

Questioning Styles

There is no one 'right way' to go about questioning. A mixed approach should be adopted incorporating a variety of questioning techniques. How witnesses are approached will depend on the nature of the topic and the kind of person being questioned.

Open questions – Open questions allow the witness open up and to share all the information they have. Encouraging the witness to elaborate early on will allow them to speak and will calm their nerves. This will help them to relax, and can be helpful in ensuring the witness will answer further questions in a more helpful manner.

Closed questions – Where a simple yes or no answer will suffice it is advisable to stick to closed questions (such as when checking a fact). Closed questions are harder to avoid and easier to challenge.

Useful phrases Did you ...? Have you told.....? 'What I think I'm hearing is... is that right?'

Reflecting Questions – These are used to clarify something which has been said, and/or to get the respondent to speak about a subject in more depth.

Useful phrases 'You said that...'' You sound as if ...' I get the feeling that'

Extending Questions – Extending questions invite the respondent to offer more information, and to elaborate on what they have already said.

Useful phrases 'How else could...?' 'Could you tell me more about..?'

Comparative Questions – These can be used when the scrutineer wants to compare situations (for example on a before and after basis)

Useful phrases 'What has it been like since...?' 'What difference has ...?'

Hypothetical Questions – The use of hypothetical frameworks allows the witness to answer a question from a safer theoretical position and may encourage them to explore issues more in-depth.

Rephrasing or paraphrasing – Another technique that can be used to clarify something that has been said by the witness, it may also encourage the witness to elaborate on their previous answer and provide more detail.

Useful phrases Are you saying that...?' 'Let me see if I understand the problem completely...'

Linking Questions – Linking questions rely on active listening on the part of the scrutineer (see below). By linking previous responses offered by the witness to other issues the scrutineer is able to demonstrate that he has valued the witness's input. This technique may then encourage the witness to offer further explanation.

Useful phrases-You mentioned earlier that...how would you....?

Questions to avoid:

- 'Double blind' questions such as "Have you stopped massaging the figures?"
- Biased questions with an inbuilt bias towards a particular perspective. A respondent then either has to accept the bias or challenge it and this could lead to an adversarial exchange.
- Leading questions that unfairly lead a respondent to a particular answer. Questions asking "What/When/How/Where" are not usually leading.
- Questions which might produce 'yes' or 'no' answers (unless you are seeking a definitive answer).
- Tag questions (i.e.) that end with 'wasn't it/won't they/isn't it'. With these you could be making an assertion in order to gain agreement or compliance
- Avoid making statements that might vaguely have a question at the end. Short and precise questions are much better.
- Avoid making assumptions in your questioning.