
**The Australian
Advocacy Institute**



**The Hong Kong
Monetary Authority**

Investigation Skills Workshop
6, 7, 8 December 2017

PROGRAM

Presented by:
The Hon. Justice Ann Ainslie-Wallace
The Hon. Justice Murray Aldridge
Craig Smith SC
Grant Brady SC

© COPYRIGHT 2017 AUSTRALIAN ADVOCACY INSTITUTE

These materials are copyright. Subject to the Copyright Act 1968, they and any part of them may not be reproduced in any material form, performed in public, broadcast, transmitted by subscription, cable service, or adapted without the prior written permission of the Australian Advocacy Institute.

Investigation Skills Workshop

Aim - to assist the investigators with theory and practical techniques in gathering information, ensuring that it is complete and supported by other information, then presenting a report and statements in a coherent and organised form.

A special emphasise will be placed on interviewing techniques.

Training objectives will include:

- Interviewing and investigations techniques (including reference to contraventions of Anti Money Laundering and Counter-Terrorist Financing (Financial Institutions) Ordinance)
- Dealing with witnesses, uncooperative witnesses including difficult or belligerent lawyers
- Dealing with persons under investigation (including those claiming privilege against self-incrimination); and
- Preparation of narrative statements.

Overview: Sessions will be broken up into General Sessions and Group Sessions. All participants come together into one room for General Sessions. Participants will break out into four teams for each of the Group Sessions.

General Sessions (Sessions 1, 6, 7, 8 & 9)

1. Objective – Investigative theory and techniques.
2. Practical aspects of investigation – investigative tools
3. Interviewing – preparation for interview – aim and plan.
4. The interview – form of questioning, order of questioning, completeness, follow through – notes, witnesses, supporting documents and statements.
5. Demonstration by Instructors of relevant Techniques

Group sessions (Sessions 2, 3, 4, 5, 6 & 8)

Case Study 1: This case involves serious breaches of anti-money laundering requirements, poor management oversight of the bank's operations, and gross misconduct by some of the bank's staff.

Case Study 2: This case involves failures by senior staff in adequately assessing irregularities in activities pertaining to customer accounts along with a number of regulatory breaches.

Participants break out into four teams and are given a case to investigate. The case studies will require certain lines of inquiry to be followed. Guided by the instructors, the teams will decide what inquiries are to be made and in what order, which witnesses will be interviewed, what questions will be asked and what documents they will seek.

The instructors will act as witnesses for the investigation to ensure consistency of information and to enable proper review and instruction in interviewing techniques. During this process, the teams will be supervised and reviewed immediately by instructors on the interviewing techniques. After each witness is questioned, the instructor will review the participants questioning technique.

At one point during the exercise, each participant will be required to prepare and produce a narrative statement based on an interview they have conducted in Session 4. This narrative statement will form the basis of the material from which the participant gives evidence and is cross-examined as a witness (Session 8).

Each team will prepare and then present the results of their investigation (Sessions 5 & 6).

Day One - Wednesday 6 December 2017

SESSION 1 9.00 am – 11.00 am	
General Session	<p><u>Interviewing and Investigative Techniques</u></p> <p>Introduction, role in the system and types of evidence Techniques in developing an investigative theory Interviewing techniques Narrative Statements</p>
<i>Morning Tea 11.00 am – 11.15 am</i>	
SESSION 2 11.15 am – 12.45 pm	
Group Session Participants break into 4 groups.	<p><u>Investigation Exercise: Session 1</u></p> <p>Case Study 1: This case will involve serious breaches of anti-money laundering requirements, poor management oversight of the bank’s operations, and gross misconduct by some of the bank’s staff.</p>
<i>Lunch 12.45 pm – 2.00 pm</i>	
SESSION 3 2.00 pm – 5.00 pm	
Group Session 4 x groups of 8	<p><u>Investigation Exercise: Session 2</u></p> <p>Case Study 1 (continues and ends)</p> <p>AFTERNOON TEA - Taken by individual groups at appropriate time.</p>

Day Two – Thursday 7 December 2017

SESSION 4 9.00 am – 12.45 pm	
Group Session 4 x groups of 8	<p><u>Investigation Exercise: Session 3</u></p> <p>Case Study 2: This case does not involve pervasive control weaknesses within the bank but rather failures by senior staff in adequately assessing irregularities in activities pertaining to customer accounts along with a number of regulatory breaches.</p> <p>MORNING TEA - Taken by individual groups at appropriate time.</p>
<i>Lunch 12.45 pm – 2.00 pm</i>	

SESSION 5 2.00 pm – 3.00 pm	
Group Session 4 x groups of 8	Group preparation of their presentation on method and results of investigation from Case Study 2.
<i>Afternoon Tea</i> 3.00 pm – 3.15 pm	
SESSION 6 3.15 pm – 5.00 pm	
General Session	Presentation by each group of their group investigation method and results (3.15 – 4pm).
Group Session	Group Preparation of individual narrative statements (4-5pm).

Day Three – Friday 8 December 2017

SESSION 7 9.00 am – 12.45 pm	
General Session	<p><u>Interviewing and Investigative Techniques</u></p> <ul style="list-style-type: none"> • Review of Investigative Methods (9-10am) • Structure of the Interview (10-10.30am) • Cooperative and uncooperative witnesses (10.30-11.30am) • Morning Tea (11-11.15am) • PUIs (and abuse of privilege), difficult lawyers and ending the interview (11.15-12.30pm) • Review of the Day (12.30-12.45pm)
<i>Lunch 12.45 pm – 2.00 pm</i>	
SESSION 8 2.00 pm – 4.00 pm	
General Session 2-3pm	<p><u>Giving Evidence as a Witness</u></p> <ul style="list-style-type: none"> • Nature of Evidence in Chief and Cross-Examination • Issues for Investigators in giving evidence
Group Session 4 x groups of 8 3-4pm	<ul style="list-style-type: none"> • Participants will give evidence and be cross-examined on the narrative witness statement prepared during the Investigation exercise
<i>Afternoon Tea</i> 4.00 pm – 4.15 pm	
SESSION 9 4.15 pm – 5.00 pm	
General Session	<p><u>Narrative Statements and Close</u></p> <ul style="list-style-type: none"> • Narrative Statements • Review and close