Impact case study (REF3)

Institution: University of Winchester

Unit of Assessment: UoA 4

Title of case study: Changing Perceptions of Intoxicated Eyewitness Performance

Period when the underpinning research was undertaken: 2011-2020

Details of staff conducting the underpinning research from the submitting unit:

Name(s):	Role(s) (e.g. job title):	Period(s) employed by submitting HEI:
Dr Wendy Kneller Dr Sarah Bayless Dr Deborah Crossland	Senior Lecturer Senior Lecturer Lecturer	2004 – present 2005 – present 2010 – present

Period when the claimed impact occurred: 2011-2020

Is this case study continued from a case study submitted in 2014? No

Summary of the impact (indicative maximum 100 words)

Approximately 50% of all crimes in the UK involve intoxicated witnesses and victims. However, little is known about the reliability and completeness of their testimonies. Our research has helped inform Criminal Justice Service (CJS) agencies that moderately intoxicated witnesses' testimony can be as reliable as their sober counterparts. Our findings have enhanced CJS practitioners' (i.e., police, witness support agencies, Registered Intermediaries, Hampshire Office of Police and Crime Commissioner) perceptions of the capability of intoxicated witnesses' memory, and as a result, have informed UK national support and practice guidelines produce by the College of Policing and The Ministry of Justice.

Underpinning research (indicative maximum 500 words)

Our research with English police forces on their experiences and procedures revealed that intoxicated witnesses are a common occurrence (3.6). Importantly, cases are less likely to proceed to court if a witness was intoxicated, due to their being perceived as unreliable, highlighting the importance of research on the quality of intoxicated eyewitnesses' evidence. Our underpinning research on this topic consists of six studies conducted between 2011-2019 by the Alcohol Research Laboratory at the University of Winchester (Drs Wendy Kneller, Deborah Crossland & Sarah Bayless) covering three key areas of the police investigation process: eyewitness interviewing, facial composite production, and identification procedures.

Kneller, Bayless and Crossland are lecturers at the University of Winchester. Crossland's research was conducted for her PhD on intoxicated witnesses at Winchester, supervised by Kneller & Wilcock. Harvey was a lecturer at Winchester when this research started, left in July 2013, and is now at the University of Portsmouth. Frowd was a lecturer at the University of Winchester from July 2013 to January 2016, when the research with Bayless was carried out, and is now at UCLAN. Campbell was employed as a research assistant by Harvey whilst at Winchester.

Two studies conducted by Harvey, Kneller and Campbell in 2013 examined the effects of alcohol on attention and memory. The first (3.1) showed sober or mildly intoxicated witnesses (Mean breath alcohol content (BrAC) = 0.28mg/l (UK drink-drive limit = 0.35mg/l)) non-criminal, static, images to ascertain their area of foveal attention and their subsequent ability to recall the images' details later when sober. Whilst intoxication

narrowed attentional focus to central areas, recall from central and peripheral regions did not differ. Using static images depicting a minor theft, the second study (3.2) found mild intoxication did not affect either recognition performance or identification accuracy. A subsequent study (3.3) explored the effects of mild intoxication (M_{BrAC} = 0.23mg/l) on identification accuracy, confidence and decision times and confirmed that mildly intoxicated witnesses were no less accurate, confident or slower than sober witnesses.

Crossland et al (3.4) reports two studies (one laboratory, one field) examining sober, mild (below the UK drink-drive limit) and moderate (study 1: M_{BrAC} = 0.39mg/l; study 2: M_{BrAC} = 0.61mg/l) intoxication on memory for a filmed crime event. Whilst moderate levels of intoxication detrimentally affected completeness of recalled information, accuracy was not impaired.

Bayless et al (3.5) examined facial composite production with mildly intoxicated witnesses. Intoxicated or sober participants viewed a target person on video, and constructed a composite image of the target the following day (again either intoxicated or sober). Intoxication at encoding detrimentally impacted on the quality of facial composite. Intoxication at both encoding and construction further reduced the quality of composites, especially for the accuracy of external facial features.

Prior to this research, it was believed that alcohol intoxication negatively affected intoxicated witness memory, and thus their reliability. The key messages evidenced by our underpinning research are:

- Regardless of their level of intoxication, the identification performance of intoxicated witnesses is no worse than their sober counterparts.
- However, intoxication at face encoding detrimentally impacts upon the quality of facial composites.
- Whilst the memory for events of mildly intoxicated witnesses is no worse than that for sober witnesses, moderate levels of intoxication result in less complete, but no less accurate memories.

3. References to the research
(indicative maximum of six references)

3.1. Harvey, A, J., Kneller, W., & Campbell, A. (2013a). The effects of alcohol intoxication on attention and memory for visual scenes. *Memory, 21*(8), 969-980. DOI: 10.1080/09658211.2013.770033. (36 citations).

3.2. Harvey, A. J., Kneller, W., & Campbell, A. (2013b). The elusive effects of alcohol intoxication on visual attention and eyewitness memory. *Applied Cognitive Psychology, 27(5), 617-624.* doi:10.1002/acp.2940. DOI: 10.1080/09658211.2013.770033 (23 citations).

3.3. Kneller, W., & Harvey, A. (2016). Line-up identification accuracy: The effects of alcohol, target presence, confidence ratings and response time. *European Journal of Psychology Applied to Legal Context, 8,* 11-18. DOI: 10.1016/j.ejpal.2015.09.001 (17 citations).

3.4. Crossland, D.S., Kneller, W., & Wilcock, R. (2016). Intoxicated witness: Testing the validity of the Alcohol Myopia Theory. *Applied Cognitive Psychology*. Available online, DOI: 10.1002/acp.3209 (22 citations).

3.5. Bayless, S. J., Harvey, A. J., Kneller, W. & Frowd, C. D. (2018). Do intoxicated witnesses produce poor facial composite images? *Psychopharmacology, 235* (10), 2991-3003. DOI: 10.1007/s00213-018-4989-2. (3 citations)

3.6. Crossland, D., Kneller, W., & Wilcock, R. (2018). Intoxicated eyewitnesses: Prevalence and procedures according to England's police officers. *Psychology, Crime & Law, 24*, 979-997. DOI: 10.1080/1068316X.2018.1474216 (6 citations).

Outputs 3.2 & 3.3 were funded by an Alcohol Education Research Council (now renamed as Alcohol Change UK) small grant SG09/10 130.

4. Details of the impact (indicative maximum 750 words)

Improving CJS Perceptions of Intoxicated Witnesses

Our research has impacted upon the College of Policing and Ministry of Justice practices regarding eyewitness testimony.

A representative of the National Crime Agency states that the research detailed in section 3 has made a "significant contribution" to policing guidelines (5.1). First, two of our outputs (3.2 and 3.4) were used (and cited) in producing the College of Policing (2019) publication "*Obtaining initial accounts from victims and witnesses. A Rapid Evidence Assessment to support the development of College guidelines on obtaining initial accounts from victims and witnesses*" (pages 42-45; 5.2).

Additionally, the research referenced in section 3 has informed (with output 3.4 being cited in) the soon to be published revised national guidance set out by the Ministry of Justice in "*Achieving Best Evidence in Criminal Proceedings: Guidance on Interviewing Victims and Witnesses and Guidance on using Special Measures*" (5.3). This guidance incorporates best practice and expertise to assist those responsible for conducting interviews with vulnerable victims and witnesses as well as those who prepare and support such individuals in the CJS, e.g., the police, social care workers and members of the legal profession. Whilst we currently do not know the exact date for the publication of these revised guidelines, the research cited in section 3 is currently presented to police forces around the UK by the UK National Crime Agency (5.3).

Impact on Criminal Justice System (CJS) Agencies

In April 2019, the research was presented at a Vulnerable Witness conference at the University of Winchester which was attended by 50 CJS professionals from numerous agencies including those who regularly deal with vulnerable witnesses, including intoxicated witnesses (i.e., Police constabularies across England and Wales, National Video Identification Parade Electronic Recording (VIPER) Bureau, Ministry of Defence, Rail Accident Investigation Branch, Hampshire Office of Police and Crime Commissioner, victim support organisations, and Registered Intermediaries). Collected feedback at the end of the event found that 87% of attendees stated that their knowledge and awareness of intoxicated witness testimony had increased, and 78.4% now perceived such testimony to be accurate or very accurate. Some also reported that they or their organisations would change practice and training methods related to intoxicated witnesses. For example, one manager from Together for Mental Wellbeing Recovery Service stated "*How many ungrounded judgements I had regarding the unreliability of intoxicated testimonies! Really changed my perception and will change subsequent practice*" (5.4).

5. Sources to corroborate the impact (indicative maximum of 10 references)

5.1. Letter from a representative of the UK National Crime Agency dated 26/07/2019, stating how useful the research has been in their operational work.

5.2. Obtaining initial accounts from victims and witnesses. A Rapid Evidence Assessment to support the development of College guidelines on obtaining initial accounts from victims and witnesses (College of Policing, 2019). Available at https://whatworks.college.police.uk/Research/Documents/Initial_Accounts_REA.pdf Cites 3.2 and 3.5.

5.3. Email correspondence from a representative of the UK National Crime Agency, both explaining the issue with publishing the latest Achieving Best Evidence guidelines and also covering our research in presentation to police forces (November 2020).

5.4 Testimonies from police and other CJS practitioners attending Vulnerable Witness Conference held at University of Winchester 8th April 2019 (Please note: due to COVID I have been unable to access the hard copies we have stored at the University in order to digitise them for this ICS – but the hard copies are available upon request).