**Investigative Empathy: A Strength Scale of Empathy based on European Police Perspectives**

**Declaration of Interest**

**Ethical Approval**

**Acknowledgments**

## Abstract

A growing body of research suggests that empathy may play a major role in establishing and maintaining rapport during police interviews. The benefits of rapport include not only increased cooperation from interviewees, but also gaining more accurate investigation-relevant information. However, despite a large amount of research on empathy which already exists, there still is, unfortunately, no universally agreed-upon definition and very little research on operationalizing and implementing appropriate forms of empathy, especially within the realm of investigative interviewing.

Therefore, the present study was conducted with the goal of better understanding empathy from a police perspective and developing a way to assess and operationalize empathy for use in police interviews with suspects of high risk crimes (particularly with sex offences). The study considers police interviewers' varying definitions of empathy in seven European countries, along with other factors. It analyzed police interviewers' self-reports regarding their (i) training and methods employed during interviews, (ii) application of empathy in interviews, and (iii) definitions/understanding of empathy. Based on their answers, the various definitions of empathy were compiled and then placed on a new strength scale. It was found that officers in all participating countries varied within each country in their use of accusatory or information-gathering interview styles, suggesting that the methods employed were not systematically and uniformly taught and/or applied. The majority of participants in each country claimed to currently

employ empathy in their interviews with suspects, yet they varied on their strength of the definitions provided. In no country was empathy considered useless in interviews and in no country was empathy defined as having aspects that may not be conducive to investigative interviewing.

Keywords: investigative interviewing; suspects; interrogations; empathy; rapport; investigative empathy

*International Training and Interviewing Methods*

Internationally, the training of police interviewers varies considerably. Investigators in some European countries are trained in a more information-gathering approach than in other nations, such as the United States of America (USA), which utilizes a more accustorial-style method of interviewing suspects (Walsh, Oxburgh, Redlich, & Myklebust, 2016a). The focus in an information-gathering approach is on gaining reliable information whereas the methods in the USA (and other nations which employ accustorial-style methods) focus mainly on gaining confessions. In a recent meta-analytic review it was found that the information-gathering approach was associated with higher amounts of valid and reliable information elicited from suspects (Meissner et al., 2014).

In England and The Netherlands, there exists documented and established national standardized training for police interviewers in information-gathering approaches (Walsh et al., 2016a; Walsh et al., 2016b). In western European countries

such as Germany and Switzerland the police are required by law to employ information-gathering approaches (Volbert & Baker, 2016a; Courvoisier, Sellie, & St-Yves, 2016). However,  police training in Germany lacks a detailed, nationally-regulated format (Volbert & Baker, 2016b). Sweden, contrary to its Scandinavian counterpart Norway, currently lacks national coordination of training for investigative interviews (Fahsing, Jakobsen, & Ökrn, 2016). Only recently has Switzerland begun national standardized training for investigators that includes techniques supported by research findings (Courvoisier, Sellie, & St-Yves, 2016). In Estonia and Slovenia (former 'eastern European' countries) there seems to only be minimal formal training in the interviewing of suspects. Their methods may follow, at least in some parts of the interview, an 'accusatorial-style' of interviewing (Öpik & Kask, 2016; Areh, Zgaga, & Flander, 2016).

One model of investigative interviewing that encourages information-gathering practices is the British 'PEACE' approach, developed in the early 1990's in England and Wales (Clarke & Milne, 2001; Milne & Bull, 1999). A core element of this model is the building and maintenance of rapport (Walsh & Bull, 2012). It was developed after a series of studies found the standard of police interviewing in England to be poor, sometimes resulting in false confessions. 'PEACE' is an acronym for its five outlined phases of investigative interviewing: Prepare and Plan, Engage and Explain, Account, Closure, and Evaluation. The 'PEACE' model has become the most widely employed information-gathering method of investigative interviewing, and it has been recommended to the United Nations by Special Rapporteur Juan Mendez (United Nations, 2016).

Some countries have adopted the 'PEACE' model, such as New Zealand, and others have even gone a step further and created their own model for investigative interviewing based on it. For example, Norway created the 2002 'KREATIV' model that prescribes an 'innocent until proven guilty' ethos by recommending that the gathering of information be the primary objective and the adoption of an open-minded disposition (Fahsing & Rachlew, 2009). Whereas other countries, such as the USA have increasingly been put under critical spotlights regarding their interrogation methods (Gudjonsson, 2011; Kassin, Drizin, Grisso, Gudjonsson, Leo, & Redlich, 2010; Kozinski, 2017), although discussions to remedy this have been begun (e.g., Meissner et al., 2014). In other countries such as Austria, Germany, Japan, Sweden, and The Netherlands, changes are taking place involving more standardized, research-based training for police interviewers that is associated with ethical interviewing methods (Walsh et al., 2016a, 2016b).

An online self-report survey by Miller et al. (2018) was administered to police officers from a variety of countries to gather information about their methods of interviewing. This study found that police officers in the USA and Canada were broadly similar in their tactics, techniques, and procedures, which involved accusatorial methods that differed from the other countries such as England, Wales, Australia, and New Zealand. In these latter countries the police reported that they employed rapport- and relationship-building methods more frequently than the other meso-level domains. This emulates aspects of the 'PEACE' model, where rapport-building is recommended to commence immediately after initial contact between the interviewer and interviewee

during the 'Engage and Explain' interview phase and be maintained thereafter (Milne & Bull, 1999).

*Rapport and Empathy in the Literature for Investigative Interviewing*

under-researched. However, although authors are nowadays suggesting the value of empathy, more research on defining empathy is necessary. Rapport building and empathy are related entities, with empathy being key in building building rapport between two individuals (Bull & Baker, 2020).

Regarding the interviewing suspects of sexual offences, it has been found that displaying empathy is positively associated with levels of cooperation (Holmberg & Christianson, 2002; Kebbell, Hurren, & Mazerolle, 2006). According to Borum (2006), the functions of rapport are (i) to encourage the source/interviewee to talk and (ii) to allow the interviewer to identify and assess potential motivations, interests, and vulnerabilities. Rapport is a broad concept involving mutual respect between two people. Empathy (at least some aspects of it) may be conceptualized as a way of demonstrating and conveying this respect for others. Thus, empathy can be a means of building and maintaining rapport (Abbe & Brandon, 2014; Alison, Giles, & McGuire, 2015; Dando & Oxburgh, 2016; Fisher & Geiselman, 1992; St-Yves, 2006; Vanderhallen, Vervaeke, & Holmberg, 2011; Walsh & Bull, 2012; Yesche, 2003).

With convicts of serious crime(s) (i.e. murders and sexual offences) Holmberg and Christianson (2002) examined the association of police interviewing manner (i.e. 'dominant' or 'humane') with denials or admissions and found that offenders more often said they admitted the offences when police interviewers were 'humane'. Alison, Alison,

Noone, Elntib, and Christiansen (2013) examined a large sample of video recorded interviews with terrorism suspects and coded these using their Observing Rapport-Based Interpersonal Technique (ORBIT; Alison et al., 2013) that uses empathy in the assessment of rapport. They found that what they referred to as 'motivational interviewing' involving rapport and empathy (see Miller and Rollnick, 2012 for a fuller description) was positively associated with suspects' cooperative behaviors and conversely, interviewer coercive interpersonal behaviors were related to reduced cooperation.

It could be that interviewers may experience difficulties when attempting to display empathy, particularly with suspected sex offenders due to the nature of the offences being investigated. Critics have contended that the use of empathy may not offer enough emotional distance between the interviewer and interviewee (Oxburgh, Ost, Morris, & Cherryman, 2014; MacEachern, Jindal-Snale, & Jackson, 2011). Jakobsen, Langballe, and Schultz (2016) found that police officers seemed less confident about displaying empathy during interviews about a criminal offence; although this study was conducted regarding interviews with witnesses, it is possible that officers may have similar reluctance to show empathy during interviews with suspects.

*Multi-facets of Empathy*

Affective empathy, broadly speaking, can be thought of as a form of 'emotional' empathy that involves, to various extents, experiencing and sharing the emotions of another individual (Balconi & Bartolotti, 2014; Decety & Jackson, 2004; Hooker, Verosky, Germine, Knight, & D'Esposito, 2008; Ickes, 1997; Preston & de Waal, 2002;

Zahavi, 2015). Affective empathy may involve feeling what the other is experiencing. Cognitive empathy can be thought of as a rational understanding of the emotions and/or situations of another without taking on the emotions of the other (e.g., simply recognizing the emotions in another individual) (Hulme & Middleton, 2013; Jonason & Krause, 2013; Zahavi, 2015). The difference between the two types may involve (i) experiencing the emotions and (ii) comprehending the emotions of the other (Jolliffe & Farrington, 2006). Rankin et al. (2006) describe cognitive empathy to include three aspects: (i) perspective taking, (ii) abstract reasoning, and (iii) cognitive flexibility. They describe affective empathy to include (i) the capacity or ability to recognize another individual's emotions, (ii) emotional responsiveness, and (iii) the ability to identify the emotions in oneself.

The concept of *emotional contagion* has been described as being when an individual's emotions trigger similar emotions in another person (Hatfield, Cacioppo, & Rapson, 1993; Zahavi, 2015), which is similar to experiencing affective empathy. *Empathic concern*, such compassion, could also be classified as affective empathy, depending on its degree. These aspects of empathy may be problematic for police investigators due to risking their own psychological well-being (e.g., developing traumatic stress due to empathizing with interviewees).

Similarly, emotional labor [defined as 'the management of feeling to create a publicly observable facial and bodily display' (Hochschild, 1983; p. 7)] can be seen as requiring cognitive and emotional work. It can therefore be suggested that applying such work as emotional labor could also contribute towards compassion fatigue and burnout. In a study conducted on police' emotional labor, Huey & Kalyal (2017) found that it had consequences for police officers in four ways: 1. emotionally disturbing content; 2.

difficulties maintaining empathic appearance; 3. emotional disress; and 4. employing personal strategies.

MacEachern (2011) examined Secondary Traumatic Stress (STS) in police officers, specifically those involved in investigative issues related to child protection. However, the cumulative effects of STS on police officers is largely unacknowledged, but if it were to be acknowledged then more steps could be taken to inform future practice regarding risk assessment, monitoring, and the use of appropriate forms of empathy in interviews (e.g. training in cognitive as opposed to affective empathy).

Regarding definitions of empathy, in a meta-analysis of 386 studies, Hall and Schwarz (2019) found that empathy (i) seems not to be able to be conceptualised by one definition alone; (ii) consists of various forms/types and; (iii) may not be describing what is actually being measured. In other words, perhaps because of its multidimensionality, empathy lacked a specific, unified definition across disciplines and therefore a meaningful method of operationalization, possibly making its application/employment inconsistent and problematic. Furthermore, empathy may be seen as encompassing various 'strengths' depending on (i) the way its implemented; (ii) the individual displaying empathy; (iii) the situation in which empathy is displayed; and (iv) the type of empathy displayed (Spenser, 2017). That empathy is recognized as being multidimensional, may be increasing in that, in articles published between 2001 and 2013 only 33% described empathy as being multidimensional. However, in 2017 this figure was 52%, and of those 52%, three quarters cited the main distinction to lie between affective and cognitive empathy (Hall & Schwarz, 2019).

*Measuring Empathy*

Due to the complex nature of empathy, various tests have been developed in order to attempt to assess levels of empathy within individuals. Examination of these tests found that empathy can be categorized into subsections, such as *indirect* (e.g., empathic readiness) versus *direct* (e.g., emotional impact) forms.

The Interpersonal Reactivity Index (IRI; Davis, 1980, 1983) is a measure of dispositional empathy in which empathy consists of a set of separate but related constructs. Specifically, the instrument contains four seven-item subscales, each focusing on separate facets of empathy: (i) perspective taking (PT), (ii) empathic concern (EC), (iii) personal distress (PD); and (iv) the fantasy scale (FS). This measure, developed in the early 1980s, recognized the complexity of empathy and established a view of empathy as a multidimensional construct (Davis, 1983). Davis (1980, 1983), as one of the first to examine empathy in police interviews, noted that empathy involves 'understanding of others' as a main component.

Davis (1980, 1983) also stated that empathy involves appreciating the emotions and distress of another, and that such appreciation can be communicated either directly or indirectly. Similarly, Luff (2010) noted that empathy may be comprised of both direct and indirect forms. Indirect empathy may include nonverbal expressions (Lorié, Reinero, Phillips, Zhang, & Riess, 2017) such as active listening that could display openness and a non-judgmental demeanor where direct empathy may also include verbal expression. Vera, Boccaccini, Laxton, Bryson, Pennington, and Ridge (2018) discuss verbal forms of empathic expression, such as "That's understandable", "It sounds like you felt

sad/scared/upset", and nonverbal forms such as head nodding or reciprocal facial expression to communicate a sense of shared understanding.

The Basic Empathy Scale (BES) was developed based on the definition of empathy provided by Cohen and Strayer (1996, p.523) as "the understanding and sharing in another's emotional state or context". This definition encompasses both cognitive and affective empathy. The Multifaceted Empathy Test (MET), originally developed in German and recently translated into English by Foell, Brislin, Drislane, Dziobek, and Patrick (2018) also tests for cognitive and emotional empathy and has been used to identify empathic impairments in individuals, such as those with autism or psychopathy.

The Empathic Scale, developed by Leibetseder, Laireiter, Riepler, and Köller (2001), is constructed of 25 items, which are taken from various pre-existing tests/questionnaires. All 25 items entail empathic contexts, which the participants answer using a rating scale from: "does not fit at all" to "fits exactly". The scale can be subcategorized into *empathic readiness*, which can be argued to be a indirect type and *emotional impact* – a direct type and as a form of communicative empathy. Both of these categories can be further divided into either cognitive or affective empathy, allowing the items to be grouped into four categories.

Baron-Cohen and Wheelwright's (2004) Empathy Quotient (EQ) is considered one of the latest empathy scales consisting of a questionnaire of 60 items, and it defines empathy as involving cognitive and affective components.

*Empathy in Investigative Interviews*

Oxburgh and Ost (2011) discuss the difficulties of constructing an all-encompassing and systematic definition of empathy, particularly with regard to police interviews. Dando and Oxburgh (2016) noted four aspects of empathy displayed in police interviews (i) spontaneous comfort; (ii) continuer comfort; (iii) spontaneous understanding; (iv) continuer understanding. They found that the two continuers ('comfort' and 'understanding') uttered by the interviewer after identifying an empathic opportunity from the suspect prompted the revelation of investigation-relevant information from suspects. Building on this, Jakobsen (2019) found two additional categorized: *creating empathic opportunities* and *created empathic opportunities*. The former refers to initiating opportunities by the interviewer rather than the interviewee whereas the latter refers to asking the victim about their feelings and talking about how they have been doing since the criminal offence.

Indeed, a growing body of work is suggesting that the use of empathy may be effective in investigative interviews (Abbe & Brandon, 2014; Balconi & Bartolotti, 2014; Fisher & Geiselman, 1992; Holmberg & Christianson, 2002; Oxburgh & Ost, 2011; St-Yves, 2006; Vanderhallen et al., 2011; Yeschke, 2003). Kebbell, Hurren, and Mazerolle (2006) surveyed incarcerated sex offenders concerning any respect, understanding, and empathy (among other skills) displayed by police officers when they were interviewed regarding their offence(s). They found that such offenders felt more positive about police interviewers who displayed these three skills.

Over 25 years ago Shumann (1993, p. 298) contended that the use of empathy in investigative interviews was "unfair" and "presents a bright ethical line that the ethical examiner should not cross" because it "erroneously implies a therapeutic alliance". Yet a

growing body of studies acknowledge the positive outcomes of empathy displayed in investigative interviews (Abbe & Brandon, 2014; Alison, Giles, & McGuire, 2015; Dando & Oxburgh, 2016; Fisher & Geiselman, 1992; St-Yves, 2006; Yesche, 2003; Vanderhallen, Vervaeke, & Holmberg, 2011; Walsh & Bull, 2012) such as increasing rapport, aiding in cooperation and enhancing the flow of information. Arrigo and Bennett (2007) discuss the difficulties of navigating between genuine empathy and the exploitation of empathy - in other words, between actually experiencing empathy or using empathy in a feigned way. They also discuss the importance of maintaining a healthy distance for interviewers. Vera, Boccaccini, and Murrie (2018) explored the impact of expressive empathy on the interviewee and on the likelihood of admitting to misbehaviors. Expressive empathy could also be called 'therapeutic empathy' and includes verbal empathy such as "That's understandable" and non-verbal empathy such as "head nod or "mirroring facial expressions" (Vera et al., 2018; 56). They found when expressive empathy was present (i) the interviewees were not more likely to admit their misbehaviors and (ii) it appeared to negatively influence the interviewer instead of having positive effects on the interviewee.

Investigative empathy can be thought of as having (a) different types (Dando & Oxburgh, 2016), (b) indirect and direct versions (Davis 1980, 1983; Luff 2010), (c) verbal and non-verbal aspects (Lorié et al., 2017; Vera et al., 2018) and (d) being comprised of many different factors which lie on a spectrum (Spenser, 2017). Furthermore, Davis (1983) states that some investigators consider empathy to be a cognitive phemonenon. Therefore, it is not so much the mere presence or absence of empathy, but the types of empathy displayed during interviews that is important. Making

these distinctions and differentiating between cognitive (rational) and affective (emotional) empathy, for example, may allow for a better understanding of what types are appropriate    for investigative interviews.

**Aims**

The present study aims to: (i) explore the interviewing style police officers in several European countries claim to use (i.e., accusatorial style, information-gathering style, mixed [both accusatorial and information-gathering], or none), and (ii) examine their definitions of empathy. The current study focuses on interviews with suspects of sexual offenses as these are of high importance.

It was hypothesized that officers who employ an information-gathering approach would: (i) provide 'stronger' definitions of empathy, (ii) would show more understanding of empathy's complexity and (iii) show more cognitive than affective empathy definitions than officers whose styles involved accusatory or confession-oriented approaches. It was also hypothesized that due to national differences in training regimes, the 'strength' of definitions would differ across the seven countries.

**Method**

*Participants*

Participants were recruited through police contacts of the first two authors. Participants (*N*=256) were police officers in seven European countries with experience of interviewing suspects of sexual offenses: England (9.4%; *n*=24), Estonia (5.1%; *n*=13), Germany (14.8%; *n*=38), The Netherlands (37.1%; *n*=95), Slovenia (6.3%; *n*=16),

Sweden (22.3%; *n*=57), and Switzerland (3.9%; *n*=10). Of the participants 140 were women (54.7%) and 104 men (40.6%) – 12 did not indicate their gender. Their relevant experience in police service ranged from over 15 years to less than a year: over 15 years (60.9%; *n*=171); 11-15 years (15%; *n*=42); 6-10 years (13.2%; *n*=37); 1-5 years (7.5%; *n*=21); and less than one year (2.9%; *n*=8). Their experience of conducting interviews with sex crime suspects were >15 years (21.2%; *n*=58); 11-15 years (18%; *n*=48); 6-10 years (25.2%; *n*=69); 1-5 years (30%; *n*=81); and <1 year (6.6%; *n*-18). The participants' experience of conducting interviews with suspects had a combined mean of 5.45 monthly interviews with suspects in general, and a mean of 2.74 monthly interviews with suspects of sexual offences.

*The Questionnaire*

An online questionnaire was made available to contacts in a variety of police organizations. The questionnaire consisted of 35 items, which included questions: (i) about demographics; (ii) about conducting interviews; (iii) regarding training and tactics; (iv) regarding empathy usage in interviews; (v) about empathy in general and empathy within interviews. This questionnaire was translated into the relevant languages. A native speaker of the relevant language then translated the responses back into English. After ethical clearance was given, the link to the questionnaire was distributed to eligible participants. The questionnaire involved semi-structured and open-ended questions, yes/no questions, five-point Likert scales, and multiple-choice questions.

*Data Coding and Analysis*

Participants were allocated to groups depending on the answers to the following two questions: (i) *"What methods did your training consist of?"*; and (ii) *"What other methods and tactics do you employ during interviews?"* the replies were coded into one of four themes, these being (i) accusatorial style; (ii) information-gathering style; (iii) mixed; or (iv) non-identifiable. The mixed category comprised replies involving methods that were both information-gathering and accusatorial. (If participants offered one technique from accusatorial interview and five techniques from the information-gathering interview the participants they were allocated into the mixed interview approach group.) Having completed with the coding into groups regarding these themes, the first author again conducted this coding and found no differences between the second coding and the first. Table 1 provides information regarding the definition of these themes and presents examples of methods according to themes, based on the relevant prior literature (Meissner et al., 2014; Soukara, Bull, Vrij, Turner, & Cherryman, 2009; Walsh & Bull, 2012).

## Results

*Training and Interviewing Approach*

Seventy-five percent (*n*=163) of participants indicated that they had received training in conducting interviews/interrogations. Some of the responses concerning the methods and techniques experienced during training were vague, and thus not able to be categorized into themes. However, the answers to '*What other tactics do you employ?'*, were much more specific and better able to be categorized into 'accusatorial styles',

'information gathering', or 'mixed' approaches. This revealed that 100 participants indicated using information-gathering techniques, 34 stated using accusatorial techniques, and 24 responded with a mix of tactics (see Table 2). These findings indicate that in every participating country, some officers employ an information-gathering approach while others use an accusatorial style. Only a few participants in England (1 out of 32) and The Netherlands (9 out of 74), both countries which provide extensive, nationalized training, indicated employing less accusatorial tactics. In contrast, more indicated this in Germany (15 out of 31) and Slovenia (4 out of 14).

*Empathy and Empathic Scores (ES)*

The majority of participants (92%, *n=231*) of the *n=251* indicated that they do employ empathy in interviews. When questioned on their use of empathy, 60% (*n=142*) claimed to employ empathy throughout an interview, whereas 40% indicated that they only use empathy 'rarely'.

Across all countries, 240 of the participants provided a total of 327 responses/definitions of empathy, with many individuals providing multiple definitions. Many of the definitions were very similar, and some were exactly the same, and thus, 11 themes emerged (see Table 3). Across all countries, the response '*Appreciating emotions*' was most often given as a definition of empathy (*n=99*). For this definition (*n=99*) the proportions according to country were as follows: Slovenia (62.5%), Germany (60%), The Netherlands (46.1%), Estonia (45.5%), Sweden (37.3%), England (27.3%), and Switzerland (21.4%) (see Table 3).

The number of definitions provided by each individual was then counted. The higher the number of definitions provided by an individual, the more he or she understood the complexity of empathy. The officers in Germany provided on average the highest number of definitions when describing empathy (2.45 definitions per individual) followed by Sweden (2.27), Switzerland (2.20), Estonia (2.08), The Netherlands (2.02), England (1.95), and Slovenia (1.87).

Of course empathy (for example, as can rapport) can vary in its strength/degree. The definitions of empathy were then compiled and organized into a new strength scale, with one being the lowest strength and nine being the highest strength in a similar manner to Davis' IRI (1980, 1983) and Spenser's (2017) empathy continuum (see Table 4). Definitions pertaining to "*Sympathy*" and "*Similar Language*" were omitted, because sympathy can be differentiated from empathy, and "similar language" had only one response.

Similar to other uni-dimensional strength scales (such as the Likert, Thurstone, and Guttman), the current scale is designed to describe strength in a hierarchical manner. However, unlike the aforementioned scales, although empathy can be conceptualized as ascending in strength some officers' definitions were not cumulative in nature. Our strength scale is based on deriving strength scores from the type of empathy provided in each definition. For example, "appreciating emotions/distress" as a definition does not automatically include the notion of "listening" or "openness".

Due to the fact that on many occasions each of the participants' definitions included more than one element of the strength scale shown in Table 4 (e.g., mentioning 1, 2, and 4 or mentioning only 2, 5, and 7), a way had to be devised for scoring such definitions on

the scale in order to assess the strengths of empathy within the participants' definitions. An example of this would be: "Allowing myself to be open enough to listen and understand" which was allocated a total empathy score of 1+2+4=7. A definition that mentioned all of 1 to 6 would thus be given a score of 21 (i.e., 1+2+3+4+5+6).

An inter-rater reliability check was also conducted on the empathy definition scoring. The English-speaking second rater was a PhD candidate researching on police interviewing who coded a random sample of 30 participants' empathy definitions. The inter-rater was sufficiently high ($\alpha$ = .87). The empathy definition scores (ES) allotted to each participant were then analyzed using a two-way ANOVA to examine any effect of (i) country and (ii) self-reported interviewing style (i.e. accusatorial, info-gathering, mixed group, not identifiable). Prior to conducting the ANOVA, the assumption of homogeneity of variances was tested and satisfied according to Levene's $F$ test, $F$ (33,194) = 1.60, $p$ = .028. The ANOVA indicated that there was a significant main effect of country [$F$ (6, 228) = 3.80, $p$ < .05 ($p$=.001), $\eta^2$ = .105]. Post hoc comparisons using the Tukey HSD test indicated that the mean ES for Germany was significantly ($p$ <=.001) higher than the mean ES score for the Netherlands, Sweden and England (see Table 5).

The effect of interviewing style on empathy did not achieve statistical significance [$F$ = (4, 228) = 2.08, $p$ > .05 ($p$ = .09), $\eta^2$ = .041], nor did the interaction between country and interviewing style [$F$ = (23, 228) = .875, $p$ > .05 ($p$ = .63), $\eta^2$ = .094]. Figure 1 demonstrates the significant effect of country on empathy definition strength (also noting interviewing style). It reveals that the least variation in empathy definition score was for officers in England and The Netherland and that the largest variation was for Germany and in Switzerland.

*Cognitive and Affective Empathy*

A majority of officers in all countries provided more cognitive empathy definitions that were more cognitive than affective: England, 95.8%; Switzerland, 90%; Estonia, 84.6%; Slovenia, 75%; Sweden, 71.9%; Germany, 68.4%; The Netherlands, 61.1% of the definitions given were of cognitive nature.

## Discussion

The present study innovatively explored in several European countries (i) the training police interviewers received, (ii) if they employ empathy, and (iii) their definitions of empathy, (iv) their apparent knowledge of empathy's complexity, and (v) their self-reported use of empathy. Three quarters (75%) of the participants indicated that they had indeed received some training regarding the conducting of interviews, particularly with suspects of sexual crimes. In six of the seven countries, when asked about their training (and what other tactics they employ during an investigative interview) participants indicated that they employed information-gathering techniques most of the time. The exception was Germany, where half of the respondents indicated they used accusatorial methods.

It was hypothesized that those countries with standardized national training involving information-gathering techniques such as The Netherlands (Van der Sleen, 2009) and England would provide stronger empathy definitions than countries with little or no training or training in accusatorial styles. However, this was not found. In England, police interviewers have been trained for over 25 years in the 'PEACE' model, which

emphasizes information gathering (Milne & Bull, 1999), yet the present study found that officers' average definition scores in England were lower compared to the other countries and more cognitive than affective. Also noteworthy within each of these two countries is that the variation in scores was much lower compared with the other countries, due perhaps to the nationalized training.

A possible explanation for the difference across some countries in empathy definition scores could be a native language effect. For example, in the German language there is a one-word synonym for empathy used in 'everyday language' - *Mitgefühl* - which literally means 'feeling with another person'. The existence of this word in German may indicate an inclination towards empathic understanding (definition of number nine on the strength scale *"appreciating emotions/distress"*) that could explain why empathy definition scores were significantly higher for the German participants. However, this definition could be thought of as an affective/emotional form of empathy.

Due to the variance in definitions across countries, it is here suggested that ways to employ empathy may not be clear to officers, even experienced officers with and without national standardized training. Although each type of definition was found in every country, the strength of the definitions varied possibly due to a lack of in-depth understanding of empathy and how to employ it in investigative interviews.

*Implications for Police Practice*

Police interviewers have the responsibility to build rapport (Bull & Baker, 2020); Walsh & Bull, 2012), and simultaneously adhere to the many institutional demands that

come with their job (Antaki, Richardson, Stokoe, & Willott, 2017). Building rapport may well involve empathy. However, the definitions of empathy differed in strength across countries showing that police officers internationally have not yet agreed upon a definition of empathy. Although research on investigative empathy is    in its infancy, empathic understanding comprises a large part of the humane approach of interviewing, as seen, for example, in the PEACE model. Yet, specific ways of employing empathy are not as yet well understood or operationalized. A more universally agreed upon definition of empathy, [which takes into account its multi-faceted and dynamic components (i.e. the different types of empathy, direct and indirect forms, aspects of empathy which are relevant and useful within investigative interviews, etc.)] is necessary in order to maximally utilize empathy for investigative interviews. As the amount of research on employing empathy grows, the importance may well be that *investigative empathy* should focus on its cognitive aspects rather than the affective components. In interviews with suspected sexual offenders or suspects of other heinous crimes, where research suggests that empathy plays a major role, it is crucial to understand which aspects of *investigative empathy* can aid in gaining cooperation from such suspects, without there being undue effects on interviewers (e.g. burnout). Not all types of empathy may be useful. As noted above, it may well be important to acknowledge cognitive empathy's benefits and the risks of affective empathy.

International standards are starting to be put into place regarding non-coercive investigative interviewing. However, much more needs to be done, including implementing research-/evidence-based training that involves rapport-building and the use of appropriate forms of empathy. This will support Special Rapporteur, Juan

Mendez's seminal recommendations to the United Nations. The present study aims to

begin an understanding and stimulate discussion on the important topic of empathy.

*Limitations*

Inevitably, a study of this nature had to adopt a self-report methodology. Future

research could consider examining a similarly large sample of actual interviews but this

would be extensively time consuming even if (i) all countries had full and valid

recordings of interviews and (ii) research access would be grated (unlikely at present in

many countries). Due to the low number of participants in Switzerland, the sample may

not be representative of investigative interviewers in that country.

The lack of an available standardized strength scale led to the development of the

current one. As mentioned above, many developed tests on empathy do not include

measuring the strength of displayed empathy and thus a new test was needed. Its inter-

rater reliability was established and it provides an introductory understanding of types of

empathy in investigative interviews.

**References**

Alceste, F., Luke, T., & Kassin, S. (2018). Holding yourself captive: Perceptions of custody during interviews and interrogations. *Journal of Applied Research in Memory and Cognition, 7*, 387-397.

Alison, L., Alison, E., Noone, G., Elntib, S., & Christiansen, P. (2013). Why touch tactics fail and rapport gets results: Observing rapport-based interpersonal techniques (ORBIT)

to generate useful information from terrorists. *Psychology, Public Policy, and Law, 19*, 411-431. Doi: 10.1037/a0034564

Alison, L., Giles, S., & McGuire, G. (2015). Blood from a stone: Why rapport works and torture doesn't in 'enhanced' interrogations. *Investigative Interviewing: Research and Practice, Special Issue,* 5-23.

Abbe, A. & Brandon, S. (2014). Building and maintaining rapport in investigative interviews. *Police Practice & Research, 15*, 207-220. DOI: 10.1080/15614263.2013.827835.

Antaki, C., Richardson, E., Stokoe, E., & Willott, S. (2017). Dealing with the distress of people with intellectual disabilities reporting sexual assault and rape. *Discourse Studies, 17*, (4) 415-432.

Areh, I., Walsh, D., & Bull, R. (2015). Police interrogation practice in Slovenia. *Psychology, Crime & Law, 22*, 405-419. DOI: 10.1080/1068316X.2015.1114113

Areh, I., Zgaga, S., & Flander, B. (2016). Police interrogation of suspects in Slovenia. In D. W. Walsh, G. E. Oxburgh, A. D. Redlich, & T. Myklebust (Eds.) *International Developments and Practices in Investigative Interviewing and Interrogation: Volume 2, Suspects* (pp. 204-214). London: Routledge.

Arrigo, J. M. & Bennett, R. (2007). Organizational supports for abusive interrogations in the "War on Terror." *Peace and Conflict: Journal of Peace Psychology, 13* (4), 411-421.

Baker, B., Bull, R., & Walsh, D. (in press). Investigative empathy: Five types of cognitive empathy in a field study of investigative interviews with suspects of sexual offences. *Investigative Interviewing: Research and Practice.*

Balconi, M. & Bartolotti, A. (2014). Self-report, personality and autonomic system modulation in response to empathic conflictual versus non conflictual situation. *Cognition and Emotion, 28*, 153-162.

Borum, R. (2006). Approaching truth: Behavioral science lessons on educing information from human sources. In *Intelligence Science Board* (Ed.), *Educing information: Interrogation. Science and art: Foundations for the future. Phase 1 report* (pp. 17-43). Washington, DC: National Defense Intelligence College Press.

Brown, S., Walker, K., Gannon, T., & Keown, K. (2013). Creating a psychologically comfortable position: The link between empathy and cognitions in sex offenders. *Journal of Sexual Aggression, 19*, 275-294.

Bull, R. (2013). What is 'believed' or actually 'known' about characteristics that may contribute to being a good/effective interviewer? *Investigative Interviewing: Research and Practice, 5*, 128-143.

Bull, R. & Baker, B. (2020). Obtaining from suspects valid discourse 'PEACE"-fully: What role for rapport and empathy? In M. Mason & F. Rock (Eds.), *The Discourse of Police Interviews*. Chicago: University of Chicago Press.

Cherryman, J. & Bull, R. (1996). Investigative Interviewing. In F. Leishman, B. Loveday and S. Savage (Eds.) *Core issues in policing* (pp. 147-159). London: Heinemann.

Clarke, C. & Milne, R. (2016). Interviewing suspects in England and Wales: A national evaluation of PEACE interviewing: One decade later. In D. W. Walsh, G. E. Oxburgh, A. D. Redlich, & T. Myklebust (Eds.) *International Developments and Practices in Investigative Interviewing and Interrogation: Volume 2, Suspects* (pp. 101-118). London: Routledge.

Cohen, D. & Strayer, J. (1996). Empathy in conduct-disordered and comparison youth. *Developmental Psychology, 32*, 988-998.

Courvoisier, J., Sellie, C., & St-Yves, M. (2016). Investigative interviewing of suspects in Switzerland. In D. W. Walsh, G. E. Oxburgh, A. D. Redlich, & T. Myklebust (Eds.) *International Developments and Practices in Investigative Interviewing and Interrogation: Volume 2, Suspects* (pp. 215-226). London: Routledge.

Dando, C. & Bull, R. (2011). Maximising opportunities to detect verbal deception: Training police officers to interview tactically. *Journal of Investigative Psychology and Offender Profiling, 8,* 189-202. DOI: 10.1002/jip.145

Dando, C. & Oxburgh, G. (2016). Empathy in the field: Towards a taxonomy of empathic communication in information gathering interviews with suspected sex offenders. *The European Journal of Psychology Applied to Legal Context, 8,* 27-33.

Davis, M. (1980). A multidimensional approach to individual differences in empathy. JSAS *Catalog of Selected Documents in Psychology, 10*, 1-17.

Davis, M. (1983). Measuring individual differences in empathy: Evidence for a multidimensional approach. *Journal of Personality and Social Psychology, 44*, 113-126.

Decety, J. & Jackson, P.L. (2004). The functional architecture of human empathy. *Behavioral and Cognitive Neuroscience, 3*, 71-100.

Deutsch, F. & Madle, R. (1975). Empathy: Historic and current conceptualizations, measurement, and a cognitive theoretical perspective. *Human Development, 18*, 267-287.

Elwood, L., Mott, J., Lohr, J., & Galovski, T. (2011). Secondary trauma symptoms in clinicians: A critical review of the construct, specificity, and implications for trauma-focused treatment. *Clinical Psychology Review, 31*, 25-36.

Fahsing, I., Jakobsen, K., & Öhrn, H. (2016). Investigative Interviewing of suspects in Scandinavia. In D. W. Walsh, G. E. Oxburgh, A. D. Redlich, & T. Myklebust (Eds.) *International Developments and Practices in Investigative Interviewing and Interrogation: Volume 2, Suspects* (pp. 180-192). London: Routledge.

Figley, C. (2002). Compassion fatigue: Psychotherapists' chronic lack of self care. *Journal of Clinical Psychology, 58*, 1433-1441.

Findlay, L., Girardi, A., & Coplan, R. (2006). Links between empathy, social behavior, and social understanding in early childhood. *Early Childhood Research Quarterly, 21*, 347-359.

Fisher, R. & Geiselman, R. (1992). *Memory-enhancing techniques for investigative interviewing: The cognitive interview.* Springfield, IL: Charles C. Thomas Publisher.

Foell, J., Brislin, S., Drislane, L., Dziobek, I., & Patrick, C. (2018). Creation and validation of an English-language version of the multifaceted empathy test (MET). *Journal of Psychopathology and Behavioral Assessment, 40*, 431-439.

Gudjonsson, G. (2011). False confessions and correcting injustices. *New England Law Review, 46*, 689-710.

Hall, J. & Schwartz, R. (2019). Empathy present and future. *The Journal of Social Psychology, 159,* (3), 225-243.

Hatfield, E., Cacioppo, J., & Rapson, R. (1994). *Emotional Contagion (Studies in Emotion and Social Interaction)*. Cambridge: Cambridge University Press.

Hatfield, E., Cacioppo, J., Rapson, R. (1993). Emotional contagion. *Current Directions in Psychological Science, 2*, 96-99. DOI: 10.1111/1467-8721.ep10770953

Hochschild, A. (1983). *The Managed Heart: Commercialization of Human Feeling*. Berkeley: University of California Press.

Holmberg, U. & Christianson, S. (2002). Murderers' and sexual offenders experiences of police interviews and their inclination to admit or deny crimes. *Behavioral Sciences & the Law, 20*, 31-45.

Hooker, C., Verosky, S., Germine, L., Knight, R., & D'Esposito, M. (2008). Mentalizing about emotion and its relationship to empathy. *Social Cognitive and Affective Neuroscience, 3*, 204-217.

Huey, L. & Kalyal, H. (2017). 'We deal with human beings': The emotional labor aspects of criminal investigation. *International Journal of Police Science & Management,* 1-8.

Hulme, P. & Middleton, M. (2013). Psychosocial and developmental characteristics of civilly committed sex offenders. *Issues in Mental Health Nursing, 34*, 141-149.

Ickes, W. (1997). *Empathic accuracy*. London: Guilford Press.

Jakobsen, K., Langballe, A, & Schultz, J. (2016). Trauma-exposed young victims: Possibilities and contraints for providing trauma support within the investigative interview. *Psychology, Crime & Law, 23*, 5, 427-444.

Jakobsen, K. (2019). Empathy in investigative interviews of victims: How to understand it, how to measure it, and how to do it? *Police Practice and Research.* DOI: 10.1080/15614263.2019.1668789

Jolliffe, D. & Farrington, D. (2006). Development and validation of the basic empathy scale. *Journal of Adolescence, 29*, 589-611.

Jolliffe, D. & Farrington, D. (2004). Empathy and offending: A systematic review and meta-analysis. *Aggression and Violent Behaviour, 9,* 441-476.

Jonasson, P. & Krause, L. (2013). The emotional deficits associated with the Dark Triad traits, Cognitive empathy, affective empathy, and alexithymia. *Personality and Individual Differences, 55*, 532-537.

Kassin, S., Drizin, S., Grisso, T., Gudjonsson, G., Leo, R., & Redlich, A. (2010). Police-induced confessions: Risk factors and recommendations. *Law and Human Behavior, 34*, 3-38. DOI: 10.1007/sl10979-009-9188-6

Kassin, S., Leo, R., Meissner, C., Richman, K., Colwell, L., Leach, A., & La Fon, D. (2007). Police interviewing and interrogation: A self-report survey of police practices and beliefs. *Law and Human Behavior, 31*, 381-400.

Kassin, S. & Gudjonsson, G. (2004). The psychology of confessions: A review of the literature and issues. *Psychological Science in the Public Interest, 5*, 35-67.

Kebbell, M., Hurron, E., & Mazerolle, P. (2006). Sexual offenders' perceptions of police interviewing: Implications for improving the interviewing effectiveness. *The Canadian Journal of Police & Security Service, 4*, 67-75.

Kelly, C., Miller, J., Redlich, A., & Kleinman, S. (2013). A taxonomy of interrogation methods. *Psychology, Public Policy, and Law, 19,* 165-178.

King, L. & Snook, B. (2009). Peering inside a Canadian interrogation room: An examination of the red model of interrogation, influence tactics, and coercive strategies. *Criminal Justice and Behavior, 36*, 674-694.

Kozinski, W. (2017). The Reid interrogation technique and false confessions: A time for change. *Human Rights Social Welfare and Insurance*, *16*, 301-346.

Lorié, A., Reinero, D., Phillips, M., Zhang, L., & Riess, H. (2017). Culture and nonverbal expressions of empathy in clinical settings: A systematic review. *Patient Education and Counseling.*

Luff, R. (2010). Forms of empathy of care home staff working with older people. *International Journal of Work Organisation and Emotion*, *3,* 302-316.

MacEachern, A.D., Jindal-Snape, D. & Jackson, S. (2011). Child Abuse Investigation: Police Officers and Secondary Traumatic Stress. *International Journal of Occupational Safety and Ergonomics, 17:4,* 329-339, DOI: 10.1080/10803548.2011.11076898

Mehrabian, A. (1977). *Nonverbal Communication*. Transaction Publishers.

Meissner, C., Redlich, A., Michael, S., Evans, J., Camilletti, C., Bhatt, S., & Brandon, S. (2014). Interview and interrogation methods and their effects on true and false confessions: A meta-analytic review. *Journal of Experimental Criminology, 10,* 459-486. DOI: 10.1007/s11292-014-9207-6

Meissner, C., Russano, M., & Narchet, F. (2010). The importance of a laboratory science for improving the diagnostic value of confession evidence. In G. Lassiter and C. Meissner

(Eds.). *Police Interrogations and False Confessions.* pp. 111-126.  Washington: American Psychological Association.

Miller, J., Redlich, A., & Kelly, C. (2018). Accusatorial and information-gathering interview and interrogation methods: A multi-country comparison. *Psychology, Crime & Law*. DOI: 10.1080/1068316X.2018.1467909

Miller, W.R. & Rollnick, S. (2012). *Motivational interviewing.* New York: Guilford Press.

Milne, R. & Bull, R. (1999). *Investigative interviewing: Psychology and practice.* John Wiley & Sons, Ltd.: Chichester.

Öpik, R. & Kask, K. (2016). Interviews with Suspects in Estonia. In D. W. Walsh, G. E. Oxburgh, A. D. Redlich, & T. Myklebust (Eds.) *International Developments and Practices in Investigative Interviewing and Interrogation: Volume 2, Suspects* (pp. 119-130). London: Routledge.

Oxburgh, Ost, & Cherryman, J. (2012). Police interviews with suspected child sex offenders: Does use of empathy and question type influence the amount of investigation relevant information obtained? *Psychology, Crime & Law, 18*, 259-273.

Oxburgh, G., Myklebust, T., & Grant, T. (2010). The question of question types in police interviews: A review of the literature from a psychological and linguistic perspective. *International Journal of Speech, Language & the Law, 17*, 45-66.

Preston, S. & de Waal, F. (2002). Empathy: Its ultimate and proximate bases. *Behavioral and Brain Sciences, 25*, 1-20.

Rachlew, A. (1999). *Norwegian Police Officers' Perceptions of Investigative Interviewing: Implications for Training.* Unpublished Master's thesis, University of Liverpool.

Rankin, K., Gorno-Tempini, M., Allison, S., Stanley, C., Glenn, S., Weiner, M., & Miller, B. (2006). Structural anatomy of empathy in neurodegenerative disease. *Brain, 129,* 2945-2956.

Read, J., Powell, M., Kebbell, M., & Milne, R. (2009). Investigative interviewing of suspected sex offenders: A review of what constitutes best practice. *International Journal of Police Science and Management, 11*, 442-459.

Redlich, A. & Meissner, C. (2009). Techniques and controversies on the interrogation of suspects: The artful practice versus the scientific study. In J. Skeem, K. Douglas, & S. Lilienfeld (Eds.). *Psychological Science in the Courtroom: Controversies and Consensus* (pp. 124-148). New York, NY: Guilford Publications.

Reniers, R., Corcoran, R., Drake, R., Shryane, N., & Völlm, B. (2011). The QCAE: A questionnaire of cognitive and affective empathy. *Journal of Personality Assessment, 93*, 84-95.

Riess, H. & Kraft-Todd, G. (2014). Empathy: A tool to enhance nonverbal communication between clinicians and their patients. *Academic Medicine*, *89*, 1108-1112.

Russano, M., Meissner, C., Narchet, F., & Kassin, S. (2005). Investigating true and false confessions within a novel experimental paradigm. *Psychological Science, 16*, 481-486.

Shumann, D. (1993). The use of empathy in forensic examinations. *Ethics & Behavior, 3*, 3 & 4, 289-302.

Soukara, S., Bull, R., & Vrij, A. (2002). Police detectives' aims regarding their interviews with suspects: Any change at the turn of the millennium? *International Journal of Police Science and Management, 4,* 101-114. DOI: 10.1177/146135570200400202

Spenser, K. (2017). Socio-Cognitive Determinants of Offending Behaviour (Doctoral dissertation).

St.-Yves, M. (2006). The psychology of rapport: Five basic rules. In T. Williamson (Ed.), *Investigative interviewing: Rights, research and regulation*. (pp. 87-105). Devon, United Kingdom: Willan Publishing.

Turgoose, D., Glover, N., Barker, C., & Maddox, L. (2017). Empathy, compassion fatigue, and burnout in police officers working with rape victims. *Traumatology, 23*, (2), 205-213.

United Nations, General Assembly, *Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms*, A/71/298 (5 August 2016), available from undocs.org/A/71/298.

Vallano, J. & Schreiber-Compo, N. (2015). Rapport-building with cooperative witnesses and criminal suspects: A theoretical and empirical review. *Psychology, Public Policy and Law, 21,* 110-130.

Vanderhallen, M., Vervaeke, G., & Holmberg, U. (2011). Witness and suspect perceptions of working alliance and interviewing style. *Journal of Investigative Psychology and Offender Profiling, 8*, 110-130.

Van der Sleen, J. (2009). A structured model for investigative interviewing of suspects. In R. Bull, T. Valentine and T. Williamson (Eds.) *Handbook of Psychology of Investigative Interviewing* (pp. 35- 52*). Chichester: Wiley.

Vera. L., Boccaccini, M., Laxton, K., Bryson, C., Pennington, C., Ridge, B., & Murrie, D. (2018, November 5). How does evaluator empathy impact a forensic interview? *Law and Human Behavior.* Advance online publication. http://dx.doi.org/10.1037/lhb0000310

Volbert, R. & Baker, B. (2016a). Investigative interviewing of witnesses in Germany. In D. W. Walsh, G. E. Oxburgh, A. D. Redlich, & T. Myklebust (Eds.) *International Developments and Practices in Investigative Interviewing and Interrogation: Volume 1, Witnesses* (pp. 152-162). London: Routledge.

Volbert, R. & Baker, B. (2016b). Investigative interviewing of suspects in Germany. In D. W. Walsh, G. E. Oxburgh, A. D. Redlich, & T. Myklebust (Eds.) *International Developments and Practices in Investigative Interviewing and Interrogation: Volume 2, Suspects* (pp. 138-147). London: Routledge.

Walsh, D. & Bull, R. (2012). Examining rapport in investigative interviews with suspects: Does its building and maintenance work? *Journal of Police and Criminal Psychology, 27,* 73-84.

Walsh, D., Oxburgh, G., Redlich, A., & Myklebust, T. (2016a) *International Developments and Practices in Investigative Interviewing and Interrogation: Volume 1, Witnesses*. London: Routledge.

Walsh, D., Oxburgh, G., Redlich, A., & Myklebust, T. (2016b) *International Developments and Practices in Investigative Interviewing and Interrogation: Volume 2, Suspects*. London: Routledge.

Yeschke, C. (2003). *The Art of Investigative Interviewing*. Burlington: Butterworth-Heinemann Elsevier Science.

Zahavi, D. (2015). You, me, and we: The sharing of emotional experiences. *Journal of Consciousness Studies, 22*, 84-101.

**Table 1: *Coding for Interviewing Style***

| Accusatorial | Info-Gathering | Not Identifiable |
| --- | --- | --- |
| Rationalisation | Invite Free account | 'Everything is |
| Minimization | Empathy | individualized. |
| Good cop/bad cop | Non judgmental | *"With the presentation of* |

| | | |
|---|---|---|
| Pressure | Obtaining information | *the lawyer there is no* |
| Marginalising victim's | Open questions | *opportunity to apply other* |
| Account | Relaxation | *tactics".* |
| Marginalising crime | Non-verbal attention | |
| Confinement | Active listening | |
| Guilt | Listening | |
| Fake 'get angry' | Motivational Interviewing | |
| Reid Interview | Calm conversation | |
| | Allowing for room to talk openly | |
| | PEACE Method | |
| | Open-mindedness | |
| | Patience & time | |
| | Gradual presentation of evidence | |

**Table 2: *Interviewing Approach by Country***

| Participants | Accusatorial | | Info-Gathering | | Mixed | | N/I | |
|---|---|---|---|---|---|---|---|---|
| | *n* | *%* | *n* | *%* | *n* | *%* | *n* | *%* |
| Germany (N=30) | 15 | 50% | 10 | 33.3% | 2 | 6.6% | 3 | 10% |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| England (N=21) | 1 | 4.8% | 12 | 57.1% | 2 | 9.5% | 6 | 28.6% |
| Switzerland (N=10) | 2 | 20% | 5 | 50% | 2 | 20% | 1 | 10% |
| Sweden (N=50) | 2 | 4% | 30 | 60% | 6 | 12% | 12 | 24% |
| Estonia (N=13) | 1 | 7.7% | 2 | 15.4% | 5 | 38.5% | 5 | 38.5% |
| Slovenia (N=15) | 4 | 26.7% | 4 | 26.7% | 2 | 13.3% | 5 | 33.3% |
| Netherlands (N=75) | 9 | 12% | 37 | 49.3% | 5 | 6.7% | 24 | 32% |

**Table 3; Number of Response Themes for Empathic Definitions per Country**

| Empathic Themes | CH | DE | EE | EN | NL | SE | SL |
|---|---|---|---|---|---|---|---|
| 1. Appreciating Emotions (*n*=99) | 3 | 18 | 5 | 9 | 35 | 19 | 10 |
| 2. Understanding (*n*=66) | 4 | 2 | 4 | 11 | 23 | 21 | 1 |
| 3. Changing Perspectives (*n*=51) | 6 | 14 | 1 | 14 | 9 | 6 | 1 |

41

Investigative Empathy in Police Interviews

| | CH | DE | EE | EN | NL | SE | SL |
|---|---|---|---|---|---|---|---|
| 4. Non-Judgment (*n*=30) | 4 | 0 | 1 | 5 | 14 | 5 | 1 |
| 5. Respectful (*n*=25) | 0 | 0 | 2 | 2 | 12 | 9 | 0 |
| 6. Understanding Actions (*n*=18) | 1 | 8 | 3 | 3 | 0 | 2 | 1 |
| 7. Openness (*n*=13) | 1 | 2 | 0 | 1 | 7 | 2 | 0 |
| 8. Listening (*n*=13) | 3 | 0 | 0 | 1 | 4 | 4 | 1 |
| 9. Sympathy (*n*=7) | 0 | 0 | 0 | 0 | 5 | 2 | 0 |
| 10. Working Together (*n*=4) | 1 | 0 | 2 | 0 | 1 | 0 | 0 |
| 11. Similar Language (*n*=1) | 0 | 0 | 0 | 1 | 0 | 0 | 0 |

*CH=Switzerland; DE=Germany; EE=Estonia; EN=England; NL=Netherlands;

SE=Sweden; SL=Slovenia

Table 4: *Strength Scale for the types of empathy mentioned*

| Empathy Categorizations | Empathy Types |
|---|---|
| 1.    Openness | |
| 2.    Listening | |
| 3.    Non-judgment/unbiased | *indirect (1-4)* |
| 4.    Understanding (e.g. current situation) | |

5.       Working together

6.       Changing perspectives

7.       Building rapport                  *direct (5-9)*

8.       Understanding Actions

9.       Appreciating emotions/distress

**Table 5:** *Mean Empathy Definition Scores by Country*

| Participants ($N$=228) | $n$ | Mean ES | SD |
|---|---|---|---|
| Germany (DE) | 31 | 10.13 | 4.06 |
| Slovenia (SL) | 15 | 9.29 | 5.73 |
| Switzerland (CH) | 14 | 8.50 | 4.69 |
| Estonia (EE) | 12 | 8.09 | 3.05 |

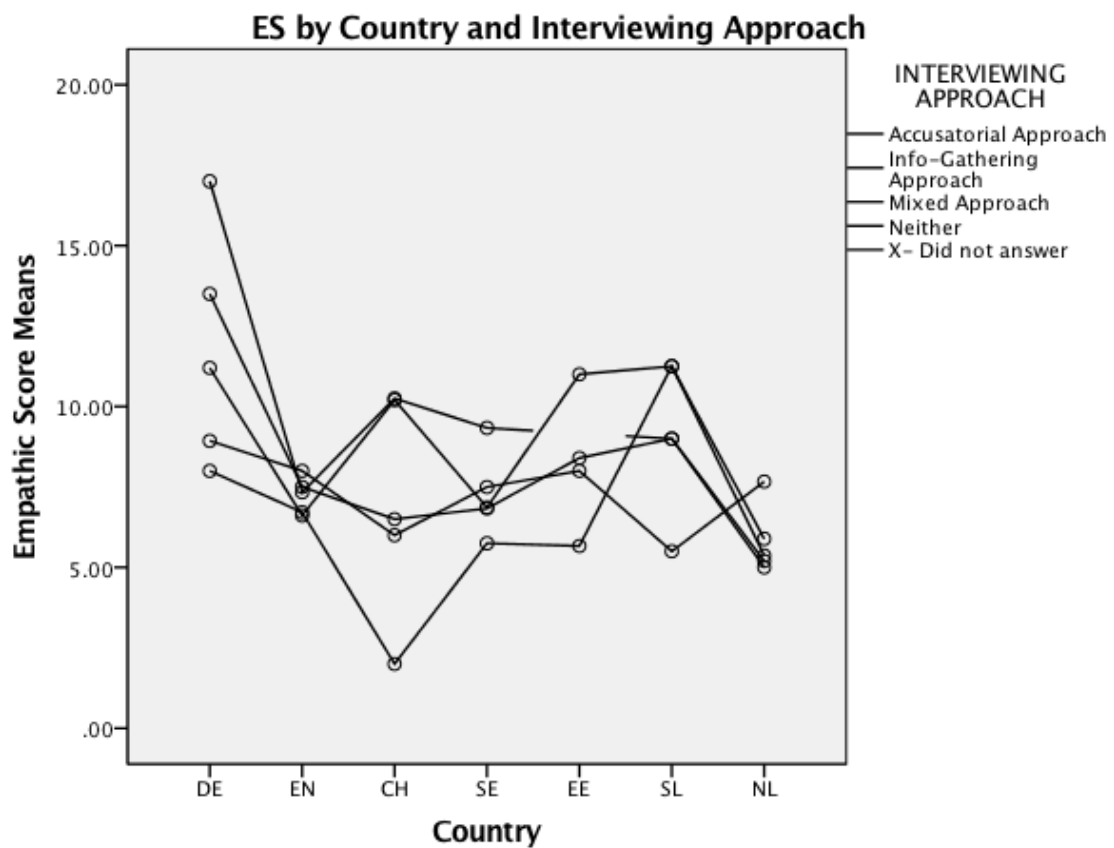| | | | |
|---|---|---|---|
| England (EN) | 31 | 6.94 | 3.63 |
| Sweden (SE) | 51 | 6.77 | 4.21 |
| Netherlands (NL) | 74 | 5.86 | 3.74 |



Figure 1: Empathy Definition Score by County and Interviewing Style