

## **THE BUILDING BLOCKS OF AN INVESTIGATION**

One of the most important factors to a complete and thorough harassment investigation is the statement. We refer to the statements as the foundation of the report because that is the first place (besides your notes) that you have recorded and presented the evidence of the case.

A properly written statement can do many things for an investigation. They provide a framework for the case in that statements are the raw material of the case. Statements give you a structure on which to base your questions for witnesses and they can also point out questions or gaps of information that the investigator needs to fill before the end of the interview or investigation. Statements are what are left at the end of the interview process that you have the witness sign and take a copy of. They are what you base your conclusions on.

You would have a difficult time indeed bringing in a conclusion to a case of harassment without the evidence presented in the statements and the final report. There have been countless times that we have seen reports that attempt to make a conclusion based on a lack of evidence in the statements and the report. These conclusions are unfortunately the ones that are vulnerable to challenge.

In conducting training across the Country we have learned that statement writing is an area where most harassment investigations need work. People seem to have trouble with taking information they have gathered and presenting it (in the statement and the report) in a clear and complete manner. Let me state it again, poor statements lead to poor reports. If the evidence is presented in a poor way in the final report that can lead to being unable to reach a conclusion based on evidence even though the investigator asked all the 'right' questions, and maybe even took 'perfect notes'. The evidence is just simply not there unless it is presented in a clear manner.

Have you had a witness tell you that they are surprised you were able to take their information and make it make sense? Are you able to read the final report and have all your questions answered and your conclusions make sense to your boss? Have you been asked to redo

witness interviews and/or entire investigations? Does the witness ask for excessive changes? These are all signs that can help you assess your statement taking process.

We do not believe that there is any perfect roadmap for writing a statement but we do have some tips for statement writing:

1. Use a standard format (the same one every time).
2. Write the statement in first person present tense.
3. Do not change the tense of the statement.
4. Do not change from one person's version of events to your own thoughts.
5. Use paragraphs to separate thoughts and incidents.
6. Use formal names – Never first names.
7. The statement is one big quote – so additional quotation marks are not needed.
8. The presentation of evidence and conclusions is for the Report – not the statement.

At Hill Advisory we follow the same pattern to format statements. We do this because we believe that it keeps our process safe. We spend the majority of our time writing statements and final reports and we understand the care and diligence required for the task. We hope you have now been provided with some new thoughts in this most important of areas.

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