

*Advanced interviewing skills* includes factors such as – dealing with technically complex subject matter; dealing with multiple parties; interviewing a person where English is a second language; interviewing through an interpreter; interviewing a person where they are legally compelled; managing an agitated or highly stressed person; managing an uncooperative person; dealing with an impaired, vulnerable, and/or young or aged person.

*Organisational requirements* refer to instructions to staff on policies, procedures, and methodologies which are documented and are available in the workplace. This includes an organisation's obligations under Te Tiriti o Waitangi/The Treaty of Waitangi.

### 2 The Regulatory sector has a number of terms with specific usage. For current definitions visit [Programme Guidance- Skills](#).

- 3 References include but are not limited to:  
 Evidence Act 2006;  
 New Zealand Bill of Rights Act 1990;  
 Oranga Tamariki Act 1989;  
 Privacy Act 2020;  
 Te Tiriti o Waitangi/The Treaty of Waitangi;  
 Specific legislation mandating the powers and duties of a specific organisation with respect to its regulatory role and/or any other legislation applicable to a particular regulatory situation (e.g. Fisheries Act 1996, Resource Management Act 1991);  
 and any subsequent amendments or replacements.
- 4 Range
- Demonstration of knowledge and skills must be consistent with any applicable code or codes of conduct such as the New Zealand State Services Code of Conduct, *Standards of Integrity and Conduct* (available from <http://www.publicservice.govt.nz> ) and/or any other agency specific code or codes of conduct and/or ethics.
  - Interviews must be documented/recorded to evidential standard for assessment purposes. This may be audio or video recording or written documentation. If interviews are with suspects, written documentation must include questions asked and responses. Assessment evidence and process must be in accordance with Privacy Act 2020.

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## Outcomes and performance criteria

### Outcome 1

Explain legal and ethical requirements relating to investigative interviewing in a regulatory environment.

#### Performance criteria

- 1.1 Explain legal and ethical requirements relating to investigative interviewing in a regulatory environment in relation to the New Zealand Bill of Rights Act 1990, the Evidence Act 2006, and any other applicable legislation.

Range            legal requirements – relevant powers, obligations of the interviewee, obligations of the interviewer, rights of the interviewee;  
 ethical requirements – ethical principles of investigative interviewing, code or codes of conduct applicable to an organisation.

### Outcome 2

Explain memory in relation to advanced investigative interviewing in a regulatory environment.

**Performance criteria**

2.1 Explain memory stages, processes, and interference and their implications for advanced investigative interviewing in a regulatory environment.

Range processes – episodic, semantic, procedural.

2.2 Explain strategies to minimise memory interference for advanced investigative interviewing in a regulatory environment.

**Outcome 3**

Plan and prepare for advanced investigative interviewing in a regulatory environment.

**Performance criteria**

3.1 Plan and prepare for advanced investigative interviewing of people who are not suspects, consistent with good interviewing practice, addressing requirements of interviewing in challenging circumstances, and in accordance with organisational requirements and needs of the investigation/s.

Range gathering information to cater for the needs of the interviewees, practical arrangements, planning for reference to exhibits and/or information during the interviews.

3.2 Plan and prepare for advanced investigative interviewing of suspects, consistent with good interviewing practice, addressing requirements of interviewing in challenging circumstances, and in accordance with organisational requirements and needs of the investigation/s.

Range suspect profiles, interview objectives, evidence collected, evidence required, important topics, specific legal requirements, practical arrangements, planning for reference to exhibits and/or information during the interviews.

**Outcome 4**

Engage with and prepare the interviewees for interviewing in a regulatory environment.

**Performance criteria**

4.1 Establish rapport consistent with good interviewing practice and needs of the investigation/s.

4.2 Explain ground rules for interviewing to people who are not suspects consistent with good interviewing practice, and in accordance with organisational requirements and needs of the investigation/s.

Range may include but is not limited to explaining to the interviewees – interview process, to report everything in as much detail as possible even if it seems unimportant, to concentrate hard.

- 4.3 Explain the interviewing process to suspects consistent with good interviewing practice, in accordance with organisational requirements and needs of the investigation/s, and meeting all legislative requirements in terms of dealing with suspects in the context of investigative interviewing.

Range may include but is not limited to explaining to the interviewee – interview process, cautioning, to report everything in as much detail as possible even if it seems unimportant, to concentrate hard, the opportunity to present their own versions of events.

## Outcome 5

Conduct advanced investigative interviews of people who are not suspects, in a regulatory environment.

Range at least one interview each of two different people who are not suspects; at least one of the following conditions must exist in each interviewing situation – dealing with technically complex subject matter; dealing with multiple parties; interviewing a person where English is a second language; interviewing through an interpreter; interviewing a person where they are legally compelled; managing an agitated or highly stressed person; managing an uncooperative person; dealing with an impaired, vulnerable, and/or young or aged person.

## Performance criteria

- 5.1 Conduct advanced investigative interviews to elicit full and detailed information that is relevant to the investigation/s and which would meet the standards for admissibility as evidence in a judicial hearing.

Range includes but is not limited to – open ended questions to elicit free report, non-interruption during free recall, taking notes and identifying topics, expanding topics using open and probing questions, using techniques designed to maximise memory retrieval, using techniques designed to minimise memory interference; may include – using sketch plans and/or other demonstration technique or techniques, reference to exhibits and/or information during the interviews.

- 5.2 Record statements in accordance with organisational requirements and needs of the investigation or investigations.

Range containing all essential information including – using interviewees' own words, explanations of interviewees' words where appropriate, accurate records of the interviews.

- 5.3 Conclude advanced investigative interviews in a polite, positive, and prospective manner and in accordance with organisational requirements.

Range may include but is not limited to – thanking for time, addressing any concerns, providing contact details, advice on further action, asking for confirmation of accuracy of statement.

## Outcome 6

Conduct advanced investigative interviews of suspects in a regulatory environment.

Range at least one interview each of two different suspects;  
at least one of the following conditions must exist in each interviewing situation – dealing with technically complex subject matter; interviewing a suspect where English is a second language; interviewing through an interpreter; presence of a lawyer or advocate where the lawyer or advocate interjects throughout the interview; dealing with multiple parties; dealing with a serious offence or offences; interviewing a suspect where they are legally compelled; managing an uncooperative suspect; managing an agitated or highly stressed suspect; dealing with an impaired, vulnerable, and/or young or aged suspect.

### Performance criteria

6.1 Conduct advanced investigative interviews to elicit full and detailed information that is relevant to the investigation/s and which would meet the standards for admissibility as evidence in a judicial hearing.

Range may include but is not limited to – open-ended questions to elicit free report, active listening, non-interruption during free recall, identifying and sequencing suspect topics and questions, expanding suspect topics using questioning appropriate to conversation management, summarising and linking topics, identifying investigatively important topics, expanding investigatively important topics using questioning appropriate to conversation management, following lines of enquiry, reference to exhibits and/or information during the interviews, challenging with the evidence in a structured and explanation seeking manner.

6.2 Record interviews in accordance with organisational requirements, including all legislative requirements for dealing with suspects in the context of investigative interviewing.

6.3 Conclude investigative interviews in a professional and positive manner, and in accordance with organisational requirements.

## Outcome 7

Evaluate the advanced investigative interviewing in a regulatory environment.

### Performance criteria

7.1 Evaluate the interviews in the context of the investigation/s, considering information provided, and identifying further action to be taken.

7.2 Evaluate own performance in the advanced investigative interviewing process in accordance with organisational requirements.

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| <b>Planned review date</b> | 31 December 2026 |
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#### Status information and last date for assessment for superseded versions

| Process      | Version | Date             | Last Date for Assessment |
|--------------|---------|------------------|--------------------------|
| Registration | 1       | 15 April 2011    | 31 December 2020         |
| Review       | 2       | 18 February 2016 | 31 December 2023         |
| Review       | 3       | 28 October 2021  | N/A                      |

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| <b>Consent and Moderation Requirements (CMR) reference</b> | 0121 |
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This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

#### Comments on this unit standard

Please contact The Skills Organisation [reviewcomments@skills.org.nz](mailto:reviewcomments@skills.org.nz) if you wish to suggest changes to the content of this unit standard.