Interrogative Suggestibility: Comparison Between 'False Confessors' and 'Deniers' in Criminal Trials

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SUMMARY

The Gudjonsson Suggestibility Scale (GSS) was administered to two groups of criminal suspects: (i) subjects who had retracted confession statements they had made during police interrogation; (ii) subjects who persistently denied any involvement in the crime they were charged with in spite of forensic evidence against them. It was hypothesized that the 'false confessors' would be more suggestible than the 'deniers'. The hypothesis was confirmed, showing that the 'deniers' were 'significantly' more resistant to both suggestive questions and interpersonal pressure than the 'false confessors'. The 'deniers' also tended to be more intelligent, but the two groups did not differ significantly with regard to their memory capacity for verbally presented material.

Following the discovery of false confession statements in some well-known British criminal cases, clinical psychologists are increasingly being asked by defence counsel to give opinion on factors that may affect the validity of confession statements. Low intelligence, poor reading ability, suggestibility and chronic anxiety are sometimes considered to be relevant, in addition to the nature of the interrogation context (Royal Commission on Criminal Procedure, 1980). Person variables, such as low intelligence, may determine to what extent an independent third party should have been present during the police interrogation. In addition, as suspects are required to read through and sign statements, questions regarding reading ability and comprehension may be raised (Gudjonsson and Haward, 1983).

Suggestibility is often considered to be a relevant factor when defendants have retracted their confession statement (Cond, 1981). It may be defined as the extent to which people come to accept a piece of post-event information and incorporate it into their own memory collection (Powers et al. 1979). Less technically, it refers to the capacity of the individual to be influenced by suggestive questions and instructions (Gudjonsson, 1983a). The latter definition suggests that within an interrogation context post-event information can be incorporated into people's testimony in at least two distinct ways. That is, by cued or misleading questions and by interpersonal pressure.

A major problem facing the clinical psychologist when asked to give an opinion on a defendant's susceptibility to suggestive influences, has been the lack of an objective and standardized instrument for measuring interrogative suggestibility. In fact, most tests of suggestibility are concerned with hypnotic suggestibility rather than interrogative situations. Several studies have investigated interrogative suggestibility but the experimental procedures usually involved complicated laboratory settings that are not easily replicated (Young, 1929; Powers et al. 1979; Cohen and Harnick, 1980). For this reason Gudjonsson (1983a) recently constructed an objective psychometric instrument for measuring interrogative suggestibility. His scale, the Gudjonsson Suggestibility Scale (GSS), measures to what extent individuals can be misled by suggestive questions concerning a tape-recorded story of a mugging, and similarly, the extent to which their answers can be 'shifted' by interpersonal pressure. The scale has the advantage of being quick to administer and contains a sufficiently large range of possible scores to be of practical value with different groups of subjects and individuals. The scale's items have been shown to have good internal consistency reliabilities (Gudjonsson, 1983b), and the validity of
the scale has been documented in several studies (Gudjonsson, 1983b; Gudjonsson and Lister, 1983; Gudjonsson and Singh, 1983a, 1983b; Singh and Gudjonsson, 1983; Tait, 1983).

The present study investigates interrogative suggestibility, as measured by the Gudjonsson Suggestibility Scale, in a group of criminal suspects who had retracted their confession statements. Their level of suggestibility is compared with that of a group of suspects who during extensive police interrogation persistently denied involvement in the crime they were later charged with. It was hypothesized that significant differences should emerge between the two groups with regard to suggestibility. That is, the 'deniers' should exhibit high resistance to interrogative influence, whereas the defendants who had confessed to a serious crime during police interrogation and subsequently retracted their statement (labelled 'false confessors') should be highly susceptible to suggestive influence.

METHOD
Subjects
There were twelve subjects in the 'false confession' group. Eleven were awaiting trial and one was awaiting appeal. The group's mean age was 27.7 years (S.D. = 8.6). Six were charged with murder/manslaughter, three with theft, one with rape, one with arson and one with blackmail.

The group of 'deniers' comprised eight subjects, with a mean age of 27.7 years (S.D. = 9.4). Two were charged with murder, four with sexual offences, one with robbery and one with burglary. All the 'deniers' had persistently denied any involvement in the crime they were charged with.

All the subjects in the study had been referred for a psychological assessment either directly by defence solicitors or via psychiatrist colleagues. In several of the cases, the author was required to give evidence in Court.

Suggestibility Scale
The Gudjonsson Suggestibility Scale (GSS) is in two parts. The first part consists of a tape-recorded story of a mugging which the subjects are required to listen to and subsequently report all that they remember about the story. Each correct 'idea' in the story earns one point, the maximum possible score being 40. Both 'immediate' and 'delayed' memory can be recalled.

The second part of the scale monitors interrogative suggestibility. The subjects are asked twenty specific questions about the content of the story, from which their suggestibility scores are derived. Fifteen of the questions contain certain suggestive cues. An answer that indicates that the subject has followed a cue is labelled a 'Yield' score. The highest possible score is 15, the range being 0 to 15. The suggestive questions are of three types:

| Table 1. Suggestibility, memory and intelligence scores for 'false confessors' and 'deniers' |
|---------------------------------|------------------|------------------|------------------|------------------|
| Scale                          | 'False confessors' | 'Deniers'        |                  |                  |
| (N = 12)                       | Mean             | S.D.             | Mean             | S.D.             | t-value          |
| Gudjonsson Suggestibility Scale|                  |                  |                  |                  |                  |
| Yield 1                        | 6.3              | 3.6              | 1.75             | 1.0              | 4.1***           |
| Yield 2                        | 7.5              | 3.1              | 1.25             | 1.2              | 6.3***           |
| Shift                          | 4.2              | 2.2              | 1.4              | 1.3              | 3.6***           |
| Total Suggestibility (i.e. Yield 1 + Shift) | 10.5             | 3.2              | 3.0              | 2.1              | 6.4***           |
| WAIS                           |                  |                  |                  |                  |                  |
| Full Scale IQ                  | 80.5             | 14.8             | 99.5             | 17.7             | 2.4**            |

*P < 0.05
**P < 0.01
***P < 0.001
(i) moderately leading questions, such as 'Did the woman's glasses break in the struggle?' and 'Did the woman's screams frighten the assailants?', when neither was mentioned in the story.

(ii) affirmative questions, such as 'Were the assailants convicted six weeks after their arrest?' and 'Did one of the assailants shout at the woman?', when neither was mentioned in the story. The questions in this group have no salient premises or expectations but tend to have a certain suggestive effect in that they have an affirmative response bias.

(iii) false alternative questions, such as 'Did the woman hit one of the assailants with her fist or handbag?' and 'Did the woman have one or two children?', when neither was mentioned in the story.

Five questions are 'True' questions, that is, the correct answer is an affirmative one. These questions are interspersed among the fifteen suggestive questions in order to conceal the real purpose of the scale. The questions in this group are not included in the scoring for two main reasons. First, the questions are theoretically unrelated to suggestibility as measured by the scale. Second, factor analysis of the items has revealed that the 'True' questions have poor loadings on the suggestibility factor.

After the subjects have answered all the twenty questions they are told: 'You have made a number of errors. It is therefore necessary to go through the questions once more, and this time try to be more accurate.'

The twenty questions are subsequently repeated and any distinct changes in the replies from the previous trial to the fifteen suggestive questions are noted for scoring. It makes no difference in the scoring of 'Shift' whether or not the critical feedback makes the subjects more or less suggestive on the second trial. It is only the quantitative change which forms part of the scoring. A 'shift' or change in the replies to the five 'True' questions is not included in the scoring because it is fairly rare for subjects to change their answers with regard to the 'True' questions and when they do it loads poorly on a 'shift factor' (Gudjonsson, 1983a).

Factor analysis of the suggestibility scale has shown that the 'Yield' and 'Shift' scores load on separate factors (Gudjonsson, 1983a). The former measures to what extent subjects yield to suggestive questions, whereas the latter measures to what extent they can be made to shift their answers once interpersonal pressure has been applied. Each item of the scale contains fifteen items which comprise reasonably homogeneous measures with satisfactory internal consistency. The 'Yield' and 'Shift' can be added together to indicate Total Suggestibility. It is also possible to monitor the number of 'Yield' points earned after the interpersonal pressure has been applied; that is, the number of suggestive questions on which the subjects can be misled with regard to the second trial ('Yield 2') as opposed to the first trial ('Yield 1').

A detailed account of the scale's construction, rationale and scoring is given elsewhere (Gudjonsson, 1983a).

Procedure

All subjects were administered the suggestibility scale as recommended by Gudjonsson (1983a). There was a delay of forty to fifty minutes between the presentation of the story and the subsequent interrogation. During this period the subjects were required to complete other types of psychometric tests, the most common one being the Wechsler Adult Intelligence Scale (WAIS). The suggestibility scale was presented to the subjects as a memory test.

RESULTS

Table 1 gives the mean and standard deviation scores for suggestibility, free memory recall and intelligence. It is evident that the 'false confession' group were significantly more suggestible than the 'deniers'. They also had lower IQ as measured by the WAIS, but did not differ significantly from the 'deniers' with regard to free memory recall as measured by the GSS. The Yield scores for trials 1 and 2 (i.e. before and after the interpersonal pressure) are given separately in the table. Only the Yield score on the first trial forms part of the overall scoring, but the theoretical reasoning behind the suggestibility scale would predict the critical feedback makes subjects more responsive to suggestive cues. In order to test this, t-tests for related samples were performed on the two Yield scores. The hypothesis was confirmed for the 'false confession' group ($t = -1.85$, d.f. = 11, $P < 0.05$).
but the prediction was reversed for the 'deniers' (t=2.65, d.f. = 7, P<0.05, two-tailed test).

**DISCUSSION**

The hypotheses formulated in the introduction were clearly supported. What is particularly interesting is the extremely low suggestibility, scores among the 'deniers'. In fact, their Total Suggestibility Score is about four points below the mean score for normal males (Gudjonsson, 1983a). They proved to be exceptionally resistant to both suggestive (misleading) questions and interpersonal pressure. Furthermore, when they changed their answers after the critical feedback had been applied, they commonly gave in less to the suggestive questions. The 'false confessors', on the other hand, generally responded to the critical feedback by becoming more suggestible, which is consistent with the theory and findings of Kelman (1950). In other words, feedback of failure should generally increase suggestibility in accordance with the principles of reinforcement and related principles of learning. As far as the Gudjonsson Suggestibility Scale is concerned, previous research has shown that the critical feedback administered after Yield 1 increases responses to suggestive questions (Gudjonsson, 1983a).

An important finding in the present study is that not all those subjects who retracted their confession statement proved to be particularly suggestible on the suggestibility scale, although as a group they were significantly more suggestible than the group of 56 normal males presented by Gudjonsson (1983a), t=3.24 (66), P<0.01. There may be several reasons for this. First, the scale itself may be prone to false negative error. That is, it may fail to identify some highly suggestible individuals. Alternatively, suspects do not necessarily have to be particularly suggestible in order to produce untrustworthy statements. A decision to confess falsely can be affected by a number of psychological factors within the individual in addition to the demand characteristics and pressures of the interrogation context (Royal Commission on Criminal Procedure, 1980). Furthermore, a subsequent retraction of a confession does not necessarily imply that the original statement was false since many suspects undoubtedly have 'second thoughts' when they fully appreciate the implications and possible consequences of their original statement.

One major weakness with the present study is the rather small number of criminal suspects employed, which makes it difficult to generalize from the results despite their statistical significance. However, the results are promising and raise some questions and possibilities for further investigations among criminal suspects. Certainly, 'deniers' are an interesting group which needs to be looked at in a much larger study. In criminal cases about 40 per cent of suspects do not make admissions or confessions during police questioning (Royal Commission on Criminal Procedure, 1980; Soffley, 1980). Nevertheless, a sizable proportion are subsequently charged and convicted. The 'deniers' in the present study were a rather selective group in that they had been referred either by solicitors or psychiatrists colleagues for a psychological assessment relevant to their 'alleged' offence. In the majority of cases there was substantial forensic and other evidence against them. Indeed, at the time of writing this paper five of the 'deniers' had been convicted, one was acquitted by a majority verdict and two were still awaiting trial. Clearly, many suspects deny involvement in a crime because they are really innocent. Even so, their capacity to resist pressure during an extensive police interrogation is undoubtedly in some cases related to their generally low level of suggestibility. Probably the least suggestible group are the suspects who are really guilty but claim their innocence in spite of overwhelming evidence against them. Most of the 'deniers' in the present study seem to have fallen into this group. The problem from a research point of view is that the 'ground truth' (the actual truth) is often not available and trial outcome is not necessarily the same thing as 'ground truth' (Gudjonsson and MacKeith, 1982).

At the present time there are no objective psychometric techniques available for distinguishing between genuine and false statements to police although some psychological principles and techniques may assist in the evaluation of such statements (Gudjonsson and Harward, 1983). Highly suggestible individuals may be particularly liable to give false testimony during police interrogation, but it is equally important
to remember that not all suggestible individuals give unreliable testimony, especially regarding facts that they clearly remember (Gudjonsson and Gunn, 1982). Furthermore, suggestibility may become an issue in a criminal court case only when it can be established that suggestions were made by the police and that the defendant responded to them. In the author's experience, it is often the case that there is no clear evidence from the relevant police statements that the questions asked and instructions given during the interrogation were suggestive. This does not mean that no suggestions were made, because they could have been made but not monitored in the police accounts of the relevant interrogation. This may not have been deliberate but it nevertheless adds to the potential inaccuracies of statements. In addition, some suggestions are not verbally explicit or easily observed and monitored.

Finally, the relationship between suggestibility and intelligence needs to be briefly discussed. In the present study, the "deniers" were found to be significantly more intelligent than the "false confessors," but the most highly significant differences emerged with regard to the suggestibility scores. It is therefore unlikely that differences in intellectual functioning can account fully for the group differences in suggestibility. Nevertheless, the correlation between Total Suggestibility and IQ in the present study was moderately high (r = −0.59, d.f. = 18, P < 0.01) and similar to that found in normal subjects with a good range of IQ scores (Gudjonsson, 1983b). Low intelligence may therefore be one factor which makes people susceptible to suggestive influences. Other factors include memory capacity and personality (Gudjonsson, 1983b) and perceptions of self-esteem and control (Gudjonsson and Lister, 1983; Singh and Gudjonsson, 1983).

REFERENCES


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