6
Myths about Police Interviewing

6.1 Introduction

The discussion of prior research into police behaviour and interviewing in Chapter 2 identified a number of studies that directly or indirectly highlighted the potential for an institutional ‘mythology’ about police interviewing. For instance, Baldwin (1993) specifies a number of police beliefs that he finds to be erroneous or based on false assumptions and therefore directly contributes to our understanding of a police interviewing mythology. On the other hand, a number of forensic linguistic studies of police interviews with non-native English speakers were found to be based on expectations about interviews with native English speakers that have not yet been investigated. These studies suggest indirectly that there may be institutionally held beliefs about the process of police interviewing which require further study. The findings of these prior studies will be drawn upon in different ways to provide a starting point for the exploration of a number of specific ‘myths’ underlying the discourse of the interviews. Once the nature of a myth has been described, a salient discourse feature, or set of features, identified in the previous three chapters will provide a framework through which the effect of this myth on the discourse can be analysed. The implications of a mythology for the role of police institutional discourse in the interview will be discussed in the next chapter in relation to power relations and institutional requirements.

6.2 The myth of comprehension

In Chapter 2, a number of Australian studies were mentioned whose common focus was the problems that can occur in interviews between
native English-speaking police officers and non-native English-speaking, or non-English-speaking, suspects (e.g. Cooke 1996; Eades 1982, 1994; Gibbons 1996; Jensen 1995). It was suggested that these studies rely to some extent on assumptions about the adequacy of police interview procedures when dealing with native English-speaking suspects. For instance, where changes are recommended to the interview procedure, such as developing the evidence through narrative forms rather than question–answer sequences in interviews with Aboriginal suspects (Cooke 1996), these changes are assumed to promote equality before the law for Aboriginal suspects. Cooke finds that Anglo-Australian suspects are likely to have been exposed to the question–answer form of interviews through education and the media and are therefore unlikely to experience the same problems with this form of talk as Aboriginal people who may be less familiar with its rules and requirements. This seems to be a reasonable assumption to make about Anglo-Australian culture and its linguistic norms; however, Cooke’s finding that ‘narrative testimony ... appears conducive to a more thorough elicitation of evidence’ (1996: 279) is equally true of police interviews with native English speakers according to Braithwaite, Brewer and Strelan (1998) and Shuy (1998) (see section 6.4).

Gibbons (1996) makes several important observations about the vulnerability of non-native speaking suspects to police practices that are found to distort the evidence in videotaped interviews. One example of a Tongan man being interviewed in relation to a murder case demonstrates that the suspect’s lack of understanding of police procedures and the complex language being used in the interview both contribute to a distortion of the evidence by the interviewing officers.

A rigorous corpus-based analysis of the language use of police interviewers compared with general language use in an English-speaking context (Fox 1993) has found that certain discourse structures common to the speech of police interviewers are extremely infrequent in general speech. For example, the use of then following a subject noun phrase, as in I then walked into the shop, is common in police statements and yet was found to be very rare in the corpus database. This demonstrates not only the influence that police officers have over the language used in statements of evidence (supposed to be transcriptions of the suspect’s utterances) but also the wide gap that exists between ‘policespeak’ and everyday language use for native and non-native English speakers alike.

These findings suggest that difficulties in comprehension experienced by non-native speakers of English in police interviews reflect an inherent communication problem arising from the use of ‘legal jargon’. Although prior studies acknowledge to some extent the generalisability of their