

CHAPTER FIVE

Learning objectives

By the time you have worked through this chapter, you will be better able to:

- Describe the differences between general and investigative interviewing in terms of approach, strategy and questioning technique
- Understand the factors that can make interviewing relationships adversarial, and how to handle these
- Name and employ techniques for dealing with deceit and 'spin' in interviews
- Name and employ techniques for dealing with trauma, reluctance and fear in interviews
- Discuss the risks reporters face in investigative interviewing, and tactics for dealing with these
- List the conventions governing investigative interviewing and discuss the usefulness of these.

This chapter will also provide a 'map' of the chapters that follow, and provide you with some tools and terminology that we'll be using throughout the book. If you would like to revise the basics of story planning and source handling before you tackle these topics, we recommend you read or re-read Chapters 3 and 4.

We strongly recommend that you read this chapter in conjunction with Chapter 8 on legal and ethical basics.

- For guidance on research tools to plan interviews or confirm information, see Chapter 6
- For guidance on writing up the results of your interview in your story, see Chapter 7.



Investigative interviewing

Gideon Rufaro had just joined the investigative team of a weekly magazine in a Central African country. His magazine was chasing the story of corrupt tendering processes around the replacement of the government car fleet. The auto dealer involved had allegedly secured the contract without ever tendering, and at a very inflated price. Gideon was assigned to interview the minister for the public service, whose department is responsible for contracts and tenders. He had anecdotal evidence from several sources, including quite specific figures on how the cars were over-priced. This is how the interview went:

Gideon: Mr Minister, good morning, thank you for agreeing to see me. Now, you've told the state broadcaster that there was "nothing untoward" in the contract Sirdar Motors got for replacing the government fleet. But our sources say that you considered only the Sirdar bid, even though their prices were high. Would you like to comment on that?

Minister: Who are these sources? Name one!

Gideon: You'll understand we can't reveal our sources. But I have certainly seen the official limousine you're buying priced in showrooms at 30% below what Sirdar is charging you per vehicle...

Minister: If you are suggesting I am lying, there is no point in this interview. Government vehicles have all kinds of extra features – for security, you know. What is your paper doing anyway, sending a young boy to interview someone of my stature?

Gideon: Really, Mr Minister! It may interest you to know I got my Masters in Journalism at Columbia University.

Minister: Aha! A lackey of American imperialism! No wonder you are trying to trap me!

Gideon: If we could just get back to the topic in hand...is the government at least going to look into these allegations? Government tender procedures require three bids to be considered, so how did you make the decision when you did not even advertise the tender?

Minister: I can assure you we are not swayed by malicious rumours. Every step of the process was followed according to specified procedure.

Gideon: So who...

Minister: Don't interrupt me. I am at least entitled to basic politeness, you little hyena!

Gideon: Minister, you are not being very polite to me...

Minister: How dare you! Anyway, you should have been informed we only had five minutes, and that time is now up. My time is too precious to waste on this nonsense. (Rings bell) My secretary will show you out.

Gideon: But Minister...!

- **Oh dear. Gideon didn't get very much out of that interview, and he knows that his editor is not going to be pleased.**
- **Is there anything he could have done to handle things better?**

We'll consider this problem again at the end of the chapter.

Basic principles

Interviews, like all acts of communication, are two-way processes. The results depend as much on you as on your interviewee. We include here some basic general points about interviewing, but if you are a relative beginner in this aspect of your work, or want to do more revision, we recommend you consult the interviewing sections of an introductory journalism text.

A good interview has the feel of a conversation, but it is not one. Everything you do or say forms part of a planned strategy to get the answers you need.

Investigative interviewing: **before the interview**

It is worth devoting time even when you are not working on a project to:

- Networking and collecting contact information from people at every seminar, meeting or conference you attend. If it isn't clear from a person's card what they specialise in, make a note on the back of the card.
- Organising your contacts book in good order. Whether you keep it electronically or in a notebook, what you don't need is a jumbled list of names that you have to read through each time to locate the right person. Pure alphabetical organisation is adequate if you can remember every contact's surname (most of us can't). Otherwise, organise contacts alphabetically within topic areas (e.g. Education, Environment, Health, Government) to make searches simpler.
- Filing contacts as soon as you receive them, and going through the book from time to time to weed out those who have moved, or otherwise become irrelevant. The bigger that pile of business cards on your desk grows, the bigger will be the task of getting it in order and the more reluctant you will become to do it.
- Working contacts (we have discussed this in other chapters) to ensure a good, proactive relationship with them.

Remember – your contacts book is also very useful to rival publications, and to the security services. Always keep it safe, secure and confidential – and know that there are certain names you will only store in your head.

Be prepared – research is crucial.

Sometimes on a short-run news story there is very little time for research, but this should never happen on a serious investigative story. Research the person, the issue and the context before speaking; this may be your only chance and you don't want to miss important angles. Try to collect as many primary documents as you can before you go into a key interview. You will know exactly what to ask, and, if the person you are interviewing works at the institution you obtained documents from (and is not hostile), he/she can help explain them. Context and background (see Chapter 6 on parallel backgrounding) can often give you clues to good questions that direct research on the individual will not suggest: they may highlight important contradictions.

Gathering the documentation

Zimbabwean journalist Charles Rukuni was investigating a story about a building developer who was cheating the buyers of his plots and substandard homes. The story is still running. Rukuni notes: "The initial investigation took about three weeks. The most time-consuming aspect was the research about who [the man] was, what he had been doing, how he got into construction, how many houses he had built, and gathering documents that I could use to prove that he had been cheating some of his clients."

Select your interviewees and interview sites broadly

Go where the problems are, and plan interviews with a range of people. Otherwise you risk becoming dependent only on important people or highly placed sources in urban offices or bars. You will find out more about cruel landlords in the places where farm-workers are being evicted, than in the capital-city office of a land NGO. Use data mapping to compare what you find on the ground against policy papers, promises, budgets and what your sources tell you. Compare your findings with what has happened in similar places with similar problems, or even at different times in history.

Getting people to talk to you

A good exercise is to mingle at a busy hotel, or when you are attending a routine function, and get people to talk to you about what they do. If you have an idea in advance of others who will be attending, and where they are employed, contracted or connected, draw up a **cultivation plan** and list issues to discuss. In other words, work out how to turn the person from a casual meeting into a source you could contact in future. What would interest the person? How can you draw him/her out about the issues and debates in their workplace? Would your approach be different for a senior civil servant and a barman? How? (Never underestimate the intelligence of people who do apparently routine jobs!) At what point would you tell them you are a journalist? In what

circumstances would you conceal your real job and pretend to be something else (e.g. a sales representative)? How would you build up that 'role' convincingly?

Plan your questions in advance

There is a structure that assures you of retrieving something, even from an interview that blows up in your face:

1. Warm-up (establishing some kind of human relationship)
2. Basic information, including confirming known facts
3. 'Soft' questions
4. 'Hard' questions.

However, in circumstances where relationships are likely to be strained even before you enter the room, keep the early phases of the interview short and tight – compatible with cultural courtesy requirements – and get to the point as swiftly as you can. Make sure your interview follows a logical structure, establishing first the information you will need to build more challenging questions on later.

Your questions must be easily understood, clear and to the point. Practice in advance. A group of shorter questions that build on one another may be better than a long rambling question where your interviewee gets lost before the end. Avoid multi-part questions: "Minister are you aware of tender irregularities, did you supervise the process and why did Sirdar get the contract?" (You'll only get an answer to one part – usually the part your interviewee actually wants to discuss.) Be aware of the difference between closed questions (those that invite a yes, no or other one-word answer) and open questions (those that encourage the person to expand on their ideas). Mix open and closed questions, and use closed questions only deliberately for specific goals (see the section on **Adversarial and forensic questioning** on page 5-10 below).

Exercise #1

Planning questions

Take 5-10 minutes to prepare the types and sequence of questions you would use if asking an official about a suspect tender process.



We hope you included questions about

- What the requirements are for a sound tender process
- What checks and balances exist to make sure the requirements are followed
- What the official – your interviewee's – role is
- Whether the circumstances around this process were 'normal'
- Whether each step was followed in the case of this particular tender
- If there were variations from the norm – why?

In other words, you move from the relatively 'safe' area of official procedure to more challenging questions about what went wrong...

Ensure recording and writing equipment are in good working order

Always carry spares (pens, batteries etc). If you will need the interviewee to sign a release form for the use of anything gleaned at the interview, be sure to have one with you. This is particularly important for long interviews that will need to be cut into a broadcast. It isn't necessary for corporate or political spokespeople – by definition of their job, they agree to the interview and agree to its use by you in whatever way you decide. They do however have the right to complain if they don't like the way you have used it.

Investigative interviewing: setting up the interview**Use an appropriate set-up method**

This will depend on the purpose and circumstances of the story.

- You may just be able to do a 'walk-in' (although often people consider this rude) or 'phone-in' with someone with a personal story to tell.
- If you are consistently blocked from seeing the person, you may try a 'stake-out'; hanging round in the person's office waiting room or lobby, or at a public event where you know they will be present. This can blow up in your face, and it is vital that you do not behave as though you are ambushing them; simply introduce yourself politely and let them know you'd welcome an opportunity to talk.
- On a long-term story, you may write or e-mail (but see below).
- Where you do not know who the sources are, you may advertise ("Anyone who took drug X during pregnancy...").
- Where there is likely to be suspicion you may need an intermediary 'door-opener' from the person's network.
- Any interview request to a company, organisation, government or parastatal body will likely require a formal approach, usually through a press office.

In all cases, be polite and clear about who you are and what, in general terms, the interview will cover. (Try not to give too much away.) You may find it useful to rehearse a very short introductory speech that covers all the main points before you phone, for example "Hello, I am Gideon Rufaro, a reporter from *Company Week*, a financial magazine based in the capital. I'm working on a story about official transport fleets and wonder if I could set up an interview with Mr Y in this regard?"

Be realistic about what you ask for – 15 minutes will be a long time for a Government minister; a person in trauma might need you to stay all day before they open up.

Try to evade advance demands gracefully

If a condition of the interview is that you provide questions in advance, you may have to do so. But this is not a good idea. See if you can, rather, send a broad outline of the topics you hope to cover. Advance questions – except sometimes to experts, who may simply need time to collate specialist material – will produce a stilted interview. Always reserve your right to ask follow-up questions.

Resist demands to see the story after it has been written

Make it clear that changes to the story at that point require negotiation with your editor, not you. (An exception here is the interview to tap technical expertise: you do need to ensure that you have understood and conveyed the technicalities correctly. But make it clear that you are sending it back for checks on accuracy only.)

Choose a suitable venue

A person's home or office gives them a small psychological advantage – it is their 'turf' – but may also put them at ease and lets you see them in context. Your office gives you the psychological advantage, but may be far too public to give them any sense of security. Think about whether you want the interview to be in a public place, or discreet; about the mood you want to set; and about the surrounding noise, which may make a recording useless. Get precise directions, even if you think you know the venue, and find out about parking arrangements, etc.

Always confirm arrangements

Always confirm arrangements for all but the most trivial, informal interviews with a phone call, e-mail or fax, so the interviewee cannot later say s/he 'forgot'. E-mail is far more useful for this purpose than for a first approach (e-addresses often change, and e-mails are easy to ignore). Don't wait for secretaries who promise to "get back to you". Allow a reasonable time for a response, then call back. Be persistent, but don't be a nuisance.

Should you interview alone?

- Common sense suggests that if you want someone to speak freely about a confidential topic, the fewer witnesses there are, the better. A 'back-to-basics' approach: you and the interviewee, face-to-face in a place where you are certain you cannot be overheard, 'bugged' or filmed, is the most secure, and is likely to reassure your interviewee.
- But sometimes the danger and pressure in an interview falls not on the interviewee, but on you, the journalist. And in those circumstances, you may need the back-up of a witness. Ivorian journalist Eric Mwamba describes how he was saved from the intimidation trap:

"It was 1995 and I was still very young when I successfully completed my very first investigative report. This story revolved around the city of Kananga, in the Democratic Republic of Congo. The governor of the province, Malengela N'Gueji, and the city mayor, Tshibuyi Kayembe, had entered into a 'deal' to divide up and to sell the shops of the central market at a hugely discounted price, and for their own personal gain.

"This building had been put up by the colonialists in 1950. It was the pride of everyone due to its architectural beauty and it was also a source of income for many families. The investigation revealed that the deal probably brought a real small fortune to the predators: somewhere in region of US\$400 per square metre sold. What was even worse was the opinion of architects that the redevelopment of the site had not been preceded by a feasibility study. As a result, the old building (1950-1995) was at risk of collapsing on top of its tenants, putting a historic landmark at risk and potentially causing the loss of many human lives and valuable stocks of goods.

"After the investigation was published, people took to the streets, marching to demand the resignation of these two public figures.

"After this, the governor invited me to his office 'to respond, as his right.' But this meeting soon turned into a 'duel' between a young journalist and a wily old politician ready to crush anything that proved to be an obstacle to him. Holding the copy of the magazine containing 'the incriminating article' in one hand, his other hand closed in a tight fist and with a very serious face, the governor treated me to all sorts of threats in the presence of the director of his cabinet and his press attaché.

"It was only the presence of an unexpected and inconvenient (for them) witness – Franck Citende, president of the Human Rights League, who had come seeking a separate audience – that allowed me to avoid a certain trap."

Investigative interviewing: **at the interview**

1 Lose the attitude

Journalists often suffer from their own 'bad press'. We are said to be nosy, sensationalist, out to destroy people's reputations, working for the opposition, keeping hardworking people from their duties, lacking respect, etc. Sometimes, these accusations are well-founded. If someone was annoying us the way we sometimes annoy other people we would be upset too. The way to counter this negative image is to behave decently and ethically. Don't be rude and don't demand things that are unreasonable.

The more we behave in a way that implies "I can phone you at any time of day and night and you just have to give me what I want" the more we encourage hostility from the rest of society. Most people like to believe that they are good and honest. So why not begin by relating to interviewees on this basis? Phrasing questions in ways such as: "I would really like to understand how this works", or "Please help explain the problem for the benefit of the community", "Please work with me on this because the pollution is killing children" often produce good results. In many cases, individuals will help a journalist if they can be convinced that the public interest is at stake.

This is not just a matter of strategy. Despite grandiose labels such as 'The Fourth Estate', no individual journalist was democratically elected to monitor anybody – we just happened to land a job as a journalist. We are part of civil society, and in that sense share the responsibility of making sure the state serves its citizens, and we do have privileged access to channels of mass communication such as newspapers or broadcasting stations. All of that should make us less arrogant, not more so. Especially when we are working to expose hostile agencies, using methods such as making covert tapes that skirt or even break laws, it is important that we demonstrate our bona fides through pleasant, sincere, transparent (at least, as transparent as possible) working methods.

To ensure that you don't overstep the mark as a journalist, always ask yourself: What if I was the person I am investigating? How would I see the world, how would I see the role of journalists? Also ask: How accountable am I? Would I succumb to the same temptations that I am investigating against others? What would stop me? Where are **my** checks and balances?

- 2 Arrive on time**

If you don't, you will alienate your interviewee, lose time, waste time apologising, and spend the first moments breathless and unable to focus.
 - 3 Dress appropriately**

While rules of dress are more relaxed than they used to be, you don't want to alienate your interviewee on first impression. Dress in a way that will fit in with the context, show appropriate respect, and be neutral enough to send no messages about your lifestyle or views.
 - 4 Choose where you sit**

If necessary, use the needs of your recording machine ("It will pick up sound better here...") as an excuse. You need a position where you can maintain eye-contact, but sitting directly face-to-face can feel too confrontational. Rather sit level, opposite, but at a slight angle to your subject. Avoid obstacles between you, such as piles of books or the lid of an open laptop. A soft sofa makes it hard to write and too easy to relax out of alertness.
 - 5 Always do some warm-up**

This is good manners (you are their guest), will help you to relax and collect your thoughts, and may help them to see you as a human being rather than an intrusive journalist. But keep the type and length of the warm-up appropriate for the circumstances of the interview.
 - 6 Maintain appropriate eye contact**

There may be cultural considerations of 'respect' to deal with here, but you will always have a better conversation with someone if each of you sees the other's face and expression. This may be difficult if you are taking notes, but remember to look up occasionally, and always when you are asking a question. If you simply read your questions your interviewee will suspect you are not confident, or read rudeness or hostility into your refusal to engage.
 - 7 Be equally conscious of body language**

Be aware of body language (yours and theirs). Clusters of defensive gestures and posture can signal evasion and are a good clue to where you may want to push the questioning harder. Look too for signals of hurt, relief, humour, anger or boredom to either build on or counteract.
 - 8 Establish the ground rules at the start**

Confirm on/off the record and the timeframe; ensure informed consent to publish stories around sensitive topics. If the interview is informal choose your moment to get out your notebook or tape recorder and say: "You don't mind if I record this/take notes?" If it's formal, get going quickly.
 - 9 Be aware that taking notes or recording may intimidate some interviewees**

Don't conceal recording devices, but try to write or record non-intrusively, and explain ("This will help me to get your answers right") if they seem nervous, or ask.
 - 10 Always take notes even if you record too**

Note-taking keeps you focused and allows you to record things (gestures, surroundings, expressions) that the tape may not capture. It is also a back-up if anything goes wrong with the recording. Note accurately, and distinguish between quotes and your own observations/analysis.
 - 11 Include confirming questions (those to which you know the answer)**

These are those questions to which you know the answer. It will help you break the ice and cover the basics, and you may discover you actually don't know the whole story. If your interviewee is bemused by the simplicity of the question, don't take offence. You don't need to, but you can explain – "Readers need this in your own words, not mine."
 - 12 Keep to the point**

Don't ramble (their answers are more important than your monologues) and don't interrupt. If their answers are not easy to understand, rephrase the question and try again. Some interviewees need to order their thoughts and will be happy to try again. Listen carefully to the reply – does it really answer your question? If not, you must try again. If you want to be absolutely certain you have understood, rephrase the answer back to them ("So you are saying...?")
 - 13 Keep calm**

The interview is not about you. Don't get aggressive even if the interview isn't going as well as you hoped or the interviewee is rude. In a more informal interview resist talking about yourself, and provide empathy, not sympathy (which can sound patronising) for their difficulties.
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14 Ask lots of neutral-sounding, open questions

Take a tip from psychologists. Avoid questions that reveal how you will feel about the answer – “Wasn’t this a shocking abuse of power?” – and rather ask: “How do you feel about using power in this way?” You may be seeking motivation and reasoning, but directly using the word “Why?” can sound accusing or incredulous. So ask “why?” indirectly: not “Why did the press reports make you angry?” but rather, “You said those press reports made you feel angry. Tell me more about that...”

15 Silence is not a bad thing

Let the interviewee finish, pause, then ask your next question. You don’t need to fill the gaps. If the interviewee needs time to think about an answer, give it; if they need time to recover their emotions, just wait quietly before asking, “Shall we go on now?”

16 Look interested; be interested

Be in a constant state of interaction with what you hear; note your responses in your notes and use them to generate additional questions. Is this the answer I want? Do I understand this? How will I use this? Once the interview is over it may be very difficult to go back for a second one. If you have done your research and to your surprise you are not hearing what you expected, don’t panic, give up or change the subject - go with it. Respond to new points and ask follow-ups. Don’t try and shoe-horn an interview into a preconceived story. The surprise might turn into a better story in the end; if it doesn’t, you can choose a later moment to return to your original theme.

17 Respect time

Keep an eye on the clock, pace your questions, and when you reach the end of your agreed time, ask: “Do we have time for X more questions?”

18 At the end, confirm with the interviewee what will happen next

“The story will appear on Thursday.” “The photographer will phone you to make an appointment.” Don’t make promises you can’t keep.

19 Always say thank you

This is important, even if you have been stonewalled and insulted. Try to sound as if you mean it.

20 Check and clarify your notes immediately after the interview

This is the time when your short-term memory works best; if you leave the notes until the next day, you may forget what a tailed-off scribble actually stood for, or what you urgently noted to yourself to check.

21 Respect the reality of the interview when you use it

Good journalists will use their material honestly. Obviously, you cannot tell lies about what was said. But nor can you alter the sense of a question or reply after the interview is over: that is what is meant by ‘taking something out of context’. (Be especially careful when you have to move answers from the sequence in which they occurred in the original interview; it’s easy here to distort truth accidentally by clumsy juxtaposition.) Tell your story, and then give the response of those the story concerns. Audiences are intelligent. They will know where the truth lies. You don’t need to tell them it lies with you.

Investigative interviewing:**how is investigative interviewing different?**

The basic principles of planning, preparation and informed, flexible questioning that we have summed up above, apply in all interview situations. But an investigative reporting project puts different demands on your skills and requires a different emphasis in your approach. Timing is of the essence: think not only about who you will interview, but at what stage in the investigation it would be best to interview them. The context is different: you are more likely to encounter hostility, defensiveness, reticence or evasion from your interview subjects because the interview topics tend to be bigger or more sensitive. For this reason, you will use a different strategy, and your questioning technique will aim to achieve different goals.

1 Different timing: when to confront the principals?

The key question here is “When should you confront the main characters in your investigation?” Too soon, and you will warn them to escape (or seek an injunction) before you can close your story; too late and they may already have fled, or will have developed pat answers or legal evasions for your questions.

It can be a scary exercise to ask for comment. We don’t mean the fear that your assumptions might turn out to be wrong, and that after listening to very reasonable explanations by the object of your investigations, you might not have a story after all. That is always a possibility; accept it.

It is actually more scary when your suspicions are correct. Even if your story is not fully complete or fully correct, you discover you are definitely ‘on to something’. For then, your requests for comment will alert the powerful people or institutions you are

investigating to the fact that you represent trouble.

They may respond in all kinds of ways. A simple denial is the easiest to deal with: you keep on digging. But just as likely are threats: direct physical and legal threats or more subtle forms of intimidation through third parties (often your editor or publisher), and immediate pre-publication lawsuits. The word 'defamation' will be central to all these exercises, yet actual defamation suits often do not ensue. Appearing in court means the evidence will be laid out in public; the powers involved are usually more interested in stopping publication than in revenge after the fact.

Confronting VIPs

This is what happened to South Africa-based journalist Evelyn Groenink when she tried to obtain comments from very powerful individuals whom she had investigated for their possible roles in a corrupt arms deal, at the background of which a few murders had occurred.

"How do you approach someone with a request to comment on allegations, or a set of circumstances, that seem to connect them to murder? What compounded my problem was that I did not have clear statements from other people, accusing these individuals. In this kind of international mafia-deals, that involve very powerful people, you rarely get courageous whistleblowers who give you information on the record. All the information I had to go on, I had obtained from what was known about the murder victims, who were people who had resisted the multibillion dollar deal. I had combined this with profiles of the businessmen and politicians involved in the deal, their financial interests at the time, their connections to secret services, their relationship to the victims, rumours and statements from people who desperately wanted to remain unidentified.

I wrote up my requests for comment in letters, because I did not want to go all alone and ring these individuals' doorbells. Writing seemed both decent enough for them, since it would give them their chance to comment and deny, and safe enough for me. To be meticulously fair to the individuals, who might after all be innocent, I wrote up all the disconcerting information and circumstantial evidence that seemed to cast suspicion on them, and asked them politely to enlighten me as much as possible.

I had expected trouble of course, but I had never expected that it would be so massive. To start with, none of the people I wrote to actually replied with comments or even denials. I, and even more than I, my publisher, received a barrage of abuse, pain and threats. One politician kept phoning us, never actually crossing the line where he might be accused of issuing threats, but threatening nonetheless: that we had criminal minds and that he would have to 'defend' himself against 'our' crimes. He also intimated to the publisher personally that 'the world was a dangerous place'. A secret service operative I had identified threatened to come to the publisher's office and 'beat us up'. A lawyer whom I had written to because he seemed to have acted on behalf of some of the individuals I had identified, threatened to bankrupt the publisher with a defamation lawsuit. This, even when nothing had been published yet. In this lawyers' opinion, a defamation suit was justified, because I had 'already defamed' him by sending the fax with the questions, which indicated my suspicions, to his office.

All this turned out to be too much for the publisher. He crumbled under the pressure and my book wasn't published. Other publishers, probably fearing the same backlash, later also refused having anything to do with my investigations.

As a result, the murders I investigated are still on public record as individual hate crimes. Their connection to the arms deal will maybe only be revealed far in the future.

Does this mean that we should rather not investigate serious crimes at high levels of power, because it will involve having to seek comment from very powerful culprits? Some established people in the media business are indeed wary of such investigations, because they know that these have very little chance of succeeding. My first editor told me long ago: "Don't investigate state crimes that involve secret services and lots of money. We don't have the means to handle such things."

On the other hand, I do believe that I could have handled it differently. I could have really tried to understand the arms business, by slowly building contacts in the companies involved. I could have held many, many interviews with players in all the contracts, without, in the beginning, even touching on the murders at the background of the deal. This would have helped me to distinguish between small and big players, between mere arms deal makers and individuals who would go as far as to murder people who were obstacles to contracts. I could then have targeted the real 'big fish' with more knowledge and certainty. I could have developed a 'whistleblower' in the circles who were innocent of murder, but who would have known who the murderers were.

This would of course have been extremely risky. In 2000, Mozambican journalist Carlos Cardoso was killed after he had investigated bank fraud by powerful people in his country. He followed precisely the route of trying to understand how bank fraud works, he kept approaching people in the banks to explain difficult financial stuff to him. In the end, he got so close to a real understanding of what happened, that the culprits must have felt that murdering him was their only way out.

Maybe the only way to handle this kind of investigation, is as a team. It would be difficult even for VIP criminals to murder an entire group of journalists. Some investigative journalism networks have already put such high-risk investigations into practice as team projects. The best known is IRE's Arizona project, named after a case where a journalist was murdered in pursuit of a story. IRE organised dozens of journalists to flock to the place where the investigation had been conducted, and they finished the story. The message to the culprits was: you can kill a journalist, but you can't kill a story.

Confronting VIPs (cont.)

In Africa, FAIR has called on journalists who are faced with the necessity to confront really powerful and threatening people, to write to the organization, so that an 'Arizona project', whereby a team comes to assist with the story, can materialise on this continent -hopefully before the initiating colleague is killed..."

2 Different context

Investigative reporting aims to uncover what is not known. This may be the result of deliberate lies or of a consensus of silence: the cabinet minister who told a lie to parliament, or the society that chooses not to see or discuss the trafficking of young, poor girls in its midst. The results are always likely to be startling, if not shocking. So tasks such as setting up the interview may have to be handled far more sensitively. If you reveal from the outset what you are seeking, people may refuse to talk to you; if you choose too public an interview venue, you may put your interviewee in danger.

Think twice before you decide to ambush an interviewee – for example, asking for an interview on one subject and then bringing in another, or 'door-stepping' an executive (trying to interview them as they leave their home or office). It might look good on someone else's television programme. It might go horribly wrong for you. A media-savvy public figure will know how to duck the unexpected question, or make you look like a crass bully, and your effort and preparation could come to nothing.

3 Different strategy

There are three possible strategies for an interview. In an informal or simple background or fact-finding interview, questions stay at a similar level of intensity throughout. They don't become bigger, or tougher as the interview progresses.

In interviews for a profile, however, questions begin with quite a narrow focus on the individual. Where did they go to school? Whom did they marry, and why? How do they begin writing their poems? These are sometimes closed questions, filling in important facts about the subject's life. But your readers are also interested in the subject's views. So the interview will broaden out as it progresses: what do they think of the state of the modern novel? Do they believe in literary prizes and what do they think of this year's crop of nominees? Like a trumpet, this type of interview questioning starts narrow and becomes wider, with more open questions.

An investigative interview often follows the opposite strategy. It starts with the bigger, more general issues: what is the process for awarding government tenders? Is the process satisfactory? How does government monitor it? And, as the questions progress, they become narrower and more precisely focused. The final, hardest questions in an investigative interview are quite often closed or even leading: "Did you ignore tender processes in the case of this particular contract?"; "Why did you ignore the tender processes in this case?" This is because you need – though you will not often get – that yes/no answer to clinch your case or record the interviewee uttering a clear lie. You ask these questions last, because that is the point at which you may be thrown out of the office. The interview is structured like a funnel: it starts broad and ends narrow.

4 Different questioning technique

Two words that are very often used about investigative interviewing are "forensic" and "adversarial." These words are borrowed from the world of crime and the courts. Your story has been mapped, your evidence has been assembled, the contradictions in the findings have now convinced you that the culprit is indeed a wrong-doer. At this point, you need to be able to sum up precisely what this person or structure has done, or neglected to do, just as a prosecution lawyer would do in court. The term "forensic" simply means "relating to, or like, the law-courts." "Adversarial" means that you are "in a contest with" the person, to uncover his or her guilt.

So, at this point you need to be able to say "On the 12th of September you agreed to this decision" or "Your name is here on this list of shareholders." If you cannot do this, your target will find it very easy to get away with vague denials, long-winded explanations on side issues, or a simple "No comment".

5 Adversarial and forensic questioning: detecting deceit

As we have seen, this situation is very different from the more neutral task of interviewing someone for their personal experience or expertise. An adversarial interview is intended, like the prosecutor's questions in a court room, to secure evidence of wrong-doing from the possible wrong-doer. It's a contest of wits with your interviewee. And against a thoroughly prepared interviewer who has the key facts and a thorough knowledge of the subject, most interviewees will find the going tough. But don't misunderstand the word adversarial – it does not mean aggressive in terms of your behaviour.

In the interest of good journalism (fairness) the person or institution against whom you are making allegations will expect to have the opportunity to disprove or deny them. A good journalist will want to be seen offering this opportunity to put the other side of the case.

In addition, there are important psychological reasons for not presenting yourself as a hard-boiled detective, barking a relentless succession of bullying questions. If you can persuasively ask: "Sorry, I have to ask, because I am just so puzzled" your more low-key approach may lead to a more detailed response. And details can be checked.

We tend to be impressed by TV journalists doing interrogation-like interviews of supposed wrong-doers, and to assume this is the approach all professionals should take. But very often this technique is adopted because of the demands of the medium. A

dramatic head-to-head confrontation makes good TV. But it does not always produce proof, and sometimes both parties (particularly if the interviewee is media-savvy) are quite consciously 'playing to the cameras' rather than really engaging with the issue.

READ

Preparing for the adversarial interview

respond

Take half an hour to pick a leading individual in your community or city, and data-map them. Put together everything that is known about them and the views and statements they have made on the record. Look, too, at the rumours and issues of reputation.

Don't choose someone too well-known, such as the President: there will be too much information to make this exercise manageable.

Then look for gaps and contradictions. (Perhaps the person is now a pillar of his church, but during his exile years in Paris he had a reputation as a drinker and womaniser? Perhaps the person speaks out in public on women's rights, but forbids his wife to work outside the home?) Turn these gaps and contradictions into pinning-down questions that have to be answered with a simple fact or yes/no response.

Of course, the person may be a very honest and outstanding citizen. If you can find not a single gap or contradiction in their life story, that may be the case – or they may employ a team of extremely talented spin doctors! The point of the exercise is to work out ways of phrasing questions from which an interviewee cannot 'wriggle'.

Some of the question phrases you came up with may have been:

- “Is it true that you...?”
- “You did...didn’t you?” (This is a leading question, but a denial is as useful to you as an admission)
- “Where were you when...?”
- “Did X happen?”

On some stories your approach will be the first time the person or organisation will know that questions are being asked. Some will simply refuse, on the advice of their PR advisors, to agree to an interview. More likely they will offer a ‘spokesperson’ or press officer rather than the person at the top, or the person you want to challenge, and we deal with interviewing these spin doctors in the next section.

Before the adversarial interview

- ✓ Prepare a list of the key questions, based on as detailed as possible a data map. Think about the answers you hope to get, and how you will respond to different possible answers. Essentially, you are doing the exercise above, but for a real story.
- ✓ If necessary, rehearse the interview with a colleague. This may help you order your questions, and plan responses to evasive answers. If your colleague is also prepared, he or she may be able to think up the evasive or obscuring answer for which you need to be ready.
- ✓ Sequence your questions so they move from soft to hard and broad to pinning-down. A few ‘soft’ questions will ease the start of the interview, for yourself as much as for the interviewee, but in this case it is very likely that conversational ice-breaking could be perceived as two-faced. Keep it businesslike. Start by confirming the correct title and name of your interviewee, the name they want to use for the interview, correctly spelt, and their job title, plus any other routine matters of fact. Then get to the point. Against an experienced politician or businessman, no amount of softening is likely to have an effect.
- ✓ Remember to include confirming questions to get answers you already know confirmed in the interviewee’s own words.
- ✓ Phrase your questions precisely. A difficult interview may be totally undermined by a vague, ambiguous question.
- ✓ Avoid multi-part questions: break them up, take each part in turn.
- ✓ Avoid double negatives – they can confuse. “Isn’t it true that you didn’t pay the money back?” can prompt either an answer about the money, or the truthfulness of the statement. “Is it true that you did not pay back the money?” is much simpler and clearer; “Did you pay back the money?” is even better.
- ✓ Avoid loaded language in questions. Don’t use words that indicate how you feel about the issue – which means most adjectives get cut.

Your interviewee may refuse to meet you, but provide a statement. You’ll have to consider with your editor the appropriate way to deal with this in your story. The CIJ suggests the standard BBC formulation: “We asked for an interview but no-one was available, although the following statement was faxed to us,” followed by the statement in full.

During the investigative interview**1 On or off the record?**

This depends on the purpose of your interview. If you are told an interview is ‘for background only’, then it is always off the record. But have recording equipment/ notebook with you, and ask permission to go on the record if something you consider important is said. Respect it if your interviewee refuses.

Likewise if you have agreed the interview is on the record and the interviewee asks to go off the record while it is underway, you must note this or make it clear on your recorded material, and respect the request.

‘Off the record’ means you may use the information, but must not use it in such a way that it can be traced back to the source. Having heard the off-the-record comment or information, you can try to persuade your interviewee to go on the record with some or all of it, and ask an appropriate question. Or you can use it as “unattributable” – that is, your interviewee becomes an anonymous source. If you fail to conceal the source, you will gain the reputation of an unreliable reporter, and your source may

risk unemployment, arrest, or murder. Writing about an interview with the Finance Minister and then attributing one quote to “a source close to the Ministry” or “an informed Ministry insider” is a very weak form of concealment that any intelligent reader will see through. In addition, there is some information that only one source holds; if you use it, you advertise that you have talked to that specific source.

Off-the-record comments can also inform a question to someone else, but again the source of the information must be hidden.

In a long interview, you can re-confirm the status of information more than once: “I assume we’re still on/off the record here?” The risk in an on-record interview is that you may alert your interviewee to the need for discretion just when he has relaxed. On the other hand, as time passes, an off-the-record interviewee may decide you can be trusted and decide to go on the record.

2 Don’t become emotional

Your aim is to get the story, not to ‘win’. Adopt a cool, unflustered stance, taking as much time as you need. The point about an interview is to get an answer – your questions are just a means to an end. Any emotional signal you emit – raised eyebrow, shrug, smile – will be picked up by your interviewee. You are human, so this may reflect your response. And on TV, a wooden face makes boring viewing. But be careful and know the boundaries: any outburst from you reminds the interviewees their words are ‘on trial’ and will make them more guarded; provocation may lead to a dramatic row or a fruitless walk-out; your aggression may be presented as so inappropriate it makes **you** look bad. Try to keep your responses deliberate rather than spontaneous. Remember, if someone provokes you into an argument, it saves them having to answer your questions.

3 Get to the point

An experienced politician or businessperson has probably done this many times before; their time is precious, and if they want to avoid the question they will. They understand that if you succeed in exposing them they will lose face, position, money and sometimes everything. Read the situation and the person, and if your attempts to wrap up a question softly or approach it indirectly don’t seem to be working, just come straight out and ask it.

4 Get a complete answer

Words like “recently”, “a few”, “many”, or “decisive action” won’t do. Follow up with: “When?”; “Give us the number”; and “What exactly will you do?”

5 Follow up closed answers

“Yes” or “No” can be used by an interviewee to put an end to a line of questioning. You will have to open it up again:

“Did you sign the contract?”

“Yes.”

“Can you explain your motives for doing so?”

6 Analyse each answer before you move on

A skilled interviewee may give you an answer that sounds like what you want to hear. Only when you reread your notes, or listen to your tape you will see how they have ducked the question with clever words.

You ask: “Have you sent drugs to the clinic in X District?”

They reply: “Of course all appropriate procedures for that clinic have been followed.”

This sounds like a ‘yes’, but it isn’t. You must follow up with:

“What drugs were sent?”; “On what date were they sent?”; “What confirmation do you have that they were sent?”; “Do you have confirmation they arrived?”

Good pinning-down questions are:

- What do you mean?
- Let’s be more specific. Are you saying..?
- To recap, do you mean..?
- Can you give me an example?
- Exactly how much?
- Better than what?
- Worse than what?
- What do you mean by ‘empowerment’?
- This month?
- How much less?
- Exactly how much money?
- Who will be responsible?
- When will it be done?
- How will it be done?
- Where will the money go?
- How will you monitor that?

7 If you don't understand the answer, say so

It's better than pretending you do out of embarrassment. You can say "Our readers/viewers might not get that. Can you explain it again in simpler terms." Alternatively, use the rephrase technique: "If I understand you correctly, Minister, you are saying....Is that the case?"

8 Don't interrupt, unless they have gone into a long irrelevant ramble

Make a note to ask the question again and, if necessary, make it clear that you want a shorter, more pointed answer. Say: "I hear your explanation, but perhaps you could rephrase your response. I'm reluctant to edit all that into a short clip/quote."

9 Don't fall for flattery

This is an interview, not a friendship. You are there to discover things, not to be patronised. When someone tells you: "That's a very perceptive question," they are not offering you a compliment, but rather buying themselves an extra few seconds to think about their answer.

After the investigative interview

- **The last questions.** Always ask: "Is there anything else I should have asked you?" or "Is there anything you'd like to add?" It gives them a chance to vent and, surprisingly often, adds insight. Then ask them if there's anything they'd like to ask you, which is both a courtesy and provides a final opportunity to explain how/when the story will be used.
- **Beware of being 'door-stepped' yourself!** Media-savvy interviewees will use these last, rushed minutes to slip in a commitment – "You did say you'd let me see the story before publication, didn't you?" Don't be so preoccupied with packing up and going that you agree. Stop and clearly explain your understanding of any such conversation: "No, actually I said you should contact my editor if you wished to discuss that. Here are her details again."
- **Paperwork and referrals.** Make sure you have copies of any press releases, documents, studies or photographs referred to during the interview. If the interview is a backgrounder, or has been friendly in tone, ask if they can suggest other sources who may add insight. Being able to use this person's name as a reference may open doors for you.
- **Don't neglect final thoughts.** There is often a moment at the end of the interview when the interviewee's guard goes down, and he or she will say something unexpected. Keep your tape recorder and your brain engaged. They are still on the record. If appropriate ask permission for a follow-up question.
- **Don't neglect final courtesies.** Thank them for their time. If you didn't check titles and name spellings at the beginning, do so now. Check any terms, titles or names that came up during the interview itself. Always ask for a phone number/e-mail in case you want to check something and leave your phone number/e-mail or card for them.
- **Check your notes as soon as you leave.** Fill in gaps, and note where you may have to do follow-up interviews or confirmation checks while your memory is still fresh.

Investigative interviewing:**cutting through the spin****1 Figuring out the attitude of 'spin doctors'**

'Spin doctors' (official spokespeople and PR officers) play an increasing role in the interactions between reporters and public figures. Sometimes, they will even sit in on an interview and/or provide an advance list of topics that must not be raised.

Dennis Barker, a former reporter with the UK *Guardian* newspaper, got the following insights into the attitude of spin-doctors from a British government spokesman (who, not surprisingly, preferred to remain anonymous!)

- Very often, the authority you are questioning may be under orders from above, may not have been given certain information, or may not be permitted to reveal it. (In other words, the excuses they give you may be true. But they're still excuses, and you are still entitled to challenge them. "If you cannot tell me, who can?" is a useful question here.)
- Governments cannot allow themselves to be criticised even when they are at fault, except in very exceptional circumstances. (In other words, when I stonewall or defend, I am only doing my job.) That is the spokesperson's problem, not yours.
- Give the spokesperson a chance to put a positive message alongside the negative one and he or she may be more open with you on this and future occasions. (This is where your "Is there anything else you'd like to tell me?" question becomes useful.)
- The reporter's priorities may not be the government's priorities. Government may have 'larger concerns.' (This appeal to 'a sense of proportion' is a smokescreen. The reporter is concerned with things that civil society feels should be important. If they are not important to government, that is a very legitimate concern. Ask: "Why can't you discuss this?"; "Why is government not more worried about this?")
- What makes spokespeople most uncomfortable is being asked about specifics; they see their job as avoiding these. (See our points above about follow-up questions.)
- Spokespeople hope that reporters will not have the knowledge to follow through and will be satisfied with generalities. Aggressive, less-informed reporters are easier to satisfy than well-informed, low-key journalists. (See our points above about research and data-mapping.)

- “The minute they think: ‘There isn’t a headline in this’, you can see them consciously lowering their level of interest.” (In other words, an important ‘spin’ technique is to downplay news to deflect reporters looking for sensation. Reporters who focus on simply finding out and persevere even if the facts sound boring may well get a good story.)

2 If you are told your information is incorrect, don’t assume it is

Be prepared: “If I am wrong, I apologise but ...” and ask the follow-up question containing the facts to back up your point.

3 If they return the question, bounce it back

Some spin doctors will deflect your enquiry with a question of their own:

“Is it true that the Minister is still married to both women?”

“Why are you journalists so obsessed with this issue of polygamy?”

“Ms Spokesperson, you must know that nobody is interested in the views of journalists. I’m here to ask the questions our readers need answered. And we have been flooded with letters about the Minister’s marital status, so...?”

4 If you feel your question hasn’t been answered, persevere

- I’m not sure you have answered my question fully. (A polite way of saying it hasn’t been answered at all.)
- I don’t fully follow that answer. Would you go through it again?
- Do you prefer not to answer that question?
- What’s stopping you from answering?
- What might happen if you told me?
- Who can give me that answer?

5 Think of varied ways to approach a tough question

Sometimes the best way to ask a tough question is simply to ask it. But if you are fencing with a skilled spokesperson, you may find that more subtle approaches sometimes work where the direct question will simply be refused. Here are a few suggestions:

Warn them, and give them a platform:

- Help me to set the record straight... (so over-used it rarely works these days)
- I know this is an unpleasant issue, but our readers expect me to raise it...
- Perhaps you’ve read the reports suggesting...Did you...?
- In parliament, the opposition said you...Would you like to comment?

Distance the controversy:

- Many governments have become involved in renditions of terrorists. How do we handle this...?
- My interviews so far have produced conflicting views on whether..?
- My editor insists I don’t leave without asking you..?

Shake the tree’ (but don’t lie, or identify other sources):

- It might interest you to know that another source told me he saw you...
- There’s a rumour you’ve...but we all know how unreliable rumours are. What are your proposals for...?

6 Use their refusal to answer as part of your story

If the interviewee is not willing to answer at all, and says so, you should have prepared and rehearsed for this eventuality. In a sound recording for television or radio, their refusal to answer, whether directly said or indirectly implied, will be heard and can be skillfully used in your edit. On paper you can write: “So and so declined to answer questions about such and such.” What you write should not interpret the failure to respond – just report it. The meaning of the refusal is for your audience to judge.

A point-blank refusal to answer questions that are being legitimately put might prompt you to abandon the interview.

Sometimes this can be effective:

“I am really sorry, Mr Minister. I had not anticipated that I might not have input from you on these issues, which are at the core of my story. I will now only have my observations and the experts’ and witnesses’ comments to work with. Shall I just say that there is no comment from you?”

(At this point an intelligent interviewee may decide it is better to say something than to be cut out of the story.) But leave gracefully and politely: never let your own exasperation with the interviewee show by slamming out.

If you’re told in advance that certain questions won’t be answered, it may still be better to put all your questions regardless, and make this clear. This is especially true in broadcast. Both your interviewee and your audience know that you did at least ask. If you don’t, you are open to the criticism that the question was never put. Your interviewee may well claim later that he “would have” answered if only he had been asked. This makes you look bad.

7 Your network may be your most useful tool

Keeping your ‘scoop’ to yourself and mistrusting colleagues who might ‘steal your story’ is often counterproductive. There

are more than enough stories in this world to go around. A colleague who regularly steals the ideas of others will find him/herself without helpful colleagues the next time around; the losses from trusting too much are small and temporary. And they are risks worth taking. In situations where 'spin doctors' (be they pharmaceutical companies, police chiefs or political party agents) attempt to manipulate journalists, networking and comparing notes may be the only way to expose and end such practices.

Investigative interviewing: **dealing with reluctance and fear**

Interviewees have many reasons for resisting your questions. We've dealt above with defensive 'spin' – but often, people have real and good reasons to fear talking to the press. In many countries, 'disloyal' media and their informants face harassment and worse. In addition, your interview subjects may have undergone trauma that they are reluctant to re-live, or fear stigma in their communities from what they tell you.

Gentle persistence may pay off – but often, the best way to persuade a reluctant source to meet you is to use a door-opener: someone in the community, or in a similar position to the person you want to interview, who knows you and can vouch for your ethics and sincerity. That is why it pays to build wide networks of contacts, and to behave responsibly with everyone you deal with.

- **Have an explicit conversation about safeguards, protection and identification**

Find out what their fears are, and give what reassurances you can. This may mean confirming any safeguards with your editor before you have the interview – because you must not make promises you cannot keep.

- **Obtain informed consent to publication**

'Informed consent' does not simply mean asking "Do you mind if we publish what you say?" It means that your interviewee understands the potential consequences of publication, the risks, and the safeguards that can (and can't) be put in place, and agrees to publication **fully informed of this context**. Don't scare people, but don't conceal possible consequences from them either. Your story becomes stronger the more people who 'go public' in it; these conversations help you to cement your relationship with sources and have truthful conversations even if, in the end, some identities need to be concealed.

- **Use empathy, not sympathy**

Comments such as: "Oh, how dreadful. You poor thing!" simply disempower your interviewees and make them feel weak and helpless all over again. Provide a safe space for the interviewee to tell the story; a neutral, open listening style, and time for the person to gather their thoughts or master their emotions where needed. Give regular, encouraging feedback: nod, say "Yes, go on..." or "Tell me more". If it's culturally appropriate, there is nothing wrong with reaching out a reassuring hand to pat the person's arm. Be guided here by your human instincts.

- **Stop writing**

Sometimes the awareness that you are taking notes is oppressive. If the questioning enters sensitive territory, just listen. You can make the notes later.

- **Show respect**

Don't rush the questions and don't exploit the answers by sensationalising. If you are asking a question you wouldn't be happy for someone to ask you, you have gone too far. And don't ask stupid questions. A moment's thought will tell you why the question "Tell me how you felt when the soldiers raped you" is both disrespectful and stupid.

- **But still be rigorous**

You do still need to ask difficult questions, however. Just because someone tells you they have been a victim of torture, it is not necessarily true. Be wary of people who exaggerate. Make it clear that you can't advance their case if you are not sure of the truthfulness of their story, and don't neglect the cross-checks you would do with other types of interview.

- **Be aware of denial**

Some people lie, or tell half truths – for many different kinds of reasons, not necessarily bad ones. Denial is a recognised psychological state, where people bury some truth about themselves because it is too harsh to face. So, for example, someone in denial may be unable to tell you they were raped as well as observing the rape of others. Ask yourself what the evidence is for what they are telling you. Imagine retelling this story when you get home or back to the office – what will people ask you? Will they be easily persuaded that what they hear is true? What could devalue the story if it only emerged later?

Understanding the consequences

Under apartheid, the journalists of the *Rand Daily Mail* in South Africa ran a series of exposés of the mistreatment of black prisoners in prisons. They drew much of their evidence from interviews with Harold Jock Strachan, who had been a political prisoner. Despite the sympathy Strachan deserved and the trauma he had already undergone, his story could not merely be taken on trust. Raymond Louw, who worked on the story, recalls that before using Strachan's testimony: "[A media lawyer, Kelsey Stewart, said] the only way to deal with it would be for him to cross-examine Strachan as if he was in the witness box, and put all the possible questions that he could think of, to try and break him down, to see whether his story was accurate or not."

Investigative interviewing:

dealing with threats and intimidation

If your 'culprit' is very powerful and dangerous, you may want to avoid a personal confrontation and opt for faxed questions to the office concerned. It may be better if you don't enter their territory, or make your face too familiar to their thugs. The interview will not be as good, but you will remain alive to write the story.

Find out, before you embark on such stories, what support or protection your paper or journalists' organisation can offer you. If you are a freelancer, ensure that you set up some support structures of your own.

Asking a powerful person or entity for comment on a grave issue can lead to legal as well as physical threats. Legal threats may be designed to make your editor drop the story – and s/he may do so. But if your facts are sound, try convincing him/her that villains often do not launch the defamation suits they threaten. First, they often already have bad reputations which will weaken their case in court (this applies, for instance, to companies involved in the arms trade) and second, a court case could bring out, in a privileged context where you are free to reprint it, all the evidence they are trying to conceal.

Threats and intimidation

Adriaan Basson and Carien du Plessis faced multiple threats and intimidation when they tackled a major series of stories on corruption in prison tender processes. The stories eventually won them the Taco Kuiper Award for investigative journalism in South Africa. They say: "We succeeded in getting the stories by convincing people it was in the public interest to speak out ... and by persistently looking for more proof even when you are accused of being liars, agenda-pushers or even racists (as happened) by the subjects of your investigation."

Felance Congolese journalist Eric Mwamba and colleagues began investigating the vast personal wealth amassed by their country's politicians. "After publication, the paper *Le Rebond* which published the story was charged with 'insult to a Head of State' by the chief prosecutor and was also hit with a civilian charge for defamation by a parliamentarian close to the presidential family, joined for the occasion by the first lady herself ... Most of those who hold important documents and first-hand information have advised us to 'remember our obligation to treat information in a particular way ... in times of war.' But we had to continue the investigation..."

However, the weapon of pre-publication litigation is being increasingly used to draw media to court even before the article has been published. This is costly and cumbersome and a lot of editors would rather drop a story than go through this. You will have to stick to your guns and call on professional and media freedom organisations and funds to help you.

- FAIR has assisted in getting work published in other countries, when publication was not possible in the country where the journalist worked.
- The Committee for the Protection of Journalists often funds legal assistance.
- The Media Institute of Southern Africa also has a media defence fund.

Investigative interviewing:

covert interviewing

Most media outlets have strict rules on covert recording, and it is illegal under some countries' legal codes. Nevertheless, it may sometimes be the only way to get the evidence you need. See again what we say about 'going underground' in Chapter 2, and about the ethics of making this decision in Chapter 8.

Practice is vital – if you have a secret camera strapped to your chest, the pictures won't be much use if you can see only sky or pavement. If the sound is muffled and inaudible, you have wasted your resources.

Covert interviewing is by no means as easy as TV crime dramas make it appear. As well as technical expertise, you need a questioning style that will encourage the people you talk to, to utter the words you need. This can sound so stilted and artificial that it will reveal your strategy.

If your subject suspects you might be secretly recording and asks you outright, you are probably bound to say no to protect yourself. But that will lead to difficulties in using the material. If you answer no, you can legally be held to have 'induced' the person to continue, in the belief there will be no record of the conversation. British media lawyers would be reluctant to agree to the use of the material, unless there was an overriding public interest; media lawyers in many other countries would agree.

Recording phone calls is a grey area. Please refer to Chapter 8 on ethics for some guidance on this issue.

Case studies

Case study

"Using ARVs to fight empty stomachs" by Joyce Mulama

Kenyan reporter Joyce Mulama stumbled on a very sensitive story in the course of her researches into Aids-related news. The story would not have succeeded had she not been able to interview effectively both specialist sources and poor people reluctant to come forward because they were selling their drugs. Note how she convinced sources that she was trustworthy. The story was published on 2 June 2006 by the Inter Press Services wire service.



Please give us a brief outline of the story:

"Using ARVs to Fill Empty Stomachs" brings to the fore a big gap in the fight against HIV/AIDS in Kenya. While the government has made some progress in providing free ARVs to Kenyans who urgently needed them, nutrition, a critical element in ensuring the effectiveness of the treatment, has been overlooked. My story exposed the gross indignity of poverty that forced sick people to trade their crucial medicines for a simple meal.



How did the story get started?

The story followed a tip-off from one of my sources working in the area of HIV/AIDS. In the midst of a conversation about something else, I picked up on the concern expressed by my source, who is an HIV/AIDS counsellor, about the new twist to the AIDS war, in which some patients on ARV treatment had resorted to selling their drugs in order to raise money for food. I got stirred up and pleaded with the source to lead me to the places where this was prevalent.

My contact further confirmed that some members in her support group had registered in more than one treatment centre so that they could obtain drugs from one centre, and sell the ones from the second centre to buy food. Further, my source encountered patients who would lie to her that they had lost their medication, or that their bags containing the drugs had been snatched away by muggers. Upon pursuing the matter, she found out that the patients had indeed sold their drugs, and needed more. I developed a strong conviction that this was a matter that warranted investigations and extensive coverage.



Which experts and authorities did you interview?

I consulted non-governmental organisations actively involved in championing rights of people living with HIV/AIDS. My investigations further led me to talking to Dr Omu Anzala, a senior expert in the Department of Medical Microbiology at Nairobi University's School of Medicine. His insight and vast research in HIV/AIDS added great value to my story. He spoke eloquently about the danger of sick people tampering with their medication, which could lead to acquiring resistant strains of infection and complicate treatment further. I also interviewed government officials, pressing them for details about what efforts were in place or at least being planned to ensure that nutrition went hand in hand with ARV treatment.



What difficulties did you encounter and how did you deal with them?

Getting people to accept that they were trading off their medication for food was the greatest challenge. It required tact to win the trust of these people and even to identify them at the entrance of the health facility where they are registered for treatment. I had to do a lot of convincing. A breakthrough occurred when I won the trust of a security man, who then became instrumental in linking me with the "trader". I had to promise the trader that I would hide his identity in the story. He agreed to two things; have an anonymous status in the story, or give him a different name. I opted for the latter.

? What kind of responses did you get after the story was published?

I got correspondence from organisations as well as individuals from different parts of the world expressing shock and sympathy at the grim situation facing HIV/AIDS patients in the country. In a country where a great percentage of the 30 million population lives in poverty, and where about two million people are infected with the disease, the prospect of stopping the sale of drugs for food remains most unlikely. Some of the readers called to ask me to identify a few people who were in extreme need and link them up for purposes of sending them relief aid and other materials.

The story also reawakened campaigns by AIDS organisations as well as human rights activists, calling on authorities to include nutrition as key component in the HIV/AIDS comprehensive care package. The campaigns are on-going. In addition, the story won an award: The 2007 Red Ribbon Media Award, on November 29, 2007. The award was jointly organised by UNESCO and the National Aids Control Council (Kenya).

? How long did the investigations last?

It took me more than a month to conduct the investigations and piece up the story. The most consuming part of the investigations was locating and identifying the “traders” of the drugs. I made endless trips to and from health centres just to get people who would accept that the ‘ARVs-for-food’ trade was indeed a reality.

? What follow-up stories related to this investigation have been done?

I have not seen a follow-up story since. However, it is in my interest to pursue the matter further and get to know whether there are any notable efforts by authorities to provide basic nutrition together with ARVs to people who urgently need them. I am looking at taking the matter up again.

? What lessons did you learn from doing the story and what advice would you give to other journalists?

It pays to be in constant contact with your sources. In the case of this story, a casual conversation simply to catch up on other matters gave birth to this powerful story. Socialising with people in positions of information is a necessary function of investigative journalism. Often, leads to such kinds of stories come up in casual talk.

The other lesson from this story is the importance of patience, and ability to make friends and sweet-talk people who may hold the key to access some crucial information. I am convinced that had I not befriended the security man referred to in the story, I would not have managed to identify and convince a “trader” to talk to me.

Key points from this chapter

Let's begin by looking again at Gideon Rufaro's interview with his Minister for Public Service. You may have made some of the points below as you considered it in the light of advice given in the chapter.

A critique of Gideon Rufaro's interview with the Minister

Gideon: Mr Minister, good morning, thank you for agreeing to see me. Now, you've told the state broadcaster that there was 'nothing untoward' in the contract Sirdar Motors got for replacing the government fleet. But our sources say that you considered only the Sirdar bid, even though their prices were high. Would you like to comment on that?
(There's not even the tiniest attempt here to warm up, establish ground rules, confirm known details – such as names – or in any other way reach out to the Minister. Even on short time, with an irritable interviewee, this feels discourteous: the man is very senior and a little respect might soothe him slightly. And he starts with something that should be part of his pinning-down interview phase, closer to the end of his time.)

Minister: Who are these sources? Name one!

Gideon: You'll understand we can't reveal our sources. But I have certainly seen the official limousine you're buying priced in showrooms at 30% below what Sirdar is charging you per vehicle...

Minister: If you are suggesting I am lying, there is no point in this interview. Government vehicles have all kinds of extra features – for security, you know. What is your paper doing anyway, sending a young boy to interview someone of my stature?

Gideon: Really, Mr Minister! It may interest you to know I got my Masters in Journalism at Columbia University –
(Gideon takes the – probably deliberate – bait of the Minister's insult. A neutral answer such as: "My paper has tasked me with this interview, Minister, so if we could just get on..." would have been far better. As it is, he gives the Minister's paranoia more fuel.)

Minister: Aha! A lackey of American imperialism! No wonder you are trying to trap me!

Gideon: If we could just get back to the topic in hand... is the government at least going to look into these allegations? Government tender procedures require three bids to be considered, so how did you make the decision when you did not even advertise the tender?

(Gideon now realises he shouldn't respond to the insult, and evades it nicely, but his follow-on lacks strategy. These big questions should have been asked at the start of the interview, and bundling them together in this way allows the Minister just to deal with the aspect he's prepared to respond to.)

Minister: I can assure you we are not swayed by malicious rumours. Every step of the process was followed according to specified procedure. We –

Gideon: So who –

(Gideon really has interrupted rudely here. The Minister has hardly had a chance to begin waffling. And this doesn't need a "who?" but a "how?" Since he did not establish basic procedures for tenders at the start of the interview, Gideon needs to take the Minister a step back, and go through these neutral 'specified procedures', which would also have the effect of cooling the temperature slightly – since it does not reflect personally on the Minister – and so perhaps prolonging his time.)

Minister: Don't interrupt me. I am at least entitled to basic politeness, you little hyena –

Gideon: Minister, you are not being very polite to me

(No! No! He falls for it again! The Minister is clearly trying to end the interview and has detected that Gideon's sensitivity offers a way out. And he's also right to resent being interrupted. It would not hurt Gideon to apologise. He should ignore the insult and say: "I'm sorry Minister, I was anxious about our limited time. Please go on.")

Minister: How dare you! Anyway, you should have been informed we only had five minutes, and that time is now up. My time is too precious to waste on this nonsense. (Rings bell) My secretary will show you out.

Gideon: But Minister..!

(And, of course, this conclusion is very predictable. The Minister would probably not have given Gideon very much, but a more strategic approach and a thicker skin would have helped the reporter to stay longer and find out at least a little more.)

- ✓ Interview preparation is key. Devote as much time to research, collecting primary documents, question planning and rehearsal as you can.
- ✓ Set up the interview in a way that suits the story and circumstances.
- ✓ Lose the attitude. Even in interviews that may become adversarial, a calm, neutral demeanour and questioning style will produce better results.
- ✓ Have a strategy for the whole interview. Always move from warm-up and broad, less threatening questions towards more precise, focused questions that will allow you to pin the interviewee down on key aspects.
- ✓ Use data-mapping techniques to pinpoint the areas of short information and contradiction your interview needs to deal with.
- ✓ Keep questions clear, simple and direct.
- ✓ Establish ground rules (e.g. on/off record) and confirm basic information at the start of an interview.
- ✓ Follow-up, re-phrase or reflect back to get answers that are equally clear and direct.
- ✓ Take your time and don't be scared of silences.
- ✓ Understand and strategise in relation to the motivations of spin doctors.
- ✓ Handle reluctant or fearful interviewees kindly and carefully – but don't let them off the hook.
- ✓ Establish support structures and strategies to help you deal with threats and intimidation.
- ✓ Use covert interviewing techniques only after careful, ethical decision-making – and be sure you have the technical skills to carry them off.
- ✓ Never take interview answers out of context.

Glossary

- **Adversarial interviewing** – interviewing where the nature of the story puts you and your interviewee on opposite sides. The term does not mean you need to behave aggressively, though you sometimes may.
- **Background only** – interviewing convention. If you agree to this, the information you are given is only to inform you better; you must not use it in the story or ask other interviewees about it
- **Body language** – expression, gesture, posture, tone of voice, gaze, the distance between you and your interviewee: all the non-verbal signals that happen during a conversation
- **Closed question** – a question requiring only yes, no or another one-word answer
- **Contacts book** – does not have to be a book, but the list you keep of past, current and potential sources
- **Cultivation plan** – your strategy for turning someone you meet into a regular reliable source
- **Forensic interviewing** – interviewing as though you were in a law court, focused on details, with questions steadily narrowing to get the admission you need
- **Fourth Estate** – in pre-revolutionary France, aristocrats, the church and the small tradesmen and scholars etc. were each defined as an 'Estate' with three fixed places and sets of representatives in the Assembly. 'Estate' meant social standing. Some commentators have suggested that the media are so important to contemporary society that in any such set-up they would form 'the Fourth Estate' – in other words, that they play a role in governance.
- **Hard question** – question that gets to the point of an issue
- **Leading question** – question that suggests the answer it wants, such as "You do support the death penalty, don't you?"
- **Multi-part question** – question that combines several different, shorter questions into one utterance
- **Off the record** – interviewing convention: you can use the information, but must not attribute it to this source. Opposite of 'on the record'.
- **Open question** – question that invites a wide-ranging answer
- **Soft question** – question that does not challenge or confront

Glossary (cont)

- **Taking [an answer] out of context** – using an answer when you write up your interview in a way that does not reflect the question asked or the true sense of the answer given, or which juxtaposes the answer with other material to give it a misleading impact.
- **Warm-up** – initial phase of an interview where you use a little social conversation to relax the interviewee and establish rapport

Further reading

- Read Joyce Mulama's full pills for food story at:
<http://acw-food.blogspot.com/2006/06/kenya-using-arvs-to-fill-empty.html>
- For a broad, basic introduction to all aspects of interviewing skills (including investigation), see *Introduction to Journalism* 3rd edition by Gwen Ansell (Jacana 2007)
- The best new book on interviewing is *The Art of the Interview* by Martin Perlich (Los Angeles: Silman-James, 2007). While not specifically about investigation, it has wide-ranging advice on various types of interview conversations and on the perils of dealing with PR.