Police Decision-Making in Investigations of Rape: An Explanatory Model

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ABSTRACT

The aim of this research was to develop an explanatory naturalistic decision-making model of the investigation of rape by An Garda Síochána. Despite documented increases in the incidence of recorded rape, it is widely accepted that rape is seriously under-reported. One of the key factors identified in the under-reporting of sexual assaults, was the high level of attrition in bringing prosecutions to court. A key attrition point concerned whether the police record the report as a rape or not, unofficially ignore reports which they believe to be false or which cannot be verified, or recommend not to proceed with the case (Lees and Gregory, 1993). The rationale of this research lies in addressing the gap and links between beliefs and attributions and investigative behaviour. It is also concerned with delineating the extent to which beliefs and the investigative process are embedded within occupational and/or societal contexts.

This research adopted a ‘naturalistic’ paradigm, distinguished from the traditional decision making paradigm by a more pronounced concern for how people handle decision-making in realistic, dynamic and complex environments (Beach, 1997). It has extended this framework, by recognising that most real-life decision-making is bound to a social context. Social processes are, therefore, likely to be of particular relevance when defining and structuring decisions.

Within a weak social constructionist epistemological paradigm, two studies were conducted. Study one was designed to explore how Gardaí conceptualise their role in rape investigations and how they make key decisions. It involved 32 in-depth interviews, with members of An Garda Síochána with varying levels of occupational expertise and experience. Semi-structured interviews were systematically analysed using Grounded Theory to construct a robust, naturalistic decision making model. The main findings were:

- Social knowledge (e.g. beliefs in the level of false rape reports, scenario based rape scripts, investigative goals) played a critical role in the formulation of the investigative decision frame. Social knowledge was also an integral element that permeated the entire investigative process and affected final outcome.
The goal of deception detection and whether it was stated explicitly or implicitly played a determining role in the strength and direction of initial veracity judgements.

The investigative decision frame, and whether this was characterised by certainty or uncertainty affected the nature and function of the investigative process, decision makers’ behaviour and also affected how the final recommendation was made.

Causal models and story construction on the basis of victim statement and other evidentiary information were critical iterative evaluative techniques.

The final deliberative stage of the investigative process was characterised by a number of strategic evaluative operations, bound to case-specific decision frames, which included assumptive-based reasoning, weighing of pros and cons, seeing what alternative best fits the recommendations permitted and predictive forecasting.

Findings demonstrated clearly that context played an important role throughout the investigative process, from diagnosis to the final decision made.

The second study involved a questionnaire survey that was designed to operationalise and quantitatively assess the interrelationships between key components of the model. This also involved testing and validating constructs identified in study one. The questionnaire was posted to a stratified sample of 800 members of An Garda Síochána, of Garda rank. The main findings were:

- Key constructs, such as negative rape beliefs, uncertain decision frames and veracity orientation were verified in a larger, more representative sample.

- Findings produced a similar picture to that identified in study one, in terms of how beliefs are related to veracity orientation across the sample, irrespective of differences in rape investigative experience or length of tenure. Findings revealed gender differences with respect to responses on rape belief scales, yet not on veracity orientation measures.

- Findings further developed our understanding of this model in terms of how context and cultural factors affect rape beliefs. Cultural variables were found to have direct effects on veracity orientation.

These findings were discussed in terms of their theoretical and methodological implications for decision making theory. They were also discussed in terms of their applied value from a police operational perspective.
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This thesis is dedicated to women and men, of all ages who have been hurt by sexual violence.
Chapter 1

Thesis summary and description of chapter structure and content.

1.0 Introduction

Compared to other developed countries, Ireland's social, economic and industrial development, has happened at a later and much more rapid rate, (Margaret Fine-Davis, 1983; 1989). This has been accompanied by well publicised shifts in public attitudes and behaviour, particularly with respect to sex (O'Malley, 1993). Concomitantly, there has been a demonstrable increase in people's awareness of sexual violence, from 'revelations' of sexual abuse by the clergy, to greater numbers of rape cases documented in the press.

In Ireland, like other countries, official crime statistics demonstrate that rape, along with other forms of sexually coercive crimes, is increasing and occurs much more frequently than previously thought. It is noteworthy that while the level of recorded rape continues to increase, there is concomitant recognition that rape, more so than other forms of crime, continues to be seriously underreported. The problem of underreporting in Ireland is particularly highlighted by comparative studies that illustrate that neighbouring jurisdictions to Ireland record more rape offences per capita than in Ireland (Brewer et. al., 1997; O'Mahony, 1993).

One factor that is thought to affect reporting decisions by victims of rape, is the high level of attrition in bringing rape cases to court and securing a conviction. Figures in Ireland suggest that even though the incidence of (recorded) rape has been increasing dramatically, the rate of conviction remains at between 3% and 10 %, depending on the source. The extent to which the message of high attrition is communicated to the public by the Irish media is well documented.
One of the key attrition points in the criminal justice system concerns whether the police recommend to the prosecuting authorities not to proceed with the prosecution and the degree to which the prosecuting authorities rely on the story constructed by the police. Literature and research that has addressed police decision making in rape investigations does very little to elucidate this process. The rationale of this research lies in making the link between how and why beliefs and attributions are linked to investigative process and decision making and the extent to which beliefs are embedded in societal and/or occupational contexts.

This research is timely in many respects. It is timely in that Garda investigative procedures need to be evaluated in light of the growing number of cases that they appear to be dealing with. It is timely in that psycho-legal and forensic research concerned with judge and jury decision making has concluded that a proper understanding of police decision making is required in order to fully understand story construction processes in court. It is timely in a theoretical sense, in that decision making research has developed a more pronounced concern for explicating real-life, complex decision making, that is bound to social contexts. This means that traditional ways of theorising about decision making are ineffectual with respect to these aims. For example, normative theory states that individuals ought to adhere to formal mathematical rules when making decisions. The aims of this work presented a methodological challenge to develop a suitable methodology that would enable this process to be delineated in an ecologically valid and credible way.

It was important to clarify the assumptions underlying the phenomenon of interest. Investigative decision making was conceptualised as a dynamic, interpretative, interactional, contextual process that results in action. Investigative decision making was also conceptualised as a social process, where the decision maker has agency and does not operate logically, in terms of conforming to mathematical theory. Decision making was not conceptualised as a linear process that results solely in choice. Research questions were, therefore, located within a naturalistic paradigm as this paradigm was thought to best reflect these assumptions. It was important to develop a
methodology that enabled these aspects of decision making (if they exist) to be made more visible.

Naturalistic decision making assumes that the decision maker is reasoned but not rational (in terms of mathematical logic). Naturalistic decision making also assumes that the individual is a fully active, social being, operating within a social environment which constrains the decision making process, itself embedded within the social context. Furthermore, naturalistic decision making recognises that there may be multiple outcomes in any decision and that the decision maker may not evaluate or be able to evaluate all possible options available to them.

The focus of this research was on describing and explaining the decision making process in terms of how and why Gardai make the decisions they do. In contrast to the positivist epistemology of traditional decision making, the epistemological position of this work is located within the social constructionist approach. By its very nature, the naturalistic paradigm and the initial research questions, implied an in-vivo, qualitative methodological approach. From here, it was possible to introduce the possibility of strengthening research findings through the use of a principled mixture of methods. The first study was followed up with a quantitative survey that aimed to clarify and examine the interrelations between component parts of the model developed. Qualitative and quantitative research methods were used in parallel and harnessed within different research paradigms as basic epistemological assumptions did not contradict one another.

The first study consisted of 33 semi-structured, in-depth interviews with Garda ranking members of An Garda Síochána. The method of analysis employed for the qualitative study was based on the methodology of 'Grounded Theory' as propounded by Glaser and Strauss (1967) and Strauss and Corbin (1990). Grounded theory provided an opportunity to create theory in subject areas that are difficult to access with traditional research methods (Rennie et. al., 1988). This analysis resulted in the development of a detailed, naturalistic, decision making model delineating the numerous interrelated belief structures, within which a specific report of rape is embedded. It also elaborated how investigative procedures are embedded within
different case specific decision frames, which affect how final decisions are made. The findings in this study make several important and new contributions to the theoretical literature on decision making and investigative decision making in particular. These include an acknowledgment of the integral relationship between social knowledge and action. The importance of shared beliefs in directing and contributing substantially to decisions was a key finding and one that directly questions the validity of theories that suggest decision making is a result of a weighting of preferences based on \textit{a priori} choices, or purely an issue of matching the 'story' to predefined categories. In addition this model further found that the agency of the decision maker throughout the investigative process played a large part in determining the final outcome.

The development of the model was followed by a questionnaire study that attempted to operationalise key constructs within the model, in order to develop our understanding of how the component parts of the model interrelate. A stratified sample of 500 male police officers of Garda rank and 300 female police officers of Garda rank were randomly sampled from the entire Garda population. It was hypothesised that independent variables such as sex, length of tenure, experience, would directly affect belief and veracity orientation variables. It was also hypothesised that occupational culture variables would moderate the relationship between ones own beliefs and the extent to which these are dependent upon the perceived beliefs of others. The results of this study provided support and validation for the key components of the Evaluative Knowledge Structure and decision frame, i.e. negative rape beliefs, veracity oriented investigative goals and decision frames characterised by uncertainty. In addition to this, the results of this study provided significant support and validation for the social and occupational cultural aspects of beliefs and veracity orientation. It further built upon the findings of study one by statistically demonstrating (albeit weakly) that level of communication interacts with perceived beliefs of others, to moderate one's own beliefs.

It was clear that the methodology and analytic method chosen to answer the research questions successfully fulfilled these aims. It is important to note that although this study replicated a number of the categories found to be significant in attrition and
attribution research, it employed a totally different methodological approach. This research did not impose any \textit{a priori} categorisations on participants. All of the findings in this study emerged from a thorough analysis of participants' descriptions of rape cases that they had dealt with or heard of, and in response to questions on decision making. The categorisations were validated and further understood through the findings of the quantitative study. These finds have important theoretical, methodological and applied significance and these are discussed in detail throughout this thesis.

The aim of the reminder of this chapter is to provide a brief outline of the structure and content of each chapter of this thesis. This outline will begin with a statement summarising the main thrust of the chapter and the logic of the interconnections between each section. This will be followed by a brief description of the main points contained therein.

1.1 Chapter 2: Rape, Attrition and Investigative Decision Making

Chapter 2 aims to set the scene for the research questions and specifically located the question of police decision making in rape investigations within the realm of attrition and the criminal justice system. What results from the first half of Chapter 2 is a clear sense of the factors involved in the production of rape statistics by the police (and the problems in interpreting the same) and the characteristics of cases that are unfavourably evaluated by them. The second half of Chapter 2 complements this information with a critical review of research that has examined attitudinal and attributional correlates of rape credibility judgements (using 'police' and 'non-police' samples). This chapter serves to highlight the gaps in the literature (and problems with the research) that have led to an incomplete representation of how police make decisions in rape investigations and why rape cases result in attrition. This research aims to fill these gaps. Chapter 2 begins with a section outlining the laws for rape in the Republic of Ireland and draws attention to main differences in the criminal justice process in Ireland and the U.K. Crime statistics (police and victimisation) are reviewed and factors accounting for increases in the prevalence of rape are critiqued.
The phenomenon of underreporting is described, particularly in relation to Irish statistics that suggest this is a bigger problem in Ireland than the U.K. This discussion leads to an elaboration on the process of attrition and why a significant proportion of rape cases fall from the criminal system each year. Social psychological research (generally in the form of survey or quasi-experimental designs) examining police attributions of guilt are reviewed. Findings provide some consistent information accounting for which kinds of characteristics (victim, observer, offender) result in negative credibility judgements. In addition to this research, the findings of studies that are concerned with examining how good people are at detecting lies is reviewed with a view to understanding this process a little more clearly. All of the research culminated in a poor representation of how police investigate reports of rape and how they make decisions. The primary problem with attribution research is that it fails to account for what decisions are of real importance in rape investigations and how judgements of truth are related to the investigative process and investigative behaviour, in particular. This chapter results in a series of questions that follow directly from the theoretical and methodological 'gaps' identified in this research.

1.2 Chapter 3: Naturalistic Decision Making: Building a conceptual Framework

Part of the overall problem with research exploring police decision making and police attributions of blame is that is lacks a consistent theoretical framework and underlying rationale. It also fails to address the totality of the investigative experience, and excludes the social context within which decisions are made. The purpose of Chapter 3 is to formulate and describe a coherent theoretical framework within which research questions are embedded. The assumptions underlying police decision making in this research are consistent with the underlying assumptions and ethos of the 'naturalistic' approach to decision making. These assumptions are outlined in detail. This approach is concerned with delineating real-life, complex decisions in real-life, task environments. This chapter comprehensively describes the naturalistic approach to decision making and provides the reader with a critique of other approaches, their limitations and how these are addressed by the naturalistic approach. The rationale for
using the naturalistic paradigm to explore investigative decision making is clear by the end of this chapter, as are the conceptual tools within the naturalistic paradigm that are best suited to answer the research questions.

1.3 Chapter 4: Epistemology, Methodology and Research Methods

Chapter 4 serves to provide a comprehensive account and justification of the underlying epistemological assumptions of this research (weak social constructionist) and how these assumptions are in line with the naturalistic decision making paradigm. Additionally, this chapter provides the reader with a comprehensive account of the methodology and research methods used in the research. In particular, this chapter aims to provide an argument for how a weak social constructionist approach can reconcile itself with conceptual tools that emanate primarily from a realist epistemology. This is so for many constructs developed within the social cognition tradition (e.g. research on stereotypes, prototypes, scripts, schema). This chapter also aims to reconcile and provide a coherent rationale for employing mixed methods in answering the research questions and how this 'fits' with the epistemological assumptions underlying this work. The meaning and types of qualitative methodology are described in this chapter, along with strategies for developing good practice in relation to qualitative research. These include a critique of the following: credibility and the need for trustworthiness; reflexivity and the acknowledgement of values in research; the need to make the research process explicit; transferability, theoretical sampling and negative case analysis. The context of conducting research on the police is discussed with respect to its implications and constraints on the research design and research process. This discussion includes issues such as confidentiality, access and planning restrictions. Finally, this chapter examines the methods proposed for the research, namely Grounded Theory. This chapter results in a clear representation of how research questions can be operationalised within the epistemological assumptions underlying the research methods.
1.4 Chapter 5 & 6: A Naturalistic Model of Police Investigations of rape

Chapter 5 & 6 describes and explains the findings of the first qualitative study and presents the naturalistic model that was developed. Due to the size of the study, the findings are discussed and presented over two chapters. Chapter 5 aims to describe the decision frame of the model and the relationship between its component parts. Chapter 6 describes how the decision frame is related to the rest of the investigative process and final decision. These chapters result in the reader having a clear and full understanding of how Gardaí conceptualise their role in rape investigations, how they diagnose rape cases, assess situations, why and how they make automatic veracity judgements and the ways in which case-specific decision frames are defined. The findings elaborate the extent to which the investigative process and decisions are embedded within layers of context, from group-level to organisational level to societal levels. These chapters provide the reader with a comprehensive description of the procedural and informal operating procedures that define the remainder of the investigative process and the final recommendation decision. One of the main findings, and a key concept described in this chapter, is the way in which the investigative process is tied to the case-specific decision frame that prescribes the function of the investigative process. The first clear example of this is the definition of the case specific decision frame and whether this is characterised by certainty or uncertainty and whether the function of the investigation is to establish truths or proofs. The other main manifestation of this is at the final deliberative stage where the case specific decision frame defines the deliberative strategies and the final recommendation decision made.

This research successfully manages to bridge coherently the gaps identified in chapters 2 and 3. The chapters delineate how social knowledge plays a formative part in constructing case specific decision frames and the extent to which this process is embedded within the social context. The findings describe many examples throughout both chapters, each illustrating how judgements of rape complainants are a product of primary decision goals and social knowledge. The conclusion to both chapters outline
new aspects of these findings for decision making theory and what they say about rape investigations and attrition in particular.

1.5 Chapter 7: A quantitative path analysis of the interrelationships between veracity orientated investigative goals, negative rape beliefs, occupational culture variables and rape investigative experience

This chapter aims to provide a rationale for the research questions identified in this study and how they follow from the findings of Chapter 5 and 6. In the main, the function of Chapter 7 is to provide a test of some of the main component parts of the Evaluative Knowledge Structure and to further examine the effect of occupational cultural variables on the relationship between components. A series of hypotheses are developed and a questionnaire designed to test the same. This piece of research provides important validation for some of the key findings of study one and also further added to our understanding of how context is related to beliefs and goals. This chapter begins by introducing the research questions and providing an explanation for the predicted relationships between the variables. This is in the form of a series of regression paths that are illustrated throughout the chapter. From here, the method section is described. The procedure is elaborated in terms of the piloting phase and data analysis. The findings include a description of each of the research questions in turn. An appendix contains all of the findings with respect to data screening and scale structure issues. Correlational findings are described as are each of the regression paths in turn (four in total). The discussion of these findings elaborates how they validate key constructs found in study one, examines and explores the factors that are related to these constructs and further develops our understanding of how context plays a role in the Evaluative Knowledge Structure. Limitations with respect to the psychometric properties of the veracity orientation measure are described along with suggestions for its improvement and further research with this construct.
1.6 Chapter 8: Theoretical, methodological and applied implications of the contextual naturalistic decision making model.

The final chapter of this thesis aims to merge the findings from the two studies with respect to their respective contributions to the literature in the area. This chapter begins with a brief summary outlining the aims and findings of this work in terms of their methodological and theoretical contributions. The remainder of this chapter deals with what these findings suggest in terms of the Garda investigative process and in particular, the skills required for taking statements of complaint. An important aspect of applied social psychological research is the extent to which it can offer those who gave their time and trust, something back in terms of benefits and suggestions for development. The findings are reviewed with respect to the psychological literature that examines ‘best’ practice in this filed. General observations will be made as to what the findings suggest with respect to interviewing skills and tactics described by participants. The findings of the model will be reviewed in terms of what they suggest for developing and building upon current practice and how strategies for professional development should be conceptualised and orchestrated.
Chapter 2

Rape, attrition and investigative decision making

2.0 Introduction

This chapter begins with a legal definition of rape in Ireland, which stipulates the necessary criteria to establish a *prima facie* case. Following from this is a brief overview of the criminal justice process, from reporting, through investigation and prosecution in Ireland and in the U.K. Much of the pertinent literature in this field (particularly attrition and victimisation research) originates in the U.K. In order to extrapolate from these findings to the Irish context, a brief comparison of the criminal justice process is provided between the two adversarial systems. An Appendix (2.1) contains a more thorough and in-depth overview of rape investigative procedures in Ireland. This appendix outlines standard formal operating procedures, Garda training and hierarchical structure, for example. The reader is referred to this work for a more detailed elaboration of formal investigative process in Ireland.

From here, this chapter will introduce and critically discuss police crime statistics for rape, rape prevalence indicators, underreporting levels, police recording practices and attrition levels. The aim of this section is to critique what we know ‘officially’ about rape reporting levels and how the police process these figures. This section critically assesses data that purports to provide an insight into the numbers of women who make reports of rape to the police and how the police investigate and record these cases. The problem with this data is its unreliability and the *indirect* evidence it provides, that enables us to merely surmise how police investigators’ make key decisions in rape investigations.

The next section will review and critique survey research that has examined police attitudes and attributional processes when making judgements of blame/truth in rape
scenarios. This research purports to reveal the process of social judgement and police attitudes, but it does not explain or address the ways in which these processes are related to or affect, (if at all), the actual investigative process and investigative behaviour. Furthermore, it does not address the relative influences of societal and/or occupational context on beliefs, judgement or behaviour.

This chapter serves to highlight the gap that exists between research that on the one hand, inadequately addresses how and why police make the decisions they do, and on the other hand, inadequately addresses the behavioural consequences of beliefs and judgements. The rationale of this research lies in making the link between how and why beliefs and attributions are linked to investigative process and decision making and the extent to which beliefs are embedded in societal and/or occupational contexts.

Throughout this thesis the term 'complainant' is used to describe the women who have been raped and made a report to the police. The use of this term is on occasion used interchangeably with the term 'injured party'. The Gardaí tend to use both of these terms when describing their work. For consistency, 'complainant' was chosen for use throughout this thesis, as it represents a particular aspect of the raped individual that evokes their agency and intentions. It also represents that part of rape that this work is concerned with – the investigation of the crime. Other terms such as victim or survivor have been used in previous work, and all labels have their pros and cons, dissenters and advocates. By using the term 'complainant', it is not the intention of the author to underestimate or obscure the violation of rights and bodily integrity that occurs with all women who have been raped – those who have reported it to the police and those who have not. With respect to alleged rapist, the term accused, alleged culprit and suspect are used interchangeably.

2.1 Legal definition of rape and criminal justice process

There are two separate offences of rape in Irish law. Common law rape is defined in section 1 of the Criminal Law (Rape) Act 1981 (as amended by section 21 of the
Criminal Law (Rape) (Amendment) Act, 1990), the law requires the following points to be proved (beyond reasonable doubt);

1. No consent took place /or
2. Defendant was reckless as to whether she consented /and
3. Intercourse took place (proof of penetration only – penis to vagina).

Common law rape can only be committed by a man against a woman.

A second offence known as ‘rape under section 4’ was created by section 4 of the Criminal Law (Rape) (Amendment) Act, 1990. The law requires the following points to be proved (beyond reasonable doubt);

1. No consent /and
2. Penetration of mouth/anus by penis /or
3. Penetration of vagina by an object held or manipulated by the hand

Rape under section 4 is a gender-neutral offence.

The key question for both of these offences is the meaning of consent and for that, there is no strict legal definition. Consent is not an issue in cases involving a girl less than 15 years of age (statutory rape: unlawful carnal knowledge of girls under 15). Sexual intercourse is illegal for children between the ages of 15 and 17, but absence of consent is required for it to be classified as rape. Marriage no longer provides grounds for consent, as rape within marriage has been recognised as a crime since 1990. Failure to resist is also not an indication of consent, nor does it have to be proved that the defendant used physical force (section 9 of the Criminal Law (Rape) (Amendment) Act, 1990 specifically provides that a failure to offer resistance does not constitute consent). The prosecutor must, however, prove beyond reasonable doubt that the defendant either knew the victim was not consenting or was reckless as to whether she did consent to intercourse. It is up to a jury to decide if the circumstances in a particular case constitute consent and they have to bring their collective commonsense to bear on the issue (McCullagh, 1996).

Rape is tried in the Central Criminal Court (a court reserved for the most serious criminal offences in Irish law (Bacik, Maunsell & Gogan, 1999), whereas other sexual offences, such as sexual assault are tried in the Circuit Criminal Court.
This thesis is concerned with police decision making in rape in cases involving adult females by male defendants. A decision was taken to narrow the subject to the rape of females (not males) for two reasons; 1) This is a far bigger offence category as there are very few recorded rapes of adult men. It was likely that Gardaí would have very little or no experience of dealing with rape of adult men. 2) It could not be assumed that the same decision process would apply for male and female victims of rape and so if male rape was included as part of the research question, it would involve the exploration of possibly a different heuristic model. For practical reasons it was decided to limit the target group from the outset and reduce the complexity of the research questions. This decision is discussed in some more detail in Chapter 8.

Figure 2.1 illustrates the criminal justice process for rape in Ireland. The process begins with a rape complaint reported to the police. From here, a Garda(i) will take the case/be assigned to the case and the investigation will be conducted. The process after the investigation has finished differs from that in the U.K. (see Figure 2.2). In Ireland the investigating Garda makes a prosecution recommendation on the investigation file. Unlike the system in the U.K., the Gardaí Síochána have to forward every rape file, (where they believe there to be a case), to the Director of Public Prosecutions (DPP) who formally decides the nature of the charge and whether the state will prosecute the alleged offender (HQ circulars 60/80, 54/85, 149/85 and Code 46.51). The main investigating officer, however, makes a recommendation in the first instance to the state solicitor’s office, and then to the prosecuting authorities. The recommendation covers the direction of the charge and their reasons for the same. The DPP makes a decision on any case by, in the first instance, establishing whether the police file constitutes a prima facie case of guilt (DPP 1998). A prima facie case is one where a body of evidence given to a jury, properly instructed on the relevant law, can conclude beyond reasonable doubt that the suspected person is guilty of the offence to be charged. If it is agreed that a prima facie case does not exist, then the

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1 Appendix 2.1 describes the standard formal operating procedures of rape investigation in full.

2 Investigation files are sent to the District Officer before being referred to the DPP. The Superintendent is required to oversee that the file is in proper order and check that they concur with the investigating officer’s recommendation. A reasoned analysis of the merits of the case should be outlined – either by the investigating member or the Superintendent.
case goes no further. If it is agreed that a prima facie case does exist, then the office of
the DPP must consider whether or not the evidence adjudged to amount to a prima
facie case, is credible and reliable. On this issue the prosecutor takes into account all
of the information provided within the police file, including that which cannot be
entered as evidence in a court of law. The prosecutor must evaluate all of the factors
that he considers important in arriving at a decision and it is clear that this may be
open to individual interpretation (see DPP 1998). From here the investigating Garda
has to inform the complainant of the DPP’s decision and if there is a direction for a
prosecution the witness has to be prepared for court. The final stage in the process is
the trial at the Central Criminal Court.

Figure 2.1 Illustration of criminal process from complaint to court in Ireland

Figure 2.2 Illustration of criminal process from complaint to court in the U.K.
The dashed line in figure 2.1 indicates that there is no clearly defined time when a Garda completes an official crime report form for rape. For crimes other than rape, a crime report form is completed once a crime is reported/detected (An Garda Síochána Crime Reporting and Recording Manual, 1990), yet for rape there appears to be no clear statement on this. Kelly (1999) suggested that crime report forms for rape are completed after the statement of complaint has been taken. It is interesting to note that in the U.K. the police have sole responsibility for deciding if a case goes to the prosecuting authorities. British police classify cases as crimes (i.e. decide to record report as a crime), no-crimes (decide no crime occurred), or decide to take no further action. The Magistrate’s Court decides on whether the case ought to proceed to the Crown Court and trial generally takes place at the Crown Court (See: Grace, Lloyd & Smith, 1992).

2.2 Rape Prevalence

This section critically discusses the current status of research into the rate of penetrative crime against women and the complex range of factors that give rise to this rate. Research conducted in the Irish context will be critiqued in the first instance and embellished with research from the U.K. and U.S. Unfortunately, there is a relative dearth of research on rape and its investigation in Ireland, and where necessary research is described from other jurisdictions.

There exists widespread evidence in many countries that rape, along with other forms of sexually coercive crimes, is increasing and occurs much more frequently than previously thought. In the Republic of Ireland, the levels of recorded rape published by An Garda Síochána have been steadily rising. In 1970 there were 15 recorded rapes in the Republic. By 1995, this figure was 191, an increase of a factor of 13 (Brewer, Lockhart & Rodgers, 1997). O’Mahony (1993) calculated that over a twenty year period, from the mid 1970s to the mid 1990s, the number of recorded rapes had shown a six-fold increase. O’Dwyer (1998) revealed a 39% increase in rape reports from
1996 to 1997. Recent reports show that in 2001, the figures for sexual offences increased from 886 to 1,956, an 83% increase on 2000, (Irish Examiner, 2002\(^3\)).

One has to be careful when using official police statistics as an index of the real level of rape. Many authors have documented the limitations of using official police statistics and their relationship to the reality they are purported to represent (Bottomley \& Pease, 1986; Maguire, 1994; O’Mahony, 1993). Maguire (1994) described that crime statistics had been criticised for misrepresenting the ‘real’ level of crime, for providing an incomplete picture and missing the ‘dark figure’ of crime but also that these figures are systematically biased. “Criminal statistics had to be analysed as the product, not of a neutral fact-collecting process, but of a record – keeping process which is geared first and foremost to organisational (primarily police) aims and needs. As such, they may tell us more about the organisation producing them than about the ‘reality’ they are later taken to describe” (Maguire, 1994, p. 242). This phenomenon will be discussed in more detail in section 2.2.

Victimisation surveys and other data sources (e.g. local surveys, victim support agency data) have been employed to supplement official statistics. The incorporation of these findings helps to provide a more critical assessment of official figures and a better understanding of crime trends (Brewer et. al., 1997). Unfortunately, there is a relative dearth of crime victimisation data in the Republic of Ireland for rape, and it is, therefore, impossible to examine trends employing this type of data. However, a recently published study commissioned by the Dublin Rape Crisis Centre, and conducted by the Royal College of Surgeons, has been the first study in the Republic of Ireland to examine the national levels of sexual victimisation (The SAVI Report; McGee, Garavan, de Barra, Byrne & Conroy, 2002). Over 3,000 random calls were made to Irish households. 71% of those invited agreed to take part. The study found that 42% of women (30% said they had been sexually abused as children) and 28% of men had been sexually abused or violated in their lifetime. One in ten Irish women had reported being raped in their lifetime. Victimisation levels identified in this study were much greater than official statistics reveal for rape. These figures are also

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\(^3\) Report by Michael Farrell in The Irish Examiner Newspaper, 12\(^{th}\) Sept 2002. The official crime report containing these statistics is yet to be published.
particularly high when compared to other jurisdictions such as Europe and North America where, respectively, 17% and 29% of women have experienced sexual abuse (including rape) (Finklehor, 2002).  

Official police statistics from the U.K. and U.S. concur with the experience in Ireland that the total number of recorded rape continues to increase. In the United Kingdom, a similar pattern emerged despite variance in research and sampling methods. Harris and Grace (1999) reported that the level of recorded rape between the years 1985 and 1996 has increased threefold. This increase was mainly due to the increase in the levels of recorded acquaintance rapes. In the U.S.A. the prevalence rate of rape has grown from 33.6 per 100,000 persons in 1982, to 42.8 per 100,000 persons in 1992, (Federal Bureau of Investigation, 1993). The F.B.I Uniform Crime Report for 1990 estimated that a forcible rape occurs every four minutes in the United States. The next section will examine the factors that are purported to account for these increases over time.

2.2.1 Factors accounting for increase in recorded rape

Despite the lack of direct research, a number of reasons have been proffered to account for these trends. Social scientists have assumed that in the Irish context, rising rape figures are partly due to an actual increase in the level of violent sexual crime, partly the result of a society more willing to accept disclosure, and partly a result of Garda Síochána efforts to be more sensitive in their treatment of victims of rape. It is likely that police recording systems also affect documented increases in recorded rape. O'Dwyer (1998) concluded that some of the increase in reported rape figures to the Gardaí Síochána between 1996 and 1997, was partly due to an increase in reporting of historical cases (rapes committed in earlier years). Of the remaining reports, increases were attributed to a combination of an increase in the incidence of sexual offending and a higher rate of reporting to the police. The Dublin Rape Crisis Centre (2002) reported that the number of calls to their helpline from victims assaulted by strangers had increased from 21% in 2002, to 32% in 2001. Assaults by strangers are thought to be a more reliable indicator of actual increase in rape incidence.

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4 As reported in The Irish Times, July 12th, 2002 as part of the conference proceedings launching the SAVI report (McGee et. al. 2002).
as these reports tend to be reported to the police and agencies such as a Rape Crisis. Rapes by acquaintances are not always reported to the police or voluntary agencies (Dublin Rape Crisis Centre, 2002). It is reasonable to suggest that cultural and societal shifts in Irish society has led to a situation where women (and men) are more aware of gender violence, the extent to which it occurs and the agencies in place to respond to it. The Working Party on Legal and Judicial Process (1996) observed that

“The reasons why women are now somewhat more likely to report rape to the police include women’s own perceptions of the seriousness of the offence as well as an increase in their expectation of being believed by the police. However, it is also possible that there may have been an actual increase in the prevalence of rape (1996 p. 40)”.

2.2.2 Social change: increase in sexual violence and awareness of sexual violence

There has been very little scientific documentation of the social changes in Irish society, yet contemporary observers have been highlighting these changes anecdotally for many years (e.g. O’Malley, 1993). One can indirectly extrapolate from some social barometers to suggest these changes. For example, decrease in levels of church attendance, increase in levels of teenage births, decrease in marriage rates, legalisation of divorce, criminalisation of rape within marriage and increase in numbers of Irish women seeking abortion services in the UK (e.g. Mahon, Conlon & Dillon, 1998).

Margaret Fine-Davis (1983; 1989) was one of the first scholars to examine changes in attitude toward women among Irish people. Fine-Davis outlined how Ireland’s social, economic and industrial development happened much later than elsewhere, but that when it did, it did so at a very rapid rate. The tardiness in social change can be attributed to a number of factors, among them the Catholic church’s control (to which 95% of the population belong) had a particularly strong influence over both the formation and maintenance of traditional roles for women (see Flanagan, 1975). An attitudinal survey in 1990 showed that 17% of the population agreed with the statement that marriage is an outdated institution. Almost the same number believed that “individuals should have the chance to enjoy complete sexual freedom” (ESRC, 1990, cited in: O’Mahony, 1993, p.214).
Concomitantly, there has been a demonstrable increase in people's awareness of sexual violence, from shocking 'revelations' of sexual abuse by the clergy, to greater numbers of rape cases documented in the press. There have also been developments in the kinds of services and voluntary organisations set up to support victims of sexual violence, from Rape Crisis Centres throughout the country, to Women's Aid, to Victim Support and local community groups. One can argue, that all of these changes have collectively served to make it easier for women to report rape and society more supportive and responsive to victims of rape.

In addition to this, Feminism and the women's movement gave voice to, and acknowledged the experiences of, abused and assaulted women and has drawn attention to the roots of sexual violence (Adler, 1987; Brownmiller, 1976; Lees, 1997; Temkin, 1987). Feminism has placed sexual violence within a social, political and judicial agenda, highlighting the structural and psychological factors that sustain it (e.g. social construction of gender roles). In this way sexual violence has been transformed from a private issue to a social problem. These changes are thought to have resulted in an increased willingness of victims to report their assault to the police.

2.2.3 Garda Síochána response to rape

In response to the increase in sexual offending and growing public and political criticism and concern, An Garda Síochána has taken steps to improve its procedures in dealing with complaints of rape. This also occurred in the early 1980s in the UK, when police criticism in this domain (see: Temkin, 1987) led to a reappraisal of police methods of dealing with rape (Home Office, 1983; 1986). The Irish police have publicly recognised the importance of their role and have attempted to understand the problems that victims are facing. Also, as a result of a number of high profile cases, the Gardaí Síochána instituted a series of organisational reforms, both in terms of policy change and on a training and development level (see; Murray, 1996). The Domestic Violence and Sexual Assault Investigation Unit was established in 1993 as an acknowledgement that a more pro-active approach was required to deal with the problems of domestic violence and sexual offending. It could be argued that these changes have led more women to feel comfortable reporting rape to the police and more secure in the knowledge that they will be believed and the offender
apprehended, unfortunately, however, no evidence is available to support this contention.

In addition to possible changes in the way An Garda Síochána is perceived by the public are changes in the way rape is perceived by An Garda Síochána – both in terms of police response and police recording practices. Leon (1999) discussed that increases in official Garda statistics for rape could be attributed to the Gardaí investigating and documenting cases more rigorously. This may reflect the increased seriousness with which sexual offences have been viewed by Garda management. In addition to this there have been changes in the way crime is recorded by An Garda Síochána. A new computerised system (PULSE) was introduced in 2001 (it has yet to be fully mainstreamed by all Garda stations). The particularly high increases in sexual offences recorded last year, has in part been attributed to the introduction of this system. PULSE requires that details of all offences be inputted into the system at the end of each shift. Both of the above possibilities underline the constructed nature of crime statistics.

We have thus far identified that the rate of recorded rape has been increasing and suggested a number of reasons why this may be so. These reasons include the observation that more women may be willing to come forward and report the rape to the police, that the police are more likely to record such offences, in addition to an actual increase in the baseline of sexual offences. A number of factors were discussed that purport to explain why more women may be willing to report to the police. These include increased confidence that the police will believe the complainant, and an increased understanding and acknowledgement of the prevalence of violence against women. Much of these changes can be attributed to rapid social change in the Republic of Ireland over the last 30 years and the response of the police to these changes. There has never been any research on this topic in the Irish context and, therefore, these suggestions remain speculative and tentative. Nevertheless, it is probable that these are the likely factors that play an elemental role in explaining why more women are reporting rape and why more police are recording it. The following section will examine, in more detail, what research tells us about reporting behaviour. It will specifically outline phenomena that serve to inhibit the reporting of rape to the prosecuting authorities and that factors give rise to the problem of underreporting.
2.3 Rape Underreporting

It is noteworthy that, while the level of recorded rape continues to increase, there is concomitant recognition that rape, more so than other forms of crime, continues to be seriously underreported. While the issues involved in the reporting and recording of this type of sexual offence are complex, it has already been suggested that official police figures are an underestimate of the true level of this crime. Victimisation studies are the primary source of data that provide evidence of underreporting for rape.

In addition to the Irish victimisation study discussed in section 2.2 (McGee et. al. 2002), annual statistics published by the Dublin Rape Crisis Centre (DRCC, 2002) suggest that in Ireland the same pattern is emerging as in other jurisdictions. DRCC statistics indicate that in 2001 less than 31% of the offences reported to them were subsequently reported to the police (this includes both rape and sexual assault) (Dublin Rape Crisis Centre 2002). Considering that not all women will go as far as contacting a Rape Crisis Centre, and that many women are fearful of reporting assault to victimisation studies, it can be assumed that these percentages also represent an underestimate (see: Crowder, 1995) of the ‘true’ level of underreporting. Unfortunately, Ireland does not have a history of conducting such work and longitudinal research recording victimisation trends are unavailable. Victimisation research has been much more popular in the U.K. and U.S.

The problem of under-reporting in Ireland is further highlighted by comparative studies that illustrate that neighbouring jurisdictions to Ireland record more rape offences per capita than in Ireland (Brewer et. al., 1997; O’Mahony, 1993). Brewer et. al. (1997) highlighted that Northern Ireland had a much greater level of recorded rape (per capita) than the Republic. O’Mahony (1993) found that recorded rape in Scotland in 1991 was four times that of the Republic and Denmark had over five times the level of recorded rape than Ireland (which has about 68% of the Danish population). The relative dearth of any systematic research in Ireland into the factors that affect the
reporting of rape to the Gardaí Síochána (or how the Gardaí Síochána process and record these crimes) means that any definitive interpretation of official statistics must be made with caution and conclusions again remain tentative. While figures from Rape Crisis do suggest that a minority of women report rape to the police, police recording practices and differences in occurrence rates could also account for these findings.

Victimisation surveys in the UK and U.S have demonstrated that rape is one of the least reported of all violent crimes (see Amir, 1971; Chambers & Tombs, 1984; Estrich, 1987; Gregory & Lees, 1996, 1987; Hall, 1985; Lizotte, 1985; Payne, 1992; Robin, 1977; Temkin, 1997; US Senate Judiciary, 1993; Williams, 1984; Winkel & Denkers, 1995; Wright, 1984). Crime survey reports generally indicate that the rate of rape reporting to the police is fewer than 10%. Hall (1985) carried out a victimisation study in London and concluded that a mere 8% of rape victims in their sample actually reported the assault to the police. The FBI has recognised that rape is underreported by up to 80% or 90%. According to Torrey (1991) no more than 10% of sexual assaults that take place in the U.K., U.S. and Canada are reported to the police. It is difficult to compare these findings with Irish figures as so many factors serve to affect reporting behaviour. These factors are discussed in the next section (2.3.1), designed to explore in more detail what research explains about underreporting of rape.

2.3.1 Underreporting – contextual and system variables

Underreporting of rape is thought to stem from a series of interrelated factors. Among these can be grouped a number of contextual variables (i.e. factors specific to the person, crime, offender and situation, including attitudinal variables and societal variables) that are thought to have a bearing on reporting rape to the police. In addition to contextual variables associated with the non-reporting of rape, there also exists a number of system variables implicit in the criminal justice system itself that serve to decrease the probability of reporting. These include expected ill-treatment by the police and courts, the criminal justice processes and expected outcomes. A number of studies have examined the factors that affect reporting behaviour. Some of these have examined the reporting of crime in general, while others have focused
specifically on the factors that affect reporting sexual crime to the police. Unfortunately, little or no research of this nature has been published in Ireland. Findings from this body of research will be outlined in order to develop a more comprehensive understanding of the factors unique to rape that give rise to the phenomenon of underreporting.

2.3.1.1 Contextual Variables

A major factor that affects underreporting, is that in many instances of sexual assault the assailant is known to the victim (Hamner, Radford & Stanko, 1989; Lees & Gregory, 1993; Watson, 1996). Skogan (1984) reviewed the status of victimisation research and examined cross-national inconsistencies and regularities from the findings of such research. Specifically with respect to rape, Skogan (1984) found that the relationship between the victim and offender is a significant factor affecting reporting behaviour. Skogan (1984) found that non-stranger incidents often go unreported for rape, more than for other types of crime (see also Lizotte & Wolfson, 1981). ‘Relatedness’, Skogan argues,

“implies complex, enduring, structured relationships between victims and offenders that the police find difficult to penetrate. The denser the network of relationships that bind the parties in such incidents, the less victims may be inclined to involve strangers – the police – in the case” (p. 126).

Skelton & Buckhart (1980) hypothesised that ‘classical’ rape scenarios would be more likely to be reported than acquaintance or non-stranger rapes. They explain this by suggesting that the social stereotype of rape, involving a forceful attack by a stranger in a non-private place, absolves the victim from responsibility. They argue that because the reality of sexual assault for many women does not match this stereotype, responsibility is often attributed to the victim by society and also by herself. They found the degree of force used was the most powerful determinant in both defining and reporting an incident of forced intercourse as rape.
Other contextual factors related to the above, include victim's belief about their own culpability and feelings of shame. A sense of self-blame, because they had gone willingly to the man's home and/or been sexually involved previously, has been identified as another reason not to report a rape (Edwards 1996, Lees 1996, p. 24). Fear of further attack and fear that the man would return or retaliate has also been found to affect reporting behaviour (Amir, 1971). Skogan (1984) concurs with this finding and identifies fear of reprisal as a reason for non-reporting in rape cases. He found that 10% (compared to between 1% and 3% for other crimes) of reasons for non-reporting of rape is due to fear of reprisal, (see also Fishman 1984). These contextual factors are further exacerbated when the victim is especially unlikely to report the offence for reasons specific to their livelihood, age, and social status. Research in Ireland has identified the particular problems facing vulnerable victims, such as children, women working in prostitution (McElwee & Lalor, 1997; O'Connor, 1996). O'Connor (1996) interviewed women working in prostitution in Ireland and found that 89% of her participants had experienced harassment, intimidation and abusive language from the police. She found these women reluctant to report assault to the police despite the fact that 55% of them had experienced violence from their clients. In Ireland, people from the travelling community represent a vulnerable group that is more likely to distrust the police. Edwards (1996) identified homeless people as especially vulnerable.

It is clear from this research that the phenomenon of non-reporting of rape can be partly explained by factors specific to the person, society, the crime and the context. Unfortunately, a lot of research has interpreted contextual variables in an entirely individualistic manner — focusing on the decision to report as purely a personal matter. For example, the National Crime Survey in the U.S. concluded that that 20% of the reasons for not reporting rape constituted a private or personal matter (U.S. Department of Justice, 1981). These categorisations over-simplify the reality for victims of rape, as shared cultural meanings and 'myths' of what people perceive to be 'real rape' have a direct effect on the victim's interpretation of events and fear of not being believed (Stewart, Dobbin, & Gatowski, 1996). These variables are contextual in the sense that social psychological factors and perceived beliefs of others (that may be context-specific, e.g. family attitudes, community reaction) play an important role in reporting decisions.
2.3.1.2 System Variables

System variables have to be considered along with contextual factors in order to comprehensively explain non-reporting of rape. It is widely accepted that the public’s perception of police beliefs and attitudes toward violence against women, and expected ill treatment, can affect willingness to report crime, or assist in the identification and conviction of an offender and to support new legislation (Griffin, 1973; LeDoux & Hazelwood, 1985). It is also well recognised that making contact with the police and being interviewed for the purpose of taking a statement or deposition is one of the most important stages in the complainant’s involvement with the criminal justice system. The behaviour and attitude of the police toward women who report sexual violence is a very important determinant of the woman’s satisfaction with participation in the criminal justice system as a whole. Kidd & Chayet (1984) examined the relationship between emotional and cognitive reactions to criminal victimisation and the reluctance to report the crime to the police. Kidd & Chayet (1984) pointed out that the rate of reporting criminal offences to the police varies dramatically depending on the type of crime. These authors contend that fear, powerlessness and threat of victimisation lead individuals to refrain from reporting crime to the police. The authors further contend that crime victims, including rape victims, consider their situation rationally and even though they may misperceive the degree of agency they have, they do not exaggerate the abilities of the authorities. Rape victims tended to view the police as a potential source of further victimisation.

Insensitive treatment of the victim by members of the criminal justice system, (i.e. police, judiciary, courts, doctors), has been termed ‘secondary victimisation’ and has been an increasingly researched topic in the U.K. and U.S. Feldman-Summers & Ashworth (1981) examined women’s intention to report/not to report rape and found that white women as opposed to women from minority groups are more likely to report rape. They also found that Asian participants in particular, were reticent to report rape to the police. This is attributed to an increased belief that the police will not believe them and a reluctance to discuss sexual matters (as previously discussed this pattern could be also attributed to societal/situational factors, or institutional factors as suggested by Feldman-Summers & Ashworth, 1981). Finally, this study concluded that the most important perceived outcome by far, that affected women’s decision to report, was feeling calm and safe. The belief that this outcome would
Chapter 2

occur was more related to intention to report than other perceived outcomes. Therefore, if a woman feels that by reporting the assault to the police that this will result in her feeling calm and safe, she is more likely to make that report. Conversely, if a woman believes that by making a report she will not feel more safe and calm, then she is less likely to report. Clearly, attitude and expectations of the police and criminal justice system play a key role in reporting behaviour.

Lees (1996) found that 57% of women in her study who failed to report the rape to the police did so because they lacked confidence that the police would believe them or take them seriously, particularly if they knew them or the man fairly well. Lees (1996) also identified that fear of trial prevented some women from reporting the rape. Lizotte (1985) employed US National Crime Survey data to develop a multivariate logistic model of the reporting of rape to the police and found similar results. Victims are more likely to report the offence to the police if they deem the rape to be serious and likely of securing a prosecution. Victims are more likely to report if they do not know the offender. If the offender had a right to be present where the rape occurred, if the victim is unmarried, highly educated, is not seriously injured, then a woman is less likely to report. These findings suggest that beliefs associated with being believed and securing a conviction are strongly associated with making a report to the police.

Research has identified high levels of attrition in bringing prosecutions, as a pivotal factor in the underreporting of sexual assaults (Esselman Tomez, & McGillis, 1997; Smith, 1989). An awareness that few cases brought to the attention of the police actually result in a prosecution in court inhibits women from reporting rape. This is related to contextual factors previously outlined, such as perceived seriousness of rape and offender relationship. These factors combine with system variables to create perceptions of a strong case or a 'real rape' in the mind of the victim, i.e. feelings that she is not to blame, an increased likelihood the case will be believed and eventually prosecuted in court. A corollary of this finding is that perceived 'weak' cases are more likely to result in the victim blaming herself, expecting not to be believed, the case not to be prosecuted and convicted and, hence, that she will be less likely to report.

The lack of research in the Irish context precludes direct comparison with the research findings discussed above. Much of the reported studies have been conducted across many countries, and the extent to which these findings compare with the Irish
experience was considered. What was evident from this work was the degree of similarity across findings from different countries. Temkin, (1997) also noted that the similarity in women’s experiences of the justice system across international research settings was striking. Small scale research such as that of O’Connor (1996) or McElwee & Lalor (1997), discussed in section 2.3.1.1, Rape Crisis Annual Reports, National sexual victimisation data (McGee et. al. (2002) and academic essays (e.g. Mc Cullagh, 1996, O’Malley, 1993), all suggest that similar factors contribute to underreporting levels in Ireland. For example, similarly to the U.K. the Irish media have played a large part in communication high levels of attrition in rape cases to the public.

The Irish media have often communicated the difficulties of trial for women, and reported on the failure of the courts to convict and adequately punish perpetrators of rape. For example, in July 1992, a man pleaded guilty to raping his girlfriend at the time. The judge adjourned the sentencing for a year and the man walked free. The judge commented that the rape was not ‘pre-meditated’ (cited in Shanahan, 1992). This example demonstrated how the relationship between the offender and the victim was more important than the crime itself. Again in March of this year, an Irish judge imposed a suspended sentence on a man who admitted to raping a woman known to him. The judge’s comments resulted in widespread condemnation as he declared his ruling based on the fact that “no actual injury was inflicted in the victim other than the rape...it involved a social evening and permitted sexual intimacy which turned into rape”. Judge Daniel Herbert informed the court that there was only one aggravating factor while there were several mitigating factors in the rapist’s favour. The aggravating factor was that the rapist threatened to kill the victim while raping her. This example again demonstrates the total lack of understanding by the judiciary of the serious ramifications of rape for the victim and society and how extra-legal factors, such as the degree of acquaintance between the two parties directly affects sentencing decisions. There have been many calls in the media for special rape training for members of the judiciary as a result of such sentencing decisions in the Irish press. In the UK there have also been a number of high profile cases. In 1995 a

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5 See extensive newspaper reports in Irish Times, Monday 4th March by Paul Cullen.

6 Report by John Steele in Daily Telegraph, 9th February, 1995
husband who was acquitted of raping his wife subsequently returned to the family home days after the sentence and beat his wife to death in front of the children (as cited in Lees, 1996). The media also played a critical and transforming role in the UK in highlighting the plight of victims who report rape to the police, in terms of insensitive treatment. A 1982 television documentary showing two hostile police officers crudely ‘interrogate’ a clearly distraught woman who alleged that she had been raped was shown on television. The resulting public outcry resulted in the Metropolitan Police setting up a steering committee to deal with these criticisms (Temkin, 1987; 1997). It has been demonstrated that media bias affects and inflates the public’s fear of crime (O’Connell & Whelan, 1996) and that the public is affected by representations of rape sentencing the media (Soothill & Grover, 1998). Given the increase and high profile nature of media reports in this area in Ireland, it can be hypothesised that, similarly to other countries, such reporting leads to a heightened awareness of the difficulties of trial for women in Irish courts.

This section of the chapter has critically discussed in some detail rape reporting and recording levels on a national and global level. Of note, were recent increases in the recording of this crime combined with widespread acknowledgement of the problem of underreporting. Underreporting was particularly emphasised in the Irish context, as research was described that revealed a large disparity between recorded rape in Ireland, compared to that in Northern Ireland, the rest of the U.K and Denmark.

The complex range of factors that give rise to reporting and recording practices were critiqued in order to provide the reader with an understanding of the intricate relationship between the variables that underlie these figures. The difficulty of using official crime statistics as reliable indicators of ‘real’ crime levels was discussed. The role of societal and occupational factors in determining rape reporting and recording levels was discussed. An unanswered question that continued to underpin much of this discussion was how rape is recorded and how this decision is made.

A key ‘system variable’ that was identified as a factor affecting women’s decision to report rape was an awareness of the low proportion of rapes that result in a conviction in court. The extent to which this message is communicated in the Irish media was
elaborated. This aspect of attrition is a complex one and one that forms the subject matter of this thesis.

The focus of the next section of this chapter will shift somewhat to critique attrition that occurs during police investigations of rape. This research helps to shed light on rape recording practices of the police. This research is primarily based on the analysis of police investigation files. This discussion will provide an understanding of the role of the police as the first and most important legal port of call for women who report rape.

2.4 Attrition

The previous section discussed the effects and influence that victim expectations and experience have on the decision to report rape. These effects were further reinforced by the perennial concern about the low proportion of rapes resulting in conviction. Attrition has been described in a British Home Office (1999) report in the following way:

"Of crimes committed, a smaller number are reported; of those reported, a smaller proportion are prosecuted; of those prosecuted a smaller proportion end in conviction. This progressive reduction between crimes committed and those which end in conviction, is known as the process of attrition" (p. 31).

There have been a number of studies, (mainly commissioned by the British Home Office), that have attempted to examine the attrition process for rape cases and the characteristics of cases that were eventually dropped from the system. Until recently, there has been no such work on attrition in rape cases in Ireland.

The current study is particularly interested in attrition that occurs after a rape has been reported and while the investigating authorities are processing the case. One of the
key attrition points during this time concerns whether the Gardaí recommend to the prosecuting authorities not to proceed with the prosecution (i.e. they believe the case to be false and/or the evidence to be lacking). In the U.K the first point of attrition concerns whether the police ‘no-crime’ the case (i.e. record the report as a rape or not, unofficially ignore reports that they believe to be false or that cannot be verified or recommend not to proceed with the case to the prosecuting authorities (Temkin, 1997)). In the Republic of Ireland there is no formal crime category available to the Garda Síochána to ‘no-crime’ a rape and, hence, it is impossible to confirm whether all rapes reported to the Gardaí are subsequently officially recorded as rape. As mentioned in section 2.2, the Garda Síochána have to forward every rape case, (where they believe there to be a case), to the Director of Public Prosecutions (DPP) who formally decides the nature of the charge and whether the state will prosecute the alleged offender (HQ circulars 60/80, 54/85, 149/85 and Code 46.51). The main investigating officer, however, makes a recommendation to the prosecuting authorities as to the charge and direction of the case and their reasons for the same. The DPP takes into account all of the information provided within the police file, including that which cannot be entered as evidence in a court of law. While there has never been any direct research on the final decisions of the DPP and how this is affected by the recommendation of the Garda Síochána, it is likely that all of the information provided by the Gardaí has a direct effect on how the DPP interprets and analyses the case. In addition, the police file contains information relating to the Garda Síochána’s perception of the veracity of the allegation and the credibility and reliability of the witnesses. It is further likely that this information plays a key role in the DPP’s decision with respect to the same (particularly when other forms of evidence are lacking).

By examining the way in which the Garda classify rape, and the characteristics of similarly classified cases, attrition studies give an indirect indication of police judgement making, the categorisations used the police and the type of information they rely on to inform these decisions.

2.4.1 Attrition in Ireland

There is a relative dearth of research directly examining the attrition process in the Republic of Ireland. Previously, interested commentators like Brewer et. al. (1997)
examined and compared annual Garda crime statistics for any given year and compared this with prison statistics. There is a problem using annual crime statistics for this purpose, in that they only record the amount of convictions secured within the year. It is a well known observation that most trials do not occur for up to three years post-report. Hence, these comparisons are based on annual crime figures involving reports and convictions that do not correspond with one another. The outcome of such work estimated that the number of reports resulting in conviction in the 1990s ranged from 3% to 10% (Brewer & Lockhart, 1997; Cork Rape Crisis, 2001; O'Mahony, 1996; O'Malley, 1996). As explained, the method employed to derive these percentages has been rather crude.

In addition to this work there was one unpublished (undergraduate) study and one unpublished Garda report, which purported to directly examine the attrition process in Ireland for rape cases reported to the police in 1996. Kelly (1999) analysed all Garda crime (recording) forms for rape in the Republic for 1996. In all, there were 180 reports of rape formally recorded in 1996. Of these 100% were forwarded to the DPP for his direction, however 32% had already been dropped from the system. This was due to 27 cases (or 15% of complainants) requested that no criminal proceeding go ahead. 21 (6%) complainants withdrew their allegation and a further 6 (2%) did not wish to attend court. Other reasons included 11% of cases not proceeding because of false allegations (2% of total).

In all, 74% of recorded cases required a direction from the DPP (this included 11 cases where the alleged offender absconded). 42% of these cases resulted in the DPP directing a prosecution. In 32% of cases the DPP directed no prosecution. The DPP's reasons for not prosecuting cases were interesting. The largest category was lack of evidence, 13% of all recorded cases (18% of cases that required a direction from the DPP). The second largest category was based on the decision that the injured party

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7 In Ireland there is no way of determining the amount (if any) of reported, yet unrecorded rape cases - hence, attrition estimates are necessarily based on an implicit conservative initial value.

8 It is important to note that it is the policy of the DPP to withhold its reasons for its decision not to prosecute a case. It was only recently and for the first time that the DPP made an exception to this policy. This was in the case of DPP Vs Nora Wall and Paul McCabe (1999) where both of the accused had their conviction quashed. They had been prosecuted for the rape of a 10-year-old girl. The full text of a letter from the DPP to the attorney general was published in the media (Irish Times, 18th November 1999).
was not credible. This category represented 6% of all recorded cases (8% of cases that required a direction from the DPP). 4% of all reports (6% of cases requiring DPP direction) were not prosecuted because the DPP considered that there was a lack of evidence re: consent. 3% of cases requiring DPP direction were also not prosecuted because it was not in the interests of the injured party – this normally meant that the injured party was considered mentally unstable to go through with court ordeal. In 2% of cases requiring direction, no reason was given by the DPP for advising that no prosecution be made. Finally, 3% of cases that required direction were advised that no prosecution be made on the basis that too much time had lapsed since the alleged incident and on the balance of probability a conviction would not be forthcoming (two cases in each category, respectively).

Unfortunately, Kelly’s (1999) study did not analyse Garda recommendations as to the direction of the case. This information would have provided the crucial insight into the extent to which police recommend prosecutions (or not) for the offence reported and the characteristics of cases that result in positive (and negative) outcomes.

In a more thorough attrition study undertaken by the Garda Research Unit, the characteristics of rape cases were analysed in addition to the Garda recommendation. Leon & O’Dwyer (2001) analysed all 1996 investigation files (that were forwarded to the research unit on request). Unfortunately the results of this research have yet to be made public and therefore, cannot be commented upon here. The present author, as part of preparatory work the research, had the opportunity to examine all 1996 Garda rape investigation files. It was apparent from reading these files and Garda recommendations, that they varied widely from clear recommendations based on reasoned analysis to tentative recommendations based on impressions or no recommendation at all, i.e. the investigating member outlined reasons why he/she felt unable to outline a recommendation. Recommendations to prosecute the offender did not appear to represent a homogenous category; rather they too varied in terms of strength of argument and depth of reasoning. It appeared, however, that there was a high degree of consistency between what the Gardaí recommended and what the DPP directed. The findings from the Garda Research Unit’s report in relation to this association will be interesting. It will also be interesting to examine the reasons behind Garda recommendations.
It is important to bear in mind when comparing Irish figures with U.K. statistics, that crime classification, job specification and decision making procedures differ in both countries. In addition, the sampling of cases and inclusion/exclusion criteria can differ across attrition studies. Above and beyond these comparability reservations is the knowledge that police judgements and classification decisions are the product of an unknown process and that judgements of fact are likely to be displaced by or transformed into judgements about value (Chambers & Miller, 1987). It is likely, for example that attrition rates and no-crime rates will vary across police districts, as well as across jurisdictions. It was previously mentioned, that the Gardai do not have any formal no-crime category whereby cases can be classified as such. All reports of rape have to be forwarded to the DPP (who has sole responsibility in making a prosecution decision). It is impossible to ascertain the level of ‘reported but not recorded’ cases in Ireland. Despite these differences, the actual investigative process (as described in appendix 2.1) remains very similar across both jurisdictions and it is likely that there would be some overlap in investigative procedures, techniques and training. Attrition studies conducted by the Home Office in the U.K. will be briefly outlined, as these provide a much more elaborate picture of rape classification in the U.K. The British system, further enabled researchers to systematically analyse the characteristics associated with police taxonomies for rape (crime and offence decided upon; no-crime; no further action). The categories employed by the Irish Gardai are much more difficult to classify, as they do not bear the ultimate responsibility for these decisions and hence, there is a lack of uniformity across investigation files.

2.4.2 Attrition in the U.K.
A consistent finding across all studies in the U.K. is that attrition rates for rape remain higher than for any other type of offence. In their London study, Gregory & Lees (1996) found a conviction rate of 8%. That is, that out of all rapes reported to the police, only 8% resulted in a conviction for the offence reported. Grace, Lloyd & Smith (1992) report a conviction rate of 10%. Lees (1996) described how the conviction rate in the UK was decreasing year by year and that this was in spite of the
advancements of DNA testing. In England and Wales, from 1985 to 1993, the conviction rate dropped from 24% to 10%. Therefore, in spite of the number of reports more than doubling, the same numbers of offenders were convicted in 1993 as 1985. It is important to bear in mind that many convictions are quashed on appeal. Lees (1996) makes the important point that since the creation of the Crown Prosecution Service (CPS) in 1986, all cases of rape and attempted rape are committed from the Magistrates Court to jury trial at the Crown Court. Between 1985 and 1993, the number of cases not proceeded with after the Magistrates Court had increased threefold, from 10% in 1985 to 30% in 1993. This means that many women who report rape and want to give evidence are denied the right to do so. They have no right to appeal this decision.

Of particular interest is the extent to which investigators 'no-crime' allegations of rape and the reasons they give for the same. It will be noted, that a substantial number of no-crimed cases are believed to be false allegations. The 'no-crime' category has been the subject of a home office circular and a series of policy circulars, but no-criming of allegations still constitutes one of the first significant points of attrition in the criminal justice process. An early study by Wright (1984), looked solely at attrition from recording to conviction, (but did not look at the characteristics of cases where attrition occurred). Out of all solitary offences between 1972 and 1976, a quarter of all reports were no-crimed. Smith (1989) looked at attrition in two London boroughs between 1984 and 1986 and found that over 50% of the number of recorded rape allegations were no-crimed. Of note, is that the level and reasons for no-criming still vary enormously from force to force within the UK. Lloyd & Walmsley (1989) found that the average no-crime rate during the second quarter of 1985 was 45%, but pointed out that there was considerable variation between forces.

One of the first studies designed specifically to examine the process of attrition, in addition to the characteristics of cases that resulted in attrition, was published in 1992. Grace, Lloyd and Smith, traced a sample of recorded rapes in England and Wales through the criminal justice system in order to identify the key attrition points and characteristics of such cases. From 335 alleged cases of rape in the latter quarter of 1985, 24% were crimed. The main reasons specified for no-criming were as follows: i) Woman withdrew her complaint (43%). ii) Unwilling to testify/co-operate with
police (9%). iii) Police did not think there was sufficient evidence to prosecute (12%). iv) Allegation was believed to be false/malicious (34%) and finally; v) Complainant and alleged offender were married. 42% of cases finally reached the Crown Court.

In a similar attrition study that examined both rapes and attempted rapes together, Lees and Gregory (1993) found a no-crime figure of 38% (for rape alone it was 43%). They found that over all, the most frequently cited reason for no-criming was failure of the complainant to substantiate the allegation (49%). This description encompassed false allegations, complainants who could not be found, and complainants who were reluctant to proceed. The second most frequent reason cited by Lees and Gregory (1993) was insufficient evidence to substantiate the allegation (29%). Unfortunately, Lees and Gregory (1993) pointed out that many of these reasons demonstrated some overlap with the previous category. For example, situations included ‘no forensic evidence, no corroboration, believed false allegation’ and ‘doctor’s examination revealed injuries to be consistent with victim having fallen whist inebriated’. ‘Victim is alcoholic’ (see p. 7). The authors pointed out that examples from this category suggest that police were still failing to take cases seriously when they had doubts as to the victim’s credibility, or believed the case would not stand up in court. This research does not provide any explanation describing why police thought that cases would not stand up in court or why the case was considered to be a false allegation. This point will be addressed more fully in section 2.4.3.

Harris & Grace (1999) based their attrition study on nearly 55 incidents initially recorded as rape by the police in 1996 and followed their progress through the criminal justice system. Harris and Grace found that 25% of cases were no-crime by the police. Reasons for no-criming are in line with studies just outlined. 43% were attributed to false allegations. 36% were due to the complainant withdrawing her allegation. 15% were due to insufficient evidence and 1% because the victim was unwilling to testify in court. No suspect was identified in 11% of cases. Police took No Further Action (NFA) against the suspects in 31% of cases. This classification was equivalent to Grace et. al’s (1992) category representing offences that have occurred but there was been insufficient evidence to proceed. The substantive issue here is that confusion surrounding criming and recording means that any case that does not proceed, can fall under the no-crime category. This serves to grossly underestimate
the true incidence of reports of serious offences to the police, while simultaneously creates a false perception that most allegations of rape and attempted rape are untrue and that women who report do so out of malicious intent and/or are mentally unstable (Grace et. al., 1992). It further serves to present a contorted and misleading representation of the nature of serious sexual offences in the U.K. The damaging perceptual ramifications of such construals can hardly be underestimated. The reasons for no-criming in the British system, are generally attributed to the following four phenomena: a) Perceived false allegation; b) Woman withdrew her complaint; c) The complainant was unwilling to testify; d) Lack of sufficient evidence to prosecute. Many of these categories clearly overlap with the reasons provided by the Gardaí for recommending no prosecution and also with reasons given by the DPP for not pursuing with a prosecution. Overall levels of attrition (approximately 10%) are also similar across both jurisdictions.

Some U.K. attrition research has also analysed the characteristics of cases no-crimed by the police. These will now be discussed.

2.4.3 Characteristics of no-crimed cases
Attrition studies provide some indication of the extent to which cases drop from the criminal justice system and suggest the kinds of decisions that police make in investigations of rape. Attrition studies further provide some indication of the types of factors that contribute to cases dropping from the criminal justice process and, thereby, indirectly provide an insight into the types of information that police employ when making judgements about rape cases. In the Grace et. al. (1992) study, the most important factors underlying the attrition process were the relationship between the complainant and suspect, age and marital status of complainant, degree of consensual contact, place of initial contact, and degree of violence and injury. Cases involving intimates were the least likely to proceed to prosecution. Cases involving intimates were more likely than the other categories to result in a police decision to take no further action (21%). This compares to 13% for cases involving alleged acquaintance rapes and 6% for alleged stranger rapes. This decision was usually taken on the grounds that there was insufficient evidence to prosecute. According to Grace et. al. (1992), lack of evidence often involved a combination of conflicting or ambiguous accounts of the incident and a paucity of corroborating evidence. Alleged
acquaintance rapes were no-crime'd most often because the woman withdrew her complaint (54%). Alleged acquaintance rapes were least likely to result in a conviction, were the most likely to have a not guilty plea by the defendant, were the most likely cases to result in an acquittal and are the most likely cases for women to withdraw their complaints. A case was most likely to proceed to prosecution if the complainant and suspect were strangers to one another and there was evidence of injury to the alleged victim. Stranger rapes that were no-crime'd, were done so mostly because the allegation was considered to be false or malicious (53%).

With respect to the age and marital status of complainant the following patterns emerged: a conviction was most likely if the alleged victim involved was aged 16 years or under. Independent of the age of the complainant a case was twice as likely to be no-crime'd if the alleged victim was married or co-habiting (36% compared to 17% of cases involving single women). Degree of consensual contact was found to be a moderating factor, in that those cases where there had been some degree of consensual contact between the complainant and the suspect in the period leading up to the alleged attack, were twice as likely to be no-crime'd, than those where there was no contact. The place of initial contact proved important, especially in cases where the alleged incident took place in a "public indoors" setting, e.g. pubs, clubs. These settings resulted in the lowest conviction rate, the highest not-guilty rate and the highest no-crime rate. Violence and injury provided corroborative evidence that greatly increased the probability of conviction. Again, cases most likely to result in conviction were those where the complainant was young and showing signs of injury. The promptness of the complaint and the first person the complainant told, along with her physical condition (signs of violence) and prior behaviour (if she contributed in any way to the assault) were also deemed to be factors affecting police veracity judgements, (Pennsylvania Law Review, 1968). From the above research (Irish and British), it is possible to classify 'no-crime' categories into victim precipitated or police precipitated reasons for attrition. Lees and Gregory (1993) state:

"Complainant initiated no-crime includes the following: simple withdrawing of the complaint, refusal to give evidence and stating that the allegation is false. Police initiated factors include judgements that there is insufficient evidence to proceed, judgements as to the
reliability of the complainants as a source of evidence, including references to the mental instability of the victim” (p. 10).

While a category of no-criming does not exist in the Irish system, it was clear that parallels still exist between victim initiated non-processing of cases e.g. withdrawal, refusal to attend court and police initiated non-processing of cases, e.g. perceived false allegations, lack of evidence. It has to be pointed out, however, that it is not inconceivable that victim precipitated reasons for attrition e.g. victim withdrawal, can be directly affected by system variables e.g. police behaviour/fear of trial. Hence, in order to fully appreciate the complex process of attrition, it is necessary to go beyond a secondary analysis of police records and examine the psychological factors at work.

This latter half of this chapter has described how many rape allegations drop from the criminal justice system while the police are investigating the case. The main reason identified to explain this finding, was that the police recommend not to proceed, or ‘no-crime’ many cases. The extent of and the main reasons why police recommend not to proceed and ‘no-crime’ rape allegations were outlined. Irish attrition research was clearly limited in this area. It was clear that the majority of cases evaluated negatively by the police were deemed to be false/incredible or lacking sufficient evidence. The reasons for attrition during rape investigations were categorised as either victim initiated or police initiated, although it is unlikely that these categories are mutually exclusive. By employing British research, this chapter has also tried to identify some of the characteristics that no-crime cases had in common. These findings suggest that the police used many extra-legal variables to arrive at credibility judgements and investigative decisions (e.g. age of the complainant, who reported the offence, whether the assailant was known to the victim, whether the victim is married, whether there was any consensual sexual activity and where the rape occurred). The attrition studies described, therefore, give us some indication of the way in which cases were perceived, evaluated and processed by the police.

A number of caveats, however, need to be mentioned with respect to the applicability of this research. Attrition studies by their very nature, give us no direct insight from a police perspective, into the initial police decision to record an incident as rape. In
effect, attrition studies tell us very little about the social-psychological steps and
decision making processes at work in the investigation of rape. Attrition studies tell us
very little about how the police conceptualise their task, why they conceptualise it in
this way, how they prioritise and process information and conduct an investigation.
They tell us very little, in psychological terms, about why a police officer reached a
particular judgement (see: Cook, 1999). Attrition studies do not reveal what police
consider to be credible and/or good quality evidence. Additionally, attrition studies
tell us very little about organisational and social processes and constraints that may
affect police decision making in rape. The next section of Chapter 2, will examine the
phenomenon of false rape reporting and attempt to highlight what is often an
'unspoken', yet pervasive issue for the police. It aims to provide a context within
which false rape reports can be understood more clearly. From here, social
psychological research is examined that directly explores police attitudes, judgements
and attributions of blame in rape.

2.5 False reporting of rape and rape myth

It can be observed that, according to the police, rape (whilst being one of the most
underreported crimes) is also perceived to be one of the most falsely reported (Kanin,
1994; Pennsylvania Law Review, 1968; Theilade & Thomsen, 1986). The belief that
all women who report rape are lying and that men need protection from women who
are prone to making false allegations are prevalent and well documented myths (Lees,
1996). Explanations and justifications for these beliefs tend to focus on perceived
victim motivations that encompass spite, revenge, guilt due to infidelity and
misunderstandings of events. This section will firstly discuss in more detail what is
meant when we use the term 'false allegation' in the context of rape. It will then
proceed to examine what research says about the 'real' level of false rape reporting.

Research that has examined the level of false rape reports tends to produce diverse
figures, from 2% annually (McColgan, 1996; Patullo, 1983), to 10% (Theilade &
Thomsen, 1986), to 41% (Kanin, 1994). These figures are generally obtained by
analysing official crime reports and 'calculating' the number of 'false' allegations.
There are clear problems with this method that gives rise to the variance in research findings and problems of incomparability. Firstly, these findings differ depending on the criteria for inclusion/exclusion of what constitutes a false report. This varies as a result of the definition employed to describe false reports. This definition tends to differ depending on the standpoint of the researcher. For example, some statistics purporting to represent false report levels, are based on police decisions outlined in the investigation files. These decisions (as previously described) can encompass unfounded cases or cases where the complainant is thought to lack credibility. At the other extreme are analyses that include only cases where it is known for certain that the complainant was lying (i.e. there is proof and/or the complainant admits to the lie). These criteria result in lower levels of false report estimates.

Researchers employing police categorisations, tend to claim to demonstrate a disparity between false rape reporting levels and false reporting of other crimes. However, these false report estimates are based on the sometimes unjustified and questionable interpretation that ‘unfounded’ crimes are always false. There is great difficulty when interpreting levels of ‘unfounded’ classifications of rape as strict evidence of what is false or not, as these classifications generally rest solely on subjective police judgement. This is a further limitation, as police rely on subjective veracity judgements and idiosyncratic veracity evaluations, rather than any objective test of the phenomenon. These decisions are very seldom based on ‘fact’ and more often based on value. It is almost impossible to determine the ‘ground truth’ in real-life investigations (see Vrij, 2000, p. 44). Comparisons employing this data described above is difficult and to be avoided.

To complicate these findings even further, not all of this research provides full and complete definition of what constitutes a false report and this further complicates the interpretation of findings. For example, some papers (e.g. Parker & Brown, 2000) comment upon a disparity between ‘unfounded’ rapes in the US (8%) and other index crimes deemed to be ‘unfounded’ (2%). These statistics are interpreted as evidence that false rape allegations are more prevalent than other crimes (by directly discussing

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9 The 'ground truth' is the real truth that could only be established if the crime was recorded in some way (e.g. CCTV), or there were multiple observers that corroborated the story.
‘unfounded’ percentages under the auspices of false reporting levels). Wide discrepancies, however, can be attributed to differences in definition, sampling method and differences in the source of veracity judgements between these figures (see: Katz and Mazur, 1979).

Generally, more import is attributed to studies that choose conservative selection criteria and count cases where it is very clear that the case can be reliably classified as false. Temkin (1997) noted that the only methodologically sound study to investigate the incidence of false rape allegations conducted by the New York Sex Crimes Analysis Unit estimated the rate at around 2% (see: Patullo, 1983). Research by police departments in the U.S. also suggests that the more realistic false reporting rate for rape is around 2% and that this is similar to the figures for other crimes (McColgan, 1996). Alder (1987) stated that there was no clear evidence to suggest that false reports of rape were made any more frequently than any other criminal offence.

The paradox between, on the one hand, widespread recognition of the level of underreporting of rapes and the belief among the police that many women who make reports of rape are telling lies, is interesting. What appears consistent in police literature, however, is that detection of deception seems to remain an integral part of police rape investigations (see: Baldwin, 1993). Research, therefore, has focused on the detection of false rape allegations by the police and a number of objective tests have been designed to assist with these judgements (Bradford, 1994; McDowell, 1992; Ruby & Bringham, 1997; Zaparniuk, Yuille & Taylor, 1995). The next section will define what is meant by false rape reports, and will be followed with a discussion of research examining police detection of deception.

2.5.1 False rape allegations – a definition

Despite the extent to which false rape reports are believed to be reported by the police and the extent to which objective techniques have been evolving in an attempt to assist with these decisions (Bradford, 1994; McDowell, 1992; Ruby & Bringham, 1997; Zaparniuk, Yuille & Taylor, 1995), there is very little direct research into the phenomenon. This author could not find any research designed to examine the factors associated with false reports among a sample of women who admitted to making such complaints. As a result, there exists a lack of understanding of what the defining
elements of ‘false allegations’ are, what these cases have in common, how they are processed, and if they even exist (Adshead, 1996; Katz & Mazur, 1979; Parker & Brown 2000; Williamson, 1996). As previously discussed, we know from attrition studies that the label ‘false report’ is often used to dismiss the complaint of a non-believable victim and there seems to be a glaring lack of parameters in operation for the use of this term. There is also a serious lack of any coherent interpretative conceptual framework within which research on detecting false reports of rape is conducted, and no clear consensus on the nature of the problem, how reports are identified or how police beliefs are structured.

False reports of rape appear to be conceptualised by the police as a single homogenous group of reports that solely represent complaints where no rape occurred. There was scant coverage of false reports in police literature and training texts. A thorough discussion of false allegations was found in Aiken, Burgess and Hazelwood (1995). These authors examined dictionary definitions of ‘false’ and ‘allegation’. With respect to definitions for ‘false’ they concluded that that which is falsified is done so knowingly, hence, care needs to be taken to distinguish between mistakes and deceit. ‘Allegation’ was defined as something without proof or to be proven. Therefore, a false allegation is a statement that is unproven and deliberately untrue. They further clarified that for any crime, three elements must occur. These are the perpetrator, the act and the setting or set of conditions (see Aiken et. al., 1995, p.222). It is possible for an allegation to be false with respect to all or any one of these elements. In addition to this, a false allegation can consist of a false accusation or a false denial, i.e. the woman can falsely accuse the person, act or situation or falsely deny the person, act or situation. There are thus a total of 14 possible variations that constitute a false allegation. Aiken et. al. (1995) made a further interesting point. It would seem like there is a rough continuum between inaccurate claims, ranging from a slightly distorted report of an actual rape to a wholly false report of a rape. It was suggested by Aiken et. al. (1995) that fictitious allegations at the latter end of the continuum are relatively rare.

A number of motivating factors have been suggested to account for false rape reporting. These include revenge on a partner/lover, fear of pregnancy or fear of discovery of consensual ‘unfaithful’ sex, attention-seeking behaviour (Kanin, 1984).
Aiken et. al. also describe more psychological determinants of this behaviour. They describe ‘sex stress situations’ (p. 24) where sex was initially agreed to but then something went wrong. Underlying sexual motivations can be mutually agreed, in that both parties agreed to have sex, but then one party wishes to deny the sex act. Sex stress situations can be motivated by financial gain where the client of a prostitute does not live up to his end of the contract for example. Therefore, a prostitute may lie and report an assault to the police for attention seeking or financial motives (Aiken et. al., 1995). What is clear from the literature just discussed is that differing false report statistics are employed by researchers who vary according to the nature of their argument, the conceptualisation of the crime, variance in the quality of the police investigation, and differing classification systems employed in different jurisdictions. The next section of this chapter will examine the way in which beliefs in false rape reporting are rooted within, and supported by, cultural rape myths. It will continue by introducing research (other than attrition studies) that has explored, from different methodological perspectives, how police officers attribute blame in rape scenarios and how veracity judgements are affected by attitudinal variables.

2.4.2 Myth and false reporting

In an early paper, Schwendinger & Schwendinger (1974) discussed “sexist myths that influence the treatment of women victims” (p. 18). These myths included a) the idea that a woman cannot be raped without her consent; b) a woman who gets raped was ‘asking for it’; c) rape is caused by sexual frustration; d) rape is caused by an imbalance in the sex ratio and e) legalising prostitution will reduce rape. Underlying these myths is the idea that women lie about being raped or that the women are to blame for rape. Burt’s (1980) work demonstrated that from a sample of 589 American adults, many of them believed in rape myths and these beliefs were best predicted by the person’s acceptance of interpersonal violence. Lefer (1992) reported that one of the main myths regarding rape and women who make rape allegations, is that they lie about it. Lefer argues that much of the criminal justice process and procedures function around this myth. Purely by asserting to being raped a woman’s allegation is called into question and any inconsistency outweighs the validity of her allegation. Doherty & Anderson (1998) discussed common cultural reactions to rape with particular reference to victim blaming reactions and derogatory judgements directed
toward the victim. These cultural reactions, rooted in beliefs that support the contention that women lie about being raped or are to blame for the incident, provide negative feedback to victims and permeate our conversations. Negative subjective reactions to myths and stereotypes surrounding the victim have serious implications for how the police respond to rape and how the victim is treated (Burgess, & Hazlewood, 1995). It would appear that beliefs that women who make false allegations of rape are lying and are to blame, creates a problem for women who have to strive to convince others of their experiences. Suspicions about women in terms of their truthfulness and motives appear to be a reality for women when reporting rape. The next section extends this theme by examining how attitudinal variables are related to credibility judgements.

2.6 Social attitudes and veracity attributions of the police.

Findings of studies that purport to examine social attitudes toward rape and how attitudes effect police officers' veracity judgements will be outlined. This work tends to originate within psychological fields and encompasses attribution theory, deception detection research, stereotypes and attitudinal research. In the main, this work has attempted to examine the characteristics of the victim, the offender and the situations that affect judgements about rape. In terms of design, this work tends to rely on survey research that incorporates the use of rape attitude scales, rape scenarios and vignettes. Much of this work has been done in the U.S. and some in Europe. Unfortunately, no such work has been undertaken in Ireland on the Irish police on any of these research questions. The main body of this work has employed student samples as participants and a fewer number of studies report findings based on police samples. I will firstly outline research that has employed police samples, as the criminal justice context and the experience of working within this context, is thought to play a significant role in attributional processes. Research that employs samples other than the police will be presented where findings enhance or clarify our understanding of the processes involved.
2.6.1 Research using police samples:
Krahé (1991) examined West Berlin police officers’ definition of different rape situations. Krahé drew from research on ‘cognitive prototypes’ to examine meanings associated with different rape situations. An advantage of this methodological approach was that it allowed for the proposition that rape had multiple meanings and asked police officers to actively construct a profile of their understanding of these situations. Krahé chose six different situations, ranging from the typical rape situation, the dubious allegation, the credible allegation, the ‘easy’ rape situation, the ‘hard’ rape situation, to the false allegation. Police officers also completed the ‘Attitude Toward Rape Victims Scale’ (Ward, 1988). Krahé found that in general police officers perceived rape as a serious offence with lasting consequences for the victim. Moreover, she found a high degree of overlap between the prototypes for the typical rape situation and the credible rape situation, thereby suggesting that police officers see a high degree of similarity between typical rape and credible rape situations. There emerged, however, a number of prototypes that characterised the typical rape situation as the stereotypical ‘classic’ rape scenario – that is, a rape perpetrated by a person unknown to the complaint, occurring outdoors, at night and resulting in physical injury (see: Krahé, p. 233). This was in direct contrast with the prototypes of a dubious rape situation, where the victim knows the assailant, the rape occurs in either of their homes, the victim is drunk and makes no attempt at escape. There was a high degree of feature overlap between the dubious allegation, the false allegation and the rape that is easy to cope with. Krahé (1991) found more similarities than differences between participants who scored high and low on the Attitudes Toward Rape Victims Scale, with respect to prototypicality. The interesting aspect about Krahé’s findings was that on the one hand police officers appear to perceive rape as a serious allegation and one that is typically credible. Considering, however, that most sexual assaults are perpetrated by an individual known to the victim, Krahé’s results suggest that the features of these more common situations are associated with characteristics considered to be dubious. Therefore, police officers tend to become suspicious if an allegation contains certain critical features, such as being drunk, knowing the assailant, being in your own home or in his, not attempting to escape. Additionally, it was interesting that Krahé found more similarity than difference between prototypicality and officers that scored low and high on the rape attitude
scale. This suggested that rape categorisations were pervasive and held independently of rape attitudes, as operationalised by this scale.

Temkin (1997) described that delayed reports, prior knowledge of the assailant and whether or not there was any prior intimate relationship between the complainant and the alleged culprit, were identified as influential for British police when making veracity judgements. In addition, the credibility of the victim and her demeanour were found to be important with respect to decisions to arrest a suspect (Frohmann, 1991; Kerstetter, 1990; La Free, 1981; Rose & Randall, 1982). Rose and Randall (1982) point to credibility factors specific to the victim. These factors focus on aspects of her story, her injuries, her personality, her relationship to the alleged offender and demographic variables such as marital status and age.

Campbell & Johnson (1997) examined what factors affected differing police perceptions as to the credibility of a complainant. They found that level of experience and general beliefs about women and violence affected their decisions as to what constituted rape. Kerstetter (1990) found that evidentiary factors and factors associated with the level of violence inflicted most affected early decisions concerning the veracity of a report.

Le Doux & Hazlewood (1995), surveyed a stratified random sample of 3000 police officers in the U.S. with the intention of examining their attitudes toward rape. These authors concluded that while officers were not typically insensitive to the plight of rape victims they were suspicious of victims who meet certain criteria. These include factors such as previous and willing sex with the assailant and certain ‘victim-precipitative’ factors such as provoking rape through behaviour or appearance. A minority of officers were identified with clearly prejudiced attitudes toward the rape victim. Feldman- Summers and Palmer (1980) surveyed 54 criminal justice personnel (judges, prosecuting attorneys), including 15 police officers and found that unsympathetic treatment of rape victims was related to victim-blaming beliefs that laid responsibility with the victim. These respondents also estimated the number of false complaints significantly higher than social service personnel (e.g. Rape Crisis). There was no significant difference between social service and criminal justice personnel on what constituted a valid rape situation.
Greuel (1997) examined German police inspectors' (all of whom were engaged in the investigation of sexual offences), beliefs about cues associated with deception in rape cases. She analysed both standardised interview data and authentic interrogation protocols. Greuel (1997) found marked differences between these two data sources in terms of cues that police officers relied upon. When analysing interview data, the results of a content analysis suggested that the characteristics of statement content, especially logical inconsistency (87%) and a lack of plausibility of the complaint, were the most frequently mentioned cues for detecting lies. In addition to this, availability of evidence (50%), nervous or over-controlled victim behaviour (41%) and complaints initiated by significant others (40%) were also considered to be deception detection cues. In contrast, interrogation protocols suggested a more victim-oriented perspective to detecting deception. Victim behaviour, such as emotional expressiveness and affective instability, was a cue associated with veracity judgements (65%). The relevance of statement criteria was seriously diminished in comparison to interview data. Only 18% of mentions in the protocols was made with respect to this cue. Interestingly, officers who expressed a high degree of confidence in making veracity judgements tended to employ more content unrelated and stereotypical cues to deception than those who expressed low confidence levels. An important methodological implication resulting from the findings of Greuel's work, is that the source of one's data can have a significant effect on results and, hence, any conclusions made.

In an early U.S. study, the Pennsylvania Law Review (1976) analysed veracity criteria police officers employed when investigating 75 reports of rape. In terms of founding a report, the police considered the following factors to be important indicators of the 'sincerity of her report'. The promptness of her complaint, particularly if there was any delay, "tends to show that the complainant consented to the intercourse", (p. 282). The physical condition of the complainant, in particular lack of any signs of violence, incurs doubt that there was real absence of consent. Police were more likely to attribute blame when the victim was considered to be negligent and precipitated the attack. This generally was based on prior intimate relations with the assailant and/or entering the assailant's car/house etc. of her own free will. Actions during the offence, including degree of resistance were also significant determining factors. Reputation
for chastity and veracity are cited as important when the investigator had doubts as to the legitimacy of a complaint. Race of the victim and assailant are also cited as possible veracity criteria with more black on black acquaintance rapes being unfounded and a belief in the myth of black promiscuity.

Winkel & Koppelaar (1992) also reported a study examining perceptual biases among Dutch police officers. These authors had identified in an earlier study using high school students, that the self-presentation style of the victim (numbed or expressive) affected impression formation of the observer (Winkel & Koppelaar, 1991). When participants were shown video clips of a numb victim, impressions were less positive and victims ran the risk of secondary victimisation. Winkle & Koppelaar (1992) performed three experiments to examine a) self-presentation bias of the victim, b) referral bias or the transfer of prior-credibility information and c) (dis)honest demeanour bias or the impact of suspect characteristics on credibility judgements. In all three experiments the authors employed video footage of rape scenarios where the dependent variable was manipulated. The authors concluded that “a numbed style of communicating about the victimisation, prior information about the unreliability of the victim and an extraverted style in denying rape charges by the suspect had an adverse impact on the perceived credibility of the victim” (p. 230).

There are, in addition to the above studies, a number of papers that exclusively examine police attitudes through survey research designs. For example, Brown and King (1998) surveyed a small sample of university students (n= 50) and English police officers (n=50) to examine their attitudes toward rape. They found that in general women held more liberal attitudes toward women than men, were less accepting of rape myths and had lower levels of support for sexual aggression against women. In addition, they also found that women police differed significantly from male police officers in attitudes toward rape, whereas there was no difference between male and female students. This study did not look at attributions of blame by students or officers. Some studies, however, have failed to find a relationship between gender and rape attitudes e.g. Feldman Summers & Lindner 1976, (others have found the opposite: females are more victim blaming, see: Selby, Calhoun, & Brock, 1977). Unfortunately, there are much more studies conducted with non-police samples that
help to unpack the relationship between gender and rape attitudes. These studies are the topic of the next section.

2.6.2 Research on student samples and gender effects

Previous research that examined sex differences has generally demonstrated lower levels of rape myth acceptance among female subjects than male subjects (see: Holcomb, Holcomb, Malamuth & Check, 1981; Ward, 1988). The gender of the decision maker or person making attributions of blame affect judgements of blame and decisions of guilt (Calhoun, Selby, Cann & Keller, 1978; Krahe, 1988; Vrij & Akehurst, 1996). Vrij (1996) found that men tend to attribute more blame to the victim and tend to find victims statements less credible. Thornton, Rykman & Robbins (1982) examined how the sex of the observer, attitudes toward women, and degree of dogmatism affected attributions of responsibility. They surveyed 212 undergraduates and found that the sex of the observer, their attitude toward rape and level of dogmatism were the most significant predictors of perceived victim culpability. Men who were more likely to agree with rape myth and who scored more highly on the dogmatism scale were more likely to blame the victim.

Krulewotz & Johnson Payne (1978) examined perceptions of rape situations as a function of rapist force, sex of the observer and feminist attitudes. They found that subjects expressed greater certainty that a rape had occurred with increased force on the part of the assailant. Women with more feminist attitudes, as opposed to those with more traditional attitudes, tended to see the incident of rape at all force levels. In all, one's gender, feminist attitudes and level of force used by the rapist affect the way in which causal attributions are made.

Vrij & Fisher (1996) demonstrated how displays of emotion and the gender of the observer affect causal rape attributions. Studies have examined the relationship between those who demonstrate stronger acceptance of rape myths and who then attribute more responsibility to the rape victim and are less inclined to believe that sexual contact was forced, (Burt, 1980). The overall pattern of findings suggested that there were gender differences in the attribution assessment and that these gender differences are caused by differences in attitudes toward rape.
Furnham & Boston (1996) also looked at attributions of blame among a sample of 121 participants. They found that males attributed more faults to the rape victim than females. They also found that females placed more responsibility for the attack on the attacker and tended to sentence him to more years in prison. They found that subjects attributed more responsibility to the victim if she was provocatively dressed, males attributing more responsibility than females. This result supports other work that found similar findings (see: Cahoon & Edmonds, 1989).

The reasoning behind these findings supposes that men have more traditional attitudes toward women and are more accepting of rape myths – therefore, they attribute more blame to the victim. Shotland & Goodstein (1983) developed a causal model to clarify “whether these differences are due to subjects’ gender identification, their attitudes toward sex roles or their personal experiences as males or females in the culture” (p. 222). Shotland & Goodstein (1983) concluded that two opposing processes operate in this situation that can account for inconsistencies in research findings on the effects of the observer sex. The authors contended that the greater the perceiver’s degree of egalitarianism about women, the greater was the tendency to perceive the victim as not blameworthy. The other process suggested that because of women’s experiences and socialisation as sexual ‘gate keepers’, that they were more likely to be critical of the victim (keeping attitude toward women constant). Women put themselves in the situation and think of ways how the victimisation could have been avoided. Shotland & Goodstein (1983) argue that the relative strength of these two processes can explain gender differences in research findings. In more traditional societies, where sex is highly correlated with attitudes toward women, it is expected that men’s beliefs will overpower the effect of women’s experience with sex. On the other hand in non-traditional societies, where women and men are more equal (no sex differences on attitudes toward women), it is expected that women’s experiences of sex will play a greater role. Shotland & Goodstein (1983) argue that these two processes cancelled each other out in their own findings, (they found a moderate correlation between sex and attitudes toward women; r = .31), yielding no sex difference on victim blame.

The implication of Shotland & Goodstein’s thesis for this work is limited by the fact that they did not consider the context within which judgements of blame are made. Within the police context it is probable that organisation socialisation factors will
further affect the relationship between gender and judgements of blame. Professional socialisation whereby training and induction into police culture leads to the acceptance of formal procedural rules and informal practices (Fielding, 1988) is an important factor that needs to be considered with respect to gender differences. Worden (1993, p. 207,) who conducted research on gender attitudes in policing concluded the following: “the longer people work in a particular setting the more their perspectives on work converge toward those of more seasoned employees”. A problem with most of this work, which is specifically evident when it comes to gender differences is the failure to consider the extent to which beliefs and attributions are embedded within particular societies and/or occupational contexts.

In conclusion, the above body of research strongly suggested that when police officers (and non-police samples) are given rape vignettes to read and make veracity judgements/blame attributions, a number of key factors influence this decision. These can be categorised into victim-precipitated variables, observer characteristics and the characteristics of the assailant. Of note was that victim-precipitated variables far outnumber either of the two alternative categories. Factors specific to the victim that result in attributing blame include 1) knowing the assailant; 2) drinking alcohol; 3) her story; 4) her personality; 5) her demeanour and behaviour; 6) marital status; 7) age; 8) prior consensual sexual contact; 9) location of assault; 10) signs of violence. In addition to these set of variables, judgements were also affected by a number of characteristics specific to the person making the attribution. Research using police samples suggested the most important of these are: 1) Attitudes toward acceptance of interpersonal violence; 2) Rape myth acceptance levels; 3) Levels of dogmatism; 4) Amount of work experience and levels of confidence; 5) General attitudes toward women and sex-role beliefs. In addition to these characteristics, research from non-police samples strongly suggested that in other populations the gender of the person making the attribution is significant in determining outcome. Research employing police samples did not demonstrate this finding to the same extent. Krahe’s (1991) research further concluded that police officers conceptualise a range of different types of rape situations distinguishable by a number of prototypic characteristics. It was clear from all of this research that observers did not appear to invest as much significance in factors associated with the alleged assailant when thinking about blame and truth. The role of the assailant appeared to be a minor one. When one
considers these findings in addition to those from attrition studies, a degree of consistency emerged. Both sets of work illustrated the primary importance of victim-centred, extra-legal criteria as determining factors in veracity decisions and credibility judgements. The work just described supports attrition data and further develops it by suggesting that police do consider extra-legal variables, such as degree of consensual sexual contact, when making credibility judgements about rape cases.

What the above research fails to do, however, is link attitudinal and attributional findings to the investigative process. For example, this research does not elaborate how and if attitudinal differences and attributional differences are related to investigative goals, decision making and behaviour. It would be informative to know if myths and attitudes prevent the search for other ‘relevant’ investigative information and if other beliefs encourage such behaviour. The crux of this work is to examine and explore the link between attitudes, myths and investigative decision making, and to bridge the gap identified in existing research in this area.

2.6.3 Methodological considerations

Despite consistencies in research findings across different research methodologies and data sources, there are some methodological issues that require comment. Firstly, the work of Greuel (1997) clearly demonstrated that different findings can be achieved from the same research question when different data sources are used. Greuel analysed data from structured interviews with police officers and interrogation protocols. She found that the emphasis that police officers place on statement-related criteria was higher in structured interview data when compared to protocols. This is an important methodological consideration arising from Greuel’s work (and will be more fully discussed in Chapter 4).

Another reservation concerns studies that employ rape vignettes as the basis for veracity judgements. Krahé (1991(a); 1991(b)) outlined the problems with using rape vignettes in studies looking at attributions of responsibility. As part of the design for her study just described, Krahé (1991(a)) employed a rape vignette typically used in attribution studies of this nature. Following presentation of the vignette, she asked participants whether or not they felt they had sufficient information to be able to reach a judgement based on the vignette. Over half (55%) of the sample responded that they
felt they did not have enough information to fulfil the request. This finding casts
certain doubt over the validity of work employing this method and whether the
findings are really applicable to similar real-life rape situations where more
information is naturally available and the attributions made necessarily more complex.

Before the research questions of this thesis are described, the final section of Chapter
2 will examine psychological literature that has directed its attention to lying
behaviour and the detection of lies. This work is primarily experimental in nature, but
it was considered important to briefly review here, since it applies to police decisions
of credibility and research suggested that veracity decisions remains an important part
of police decision making.

2.7 Detection of Deceit

Psychological research that has examined accuracy levels of veracity judgements that
lay people and professionals (e.g. police officers) make, have demonstrated that
participants perform poorly. Accuracy rates in detecting deception among police
officers and members of the public tend to fall at chance levels or slightly above
chance (DePaulo, & Pfeiffer, 1986; Parker & Brown, 2000; Zuckerman et. al., 1981).
Akehurst, Koehnken, Vrij & Bull (1997) found, when examining beliefs regarding
deceptive behaviour that police officers hold as many false beliefs as lay persons.
There is a small body of research that addresses how people in general make veracity
decisions within psychological literature. This research explicates the cues subjects
use to make decisions of truth, particularly non-verbal indicators of truth. This
research has also examined subjects' assumptions of guilt. The research generally
tends to employ students as participants but there are a number of studies published
that have used police and customs officers.

A number of consistent findings have emerged from this body of work, despite
varying research paradigms and participants. For example, Vrij & Semin (1996)
concluded that professional lie detectors, (including the police and prison officers),
perform poorly when detecting deception and perform no better than undergraduates.
Professional lie detectors were found to hold incorrect beliefs about valid indicators of deception. For example, police officers often think that gaze aversion is a good indicator of lying behaviour. Gaze aversion, however, is not a good indicator of deception in that both truth-tellers and liars show similar levels of such behaviour. Research has also demonstrated that lie detectors think a high pitched voice, slow speech rate, and eye-blinking are other valid cues to deception detection, yet research indicates they are not (see: Taylor & Vrij, 1999; Vrij, 2000). Non-verbal communication errors were also visible among police officers in cross-cultural police-citizen interactions. Researchers have examined how hand and body movements (Akehurst & Vrij, 1999), colour of clothing (Vrij & Akehurst, 1997), gender of the assessor and complexity of the story also affect veracity judgements and assumptions of guilt. Again, these cues have been found to be invalid, (for example, people who are lying show a decrease in hand and body movements). Bond (cited in Vrij (2000)) has suggested that 'odd behaviour' is a good explanation for subjective veracity judgements. Odd behaviour is defined as non-verbal behaviour that violates normative expectation -- otherwise explicable as the infrequency heuristic. In this way both excessive gaze aversion and excessive staring have the same effect of communicating to the observer that the individual is lying (Bond, 1992, 1995; Cited in Vrij, 2000). Most of this research is laboratory based and it employs video footage of different storytellers and situations in order to test its hypotheses. The ecological validity of this work has yet to be tested but it does suggest that police officers do not have any particular professional skill or talent at detecting deception in varying research settings. Police officers tend to perform, like people in general, no better than chance.

More recent years have seen the development of so-called 'objective methods' to detect false rape allegations (e.g. Lucas & McKenzie, 1999; McDowell, 1992). These generally involve using content analysis (criteria based content analysis) on interview data where specific (structured interviews) questions have been asked. Statement Validity Analysis (SVA) enables a probabilistic guide to the likelihood that a person's account is based on either real experience or fantasy. Landry & Brigham (1992) demonstrated that subjects trained in criteria based content analysis (CBCA) were able to detect truthfulness from falsehood significantly greater than chance and were more accurate than subjects not trained in CBCA. When assessing 'clues' to deception detection, Porter & Yuille (1996), found that only three verbal clues were
significantly able to differentiate between truthful and deceptive accounts and that all of these three clues were derived from the statement validity analysis technique. Clues included, the amount of detail reported, coherence and admissions of lack of memory. Koehnken & Albrechts (1995) examined whether different interviewing techniques (cognitive interview versus structured interview) would differentially affect the accuracy of CBCA in distinguishing truthful and fabricated accounts. In doing so the authors found that content characteristics reliably discriminated truthful and fabricated accounts. No interaction was found for the type of interview. Horowitz (1991), however, made the point that only the CBCA component of SVA has been tested for its reliability and accuracy, to the omission of the other two components, namely interview guidelines and a validity checklist. Horowitz, (1991) suggests that these aspects also need to be addressed, in addition to field studies of CBCA, which would provide a more ecologically valid evaluation of SVA in applied settings.

2.8 Conclusion

This chapter has outlined the status of research that sheds light on recorded levels of rape and the whole gamut of factors that give rise to these figures. It was clear that in the Republic of Ireland, as elsewhere, the levels of recorded rape have been steadily increasing, yet rape continues to be one of the most underreported crimes. In Ireland it was estimated that approximately 30% of rapes are subsequently reported to the police. The recording practices of the Gardai and the problems associated with interpreting official figures was outlined.

The low proportion of cases that result in conviction in court was identified as a key factor affecting women’s decision to report rape. High levels of attrition, intensely communicated by the media, was identified as an important factor, which not only affects whether women report rape but also plays a crucial role in women’s satisfaction with the criminal justice process. One of the first points of attrition concerned whether the police recommend to the prosecuting authorities (DPP) not to proceed with the case for various reasons. In the U.K. this was identified when police no-crime an incident, officially record a report as rape or not, unofficially decide not to proceed because they believe the report to be false or that the allegation cannot be
verified. Attrition studies were critically reviewed and were found to provide some insight into the categories that police employ when investigating rape. Attrition studies from the U.K. were much more informative in this regard, although problems when comparing data had to be checked.

Both Irish and British attrition research helped to draw conclusions about the commonalities between cases that are believed to be false by the police and that eventually drop from the criminal justice system. This indirectly enabled us to make hypotheses relating to the kinds of information police are likely to pay attention to when processing rape complaints and investigating allegations. From this research and from police literature, it was evident that the detection of false allegations was an important part of the investigative process. A report was either credible and true or incredible and false. The problems of relying purely on attrition research to explain police decision making were outlined. This research is limited in that it is unable to explain the broader issues intimate to police decision making, such as investigative motivations, goals, the criteria they employ to make judgements about good evidence, or what the DPP are looking for.

Attitudinal and attributional research was critically discussed. This work was concerned with how participants (using police samples where possible) made attributions of blame and veracity judgements using rape scenarios/vignettes. This research explored the kinds of beliefs that were related to making veracity decisions based on certain types of information. Characteristics of different rape situations were systematically manipulated and participants asked to make attributions of blame and/or veracity judgements. The findings suggested a typology of the kinds of factors specific to the victim, offender and situation that affect judgements of truth of falsity and blame. It was possible to safely conclude that aspects of victim behaviour, characteristics of the assessor, the victim's story, who made the complaint, the suspect's demeanour, all affected veracity judgements to varying extents, depending on the sample and the methodology employed.

A number of problems with this work were pointed out. The findings of this work tell us very little about how police occupational context and the societal context affects attitudes and attributions. Attitude and attribution research does not examine if and
how beliefs and attributions are directly related to decision goals or information processing or decisions or behaviour.

A further problem with this work is the lack of a theoretical and conceptual framework within which police decisions can be better understood. Absence of a theoretical model was identified a major barrier to proper understanding of what happens in police investigations and how attrition occurs during this time. A theoretical framework is needed so that key beliefs and attitudes can be located within the social matrix of police investigations and the inter-relationships between beliefs and information processing can be elaborated and examined. It is crucial that all important variables be included within this framework in order to ensure the validity and subsequent applicability of the model.

Work that has examined police attributions of blame and veracity judgements and the very small amount of research that has examined how police define rape situations have relied upon the authors' a priori research categorisations and conceptualisations. Research in this area does not employ spontaneous unstructured methodologies to elicit subcategories of rape situations initially. Participants were asked to make an attribution of blame, they were asked to make a veracity decision, they were asked to tick the level to which they agree with rape myth, they were asked to read rape vignettes where the defining elements were chosen beforehand. This research does not explore the aetiology of, or motivation behind, police decisions of truth. It does not examine rape investigative goals from a police perspective and how veracity goals are represented within the wider investigative context or constrained by environmental factors. This research failed to relate beliefs to action and investigative decision making. This research tended not to ask police about other investigative decisions they have to make and how veracity judgements feed into the wider investigation. It is the intention of this work to examine how the police conceptualise their role in rape investigations. One has to bear in mind that in the Irish context there was a dearth of research to inform research questions. In addition, An Garda Síochána have instituted a number of reforms in this area, and these reforms were intended to curb and prevent secondary victimisation in rape investigations. It was important not to assume that veracity decisions form the first and primary aspect of rape investigations, as no research has provided direct evidence of this. If detection of deception is a component
of the work of An Garda Síochána, it will be more informative to explore how this critically relates to other aspects of their work and information processing in general.

2.9 Research Aims

The rationale of this work is located in bridging the gap between attitude research (which suggested that certain beliefs and myths were related to credibility judgements and judgements of blame) and attrition research (which indirectly suggested that police make credibility decisions, categorise rape cases using these terms and assess many reports of rape as having been false). This research intends to explore the extent to which attitudes and myths are related to investigative behaviour and whether attributional processes, for example, prevent the search for other 'relevant' investigative information. This research also intends to explore the relative extent to which attitudes and beliefs are embedded within societal and/or occupational context. This will allow for a far more comprehensive understanding of police decision making from a social psychological perspective.

This thesis is interested in explaining the Garda recommendation decision that is sent to the DPP. It was strongly suggested that this recommendation played an important part in the prosecution decision of the DPP. A comprehensive understanding of this decision will help to explain the first legal point of attrition in Ireland. More specifically, this research is interested in addressing the following questions:

- How the police conceptualise their role in rape investigations and what they consider the main investigative decision(s) that have to be made? Where do these conceptualisations originate?
- How does the Garda go about fulfilling her/his role and reaching those decisions? More importantly, how are these priorities related to decisions regarding classification and recommendation on a case?
- What information do Gardaí rely on and seek in order to make decisions and how does this affect information processing and decision making behaviour?
What role do beliefs play in this process and how does the process affect them?

- If like other forces, there is a concern with the making of false allegations, how do they detect these and what criteria do they employ? How does this aspect of the investigation relate to and interact with other features of the job? Where do these beliefs originate?

It has already been acknowledged that a coherent theoretical conceptual interpretative framework is required in order to address the above research questions adequately. It will be necessary to embed these questions within this framework in order to operationalise the main constructs successfully and rigorously. It is clear that this thesis is primarily concerned with decision making processes. The next chapter introduces and critically discusses extensively the research literature on decision making. This will provide a greater understanding of the cognitive processes at work in these situations and the factors that will need to be considered and addressed in terms of methodological considerations. The following chapter will demonstrate how a naturalistic decision making framework provides the most appropriate paradigm in which the research questions can be explored and issues resolved.
Chapter 3

Naturalistic Decision Making: building a conceptual framework

3.0 Introduction

Technically, Gardaí have no discretion over whether or not to investigate an offence once it has been reported. It is probable that, until relatively recently, reports on sexual crimes were neither investigated nor documented as rigorously as they have been since (Leon, 2000). Rather than examining what Gardaí are taught to do and are obliged to do by law, this work is interested in explicating the informal decision making process and explaining how this process operates within a complex task environment.

The main decision process this study is interested in mapping, is the direction of the Garda recommendation to the prosecuting authorities. How do the Gardaí conceptualise their role in the decision making process, how do the Gardaí arrive at the recommendation decision and what criteria do they use to make it. This study will enable an explication of the meaning Gardaí attach to different stages of the investigative process and identify where prior social knowledge and experience affects behaviour. In so doing, this research will help uncover and elaborate why cases result in attrition.

It is likely that there will be a range of subsidiary decisions of variable importance throughout the investigation, such as deciding if the complainant should be brought to hospital for a forensic examination, deciding if the scene needs to be preserved or deciding to interview/arrest the offender. These will inevitably feed into the overall analysis.
Investigative decision making is conceptualised as a dynamic, interpretative, interactional, contextual process that results in action. Investigative decision making is conceptualised as a social process, where the decision maker has agency and does not operate logically, in terms of conforming to mathematical theory. Decision making was not conceptualised as a linear process that results solely in choice. The naturalistic paradigm was found to fit these important assumptions. The Naturalistic decision making paradigm was thought to be further suited to this research as it provided an array of conceptual tools that enabled research questions to be comprehensively addressed. This paradigm is critically discussed in section 3.1, along with limitations and additions to the paradigm that were thought important to elaborate.

Alternative paradigms in the decision making literature are also discussed in relation to their inherent limitations in addressing the research questions of this work. This discussion helps to further clarify the decision making perspective of this study. Descriptions of normative decision theories, their underlying assumptions and limitations are briefly, albeit critically discussed.

The focus of the remainder of this chapter will examine in detail what the literature, especially from the naturalistic perspective has to tell us about decision making - in terms of how decision makers diagnose the situation, choose an action and implement this. This will be followed by a final outline of how decision making research can be unified and applied to the research aims and objectives of this thesis.

### 3.1 Naturalistic decision-making

This research wanted to operate within a paradigm that had a pronounced concern for how people handle decision making in realistic, dynamic and complex environments. Naturalistic decision making concerns decisions that lead to action. This is the purpose of decisions that are made outside the laboratory; it is also what separates judgements from decisions. Judgement making does not necessarily lead to action, but decision making does (Moray, 2000). The naturalistic decision making approach is
still in its infancy and it is important to recognise that it draws heavily from behavioural decision research, especially work on heuristics and biases (discussed in section 3.3).

The naturalistic paradigm presented a radical departure from the previous ways of theorising decision making, which were based on axiomatic, normative theory. The departure primarily came from organisational researchers and behavioural decision researchers who were willing to look at what decision makers actually do, rather than what they should do, as suggested by probability theory. Organisational researchers operated at a more macro level of decision analysis than behavioural decision theorists (Beach, 1997). They tended to treat the organisation as the unit of analysis. Behavioural theorists tended to focus more on the individual presuming that the organisation's decisions are the result of collaborative decisions made by its members. Naturalistic decision theorists are concerned with the coalescence of both of these traditions.

Naturalistic models of decision making suggested that more automatic processes may precede the more analytic processes used to diagnose and evaluate a decision. Naturalistic models emphasised that cognitive and emotional aspects of the decision maker, such as experience and knowledge have a fundamental impact on processing of information. The primary question for naturalistic decision theorists is how do people make decisions in the context of their work. The Naturalistic perspective recognised that the decision process tends to be messy and less analytic than previously thought. Most decision makers have difficulty comprehending things and tend to simplify things to deal with them. The decision focus is not doing the best job possible, but a good enough job to keep events in a desirable direction, rather than maximisation.

In theory, naturalistic decision making also identified the importance of social context in decision making, although this focus has been missing from much of the naturalistic decision making research to date. Social, occupational and
organisational contexts have been pointed out as especially important in investigative decision making in rape and as such, the need was recognised to explicitly incorporate an investigation of context into the research design. Context was thought to be elemental to understanding the factors that affect the way in which information is prioritised and attended to (this will be discussed in more detail in section 3.3.1.3 – 3.3.2).

Overall, the naturalistic paradigm provided a better opportunity for producing a coherent explanatory model of decision making in an ill understood and complex task environment, like police decision making in rape investigations. The next section will briefly describe more traditional approaches to decision making. An understanding of these approaches is useful in identifying where the naturalistic perspective diverges from this body of work and where some commonalities remain. Firstly the normative approach will be outlined. This is followed by the behavioural approach and a critique outlining the limitations of both these approaches. This is followed by a brief re-cap on the assumptions underlying the naturalistic approach.

### 3.2 Normative Decision Making: developments and limitations

Traditionally, overviews of decision making, (e.g. Baron, 2001; Bell, Raiffa & Tversky, 1988), have divided approaches into three different parts, including normative, descriptive and prescriptive themes (and have not addressed more recent naturalistic formulations). The traditional normative approach is rooted in a formal empiricist paradigm that focused on behavioural testing of formal models (e.g. Savage, 1954). Normative models imposed mathematical consistency constraints on subjects’ judgements and preferences and made no reference to actual psychological steps or representations (Cohen, 1993). For example, economists might construct axiomatic models that describe the market forces at work in particular circumstances by prescriptively describing appropriate actions depending on a set of underlying assumptions of the model (Beach, 1997). The normative approach is extremely

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10 Occupational context refers to the interactional aspects of working in a police station, while organisational context refers to the institutional aspects of working for the police.
formal, logical and mathematical. Generally speaking, the emphasis in most early work on decision-making has been on prescribing what should be done rather than on describing what the decision makers actually do (Beach, 1997). Traditional normative theories also reduced decision making among individuals to a matter of choice and models were designed to address solely the tasks involved in choice. Normative models, such as probability theory, Subjective Expected Utility (SEU), Multi-Attribute Utility theory (MAU) and Bayes Theorem, provided a series of steps stating how one ought to make a decision, given certain assumptions. They did this by decomposing the decision into a number of elements (e.g. actions, options, events, outcomes) and they then re-combine these elements according to the mathematical rule of the model. The emphasis, therefore, was on people’s preferences, utility and how people deal with uncertainty, subjective probability. Baron (2000) described a normative model as “a standard that defines the best thinking for achieving the thinker’s goals” (p. 32), which in a nutshell explains how Normative theory describes ‘ideal’ decision making behaviour.

There are two main assumptions underlying normative theory that deviate radically from the approach of this study: Individuality and Rationality. The assumption of individuality is intrinsic to normative decision theory, where the decision maker is seen as a discrete, self-contained unit. Individuals are seen as being narrowly selfish (Chase, 1999) and maximisers of utility (utility is a unit of psychological value). In this way people make decisions based on how good the outcome will be for them personally. For example, in SEU, the decision maker is viewed as a maximiser of expected value, in that people strive to do what is best for themselves, choosing the option that offers the most desirable consequences. Subjective probability in SEU is generally measured via ‘direct assessment’, that is by simply asking people to give a number to represent their opinion about the probability of an event. The Subjective Expected Utility model (SEU) states this as follows:

“Performance will be best if the attractiveness of an option is summarised as the sum of the probability discounted utilities corresponding to its potential payoffs and if the decision maker chooses the option that offers the greatest sum (Beach, 1997 p. 79).”
Normative theories also assumed decision makers to be fully rational. By this, normative theory states that individuals ought to adhere to formal mathematical rules when making decisions. Among these are the rules of completeness with respect to preferences \((A > B, B > A\) or \(B = A\)), greed (if \(A = B + C\), then \(A\) is preferred to either \(B\) or \(C\)), convexity (if \(B\) is \(x\)% of \(A\), and \(y\)% of \(C\), and \(x + y = 100\), then neither \(A\) nor \(C\) will be preferred to \(B\) (but \(B\) may be preferred to \(A\), \(C\), or both)), and transivity (if \(A > B, B > C\), then \(A > C\)) (Baron, 2000).

3.2.1 Behavioural Testing of Normative Models

The logic of normative models (e.g. hypothesis testing) did not mimic or parallel human cognitive processes. As a result of this, if decision behaviour was evaluated, it was evaluated in the light of how well it conformed to prescriptive models. That is, the decision-maker was either rational if she conformed to normative expectations or irrational if not. Because normative models followed logically from what usually were regarded as very attractive axioms - it did not seem reasonable to researchers in this field to evaluate them by comparing them to what decision makers actually do. It was the behaviour that was evaluated. Behavioural research, therefore, systematically examined the extent to which subjects conformed to the prescriptions of normative theory, and if they did not, they examined where the irrationality occurred. Behavioural research on choice began with comparing decision behaviour with the dictates of prescriptive decision theory. Behavioural decision theory and research used the prescriptions of the normative model to study how people actually make decisions rather than how they ought to make them. Hence, behavioural research is concerned with the subjective counterparts of 'objective probability' and 'objective value'. Behavioural decision research indicated that contrary to the expectation of normative models, decision makers' revised subjective probabilities are neither accurate nor coherent. Behavioural studies often demonstrated underestimation and overestimation of probabilities for simple events (where objective probabilities are known to the researcher), which resulted in many studies examining failures (errors and biases) in subjective probability (these will be discussed in section 3.2.2). The emphasis of this work is on human irrationality, violation of both logical and statistical principles of probability theory when making decisions.
While behavioural decision theory began as the study of the degree to which unaided human decision maker conforms to the processes and output of prescriptive decision theory, it did, however, go beyond this mandate by “psychologizing” prescriptive theory to make it more descriptive of what decision makers actually do.

3.2.2 Limitations of the normative and behavioural approach

In general, descriptive theories have led to the development of pretty good rules that 'make sense' as they do not require the mental arithmetic of normative models e.g. Bayes Theorem (Bayes, 1958). There has, however, been a long and acrimonious debate about heuristics and biases in the decision making literature. Cohen (1993) and Jungermann (1983) argue that heuristics have no theoretical substance and are poorly defined. Heuristics do not appear to be related to any other major concept in cognitive science and because they are ill defined they can be used to explain almost any post-hoc account of decision making behaviour. Beach (1997) believes that these criticisms of heuristics are beside the point, as decision makers instead of doing probability calculations very badly, they are in fact doing something else entirely. Beach (1997) goes on to say that in reality there are all sorts of influences on probability assessments that have no counterparts in formal or applied (statistics) probability theory. In only very specific circumstances do subjects attempt to behave like intuitive statisticians (Barnes, 1984). It would appear from the results of behavioural decision analysis that probability theory does not adequately describe subjective probability. Rational theories have produced normative models that can be useful to compare decision making behaviour but it is evident that departures from these models are so widespread that descriptive theories are needed that go beyond what has already been outlined. There are also conceptual difficulties with accepting the universal applicability of normative decision theory. The central aspect of this paradigm is of a single decisive act by which the decision maker moves from a very well specified initial state (unsolved problem), to a well-specified solved problem or end state. It is important to point out that decision making in the behavioural paradigm is narrowly described. In real-life, everyday decision contexts, one can see how this is a very simplified, clinical and static version of normative standards. Orasanu & Connolly (1993) comment that it gives an explanatory account of reasoning in terms of a diverse set of unrelated cognitive mechanisms and experimentally demonstrates error
with pre-structured and pre-quantified ‘real life’ stimuli. The multiplicity of goals and values that are brought to bear on decisions by many different stakeholders make it impossible to derive a single utility function on which to base expected utility computations (Orasanu & Connolly, 1993). The emphasis in most of this work has been on prescribing what should be done rather than on describing what the decision makers actually do in real life contexts. No mention is made of how a decision maker conceptualises the decision space (diagnosis) or indeed how he/she implements their choice. On this level too, it is important to note that behavioural and normative models address only choice, which is but one kind of decision making. Numerous researchers have described others. Beach (1997) outlines that the outcomes of decision making in real life contexts are rather extensive, and that it would be difficult to enumerate them, let alone evaluate them. In addition, Beach (1997) continues, it is unlikely that all of the possible options will be known to the decision maker. In addition to conceptual problems, there is also a problem with quantification from both prescriptive and descriptive standpoints (Lipshitz & Strauss, 1997). Lipshitz & Strauss (1997) quote from Meehl (1978, p. 831) who states that the problem is that “there are many areas of both practical and theoretical inference in which nobody knows how to calculate a value”. The validity of methods to calculate subjective probability has been widely disputed. Researchers have questioned the stability of preferences and demonstrated that people show considerable lability in regard to preferences (Elster, 1979); Lipshitz & Strauss, (1997) discussed the findings of a number of studies such as Budescu & Wallsten (1995), who demonstrated that translations of verbal expressions of uncertainty into specific probabilities show large variations. Moreover, research has shown that verbal, numerical and different numerical expressions of identical uncertainties are processed differently (Gigerenzer, 1991; Zimmer, 1983). The conclusion that one would have to draw from this research is that rational evaluation prescribed by normative theory does not represent how people make decisions in ‘real-life’ everyday decision environments.

In contrast, naturalistic decision making assumes that the decision maker is reasoned but not rational (in terms of mathematical logic). Naturalistic decision making also assumes that the individual is a fully active, social being, operating within a social environment which constrains the decision making process, itself embedded within the social context. Furthermore, naturalistic decision making recognises that there
may be multiple outcomes in any decision and that the decision maker may not evaluate or be able to evaluate all possible options available to her. Decision making is not seen as solely a matter of choice. There are no obvious overlaps between the normative approach to decision making and the naturalistic. As a result, normative models offer very little toward understanding investigative decision making. Behavioural testing of normative models, that led to the development of descriptive theories share some overlap with the naturalistic perspective and as such are described in more detail in section 3.3.

In order to comprehensively understand the decision making process and develop a naturalistic descriptive model of it, it is necessary to develop some structure with respect to how we ought to explore the process. Many decision researchers have described decision making in terms of a number of stages (Humphreys & Berkeley, 1983; Von Winterfeldt & Edwards, 1986). While the process may be recursive (i.e. these stages can go backwards as well as forwards) there is some consistency in terms of what these stages are. Commonly (e.g. Beach, 1997), structure begins with diagnosis of a decision problem, moves on to selection of an action that will solve the problem and ends with the implementation of the action until the problem is solved. In addition to this, processing of information was also added to the structure, as this body of research elaborates the links between each section and was thought to require a section of its own, to facilitate explication of the process. Figure 3.1 illustrates this structure.

It was previously mentioned that the naturalistic paradigm offered a plethora of conceptual tools (many were derived originally from descriptive developments in decision making research) to aid this research. These tools will be critically outlined in terms of what they contribute to each stage of the decision making process (diagnosis; information processing; action selection and implementation). It was noted that most research tended to centre on diagnosis of the decision problem (naturalistic research and descriptive), and information processing (naturalistic and descriptive research). Far less attention has been focused on action selection (except perhaps a large body of redundant information from the normative tradition explaining 'choice') and very little on implementation.
3.3 Diagnosis

The factors relating to the diagnosis of decision problem space have been a central concern of naturalistic decision making. Normative and behavioural approaches were less concerned with this issue. A review of diagnosis research will involve a discussion of the use of small world representations, schemas, decision frames and shared decision frames. The role of recognition and situation awareness will also be discussed. From here, the focus on diagnosis will shift from a discussion of cognitive structures to contextual variables that affect these structures. Therefore, research examining the effect of occupational culture on decision making and especially research examining police occupational culture will be reviewed.
This section hopes to elaborate some of the processes that describe how people structure ecologically valid decisions, like the ones of interest to this research. Some of the key concepts in Herbert Simon's seminal work (1945) have informed how decision makers diagnose decisions.

3.3.1 Herbert Simon and reducing the cognitive load

Some of the key concepts in Herbert Simon's seminal work *Administrative Behaviour* (1945) were instrumental to the development of descriptive decision theory (describing decision making rather than prescribing) and set the groundwork for later developments in naturalistic decision making. Simon (1945) wrote that the behaviour of a person in an organisation is constrained by the position they hold in that organisation and that decision making is strongly influenced by the structure and norms of an organisation. Simon's (1945; 1955; 1979) emphasis was on the individual as a decision-making agent for the organisation. Simon (1955; 1979) described that the decision makers' cognitive capacity is limited, so they must reduce information processing demands by simplifying the information they encounter. To do this the decision maker constructs 'small worlds' or limited representations of the problem at hand. The representation contains only the most salient information and the decision maker proceeds to make the decision based solely on this 'bounded' representation. Simon (1955; 1979) pointed out that the decision may be rational in the sense that it conforms to prescriptions of prescriptive theory, but only uses salient information.

3.3.2 Diagnosis and the decision frame

To make sense of anomalous events the decision maker must mentally put them in the proper context and give them meaning, which leads one to draw on previous experience. Events seldom occur in isolation and the decision maker usually has some idea of what led to them. This knowledge supplies the context, the ongoing story that gives coherence to one's experience, without which everything would appear random and unrelated (Beach, 1997). People's rich store of general knowledge about people, objects, events and their interrelatedness inform judgemental procedures. This knowledge can be in the form of general propositions or theories, such as 'women who work in prostitution are dangerous and unreliable'. Knowledge can also be represented in less propositional terms and can be more schematic or structural. For example, one's understanding of the process of a job, what has to be done first,
second etc. Both of these structures provide the interpretative basis for judgements and decision making.

If it is a situation that was encountered before, the decision maker can use this knowledge and experience to deal with events (see section 3.4.2 for discussion of recognition processes). If the situation is substantially different from previously encountered situations, they can set about formulating an action plan that deals with its uniqueness. Embedding observed events in a context in order to give them meaning is called framing. A \textit{frame} is a mental construct consisting of elements and the relationships between them that are associated with a situation of interest to a decision maker (Minsky, 1968). The elements are the salient current events and the associated past events. Relationships refer to expected interactions among elements. A more informal definition would be that frames are the decision maker’s interpretations of what is happening in a given situation. It tells the decision maker what to expect. The frame may be in error but until feedback, or some other information makes the error evident, the frame is the foundation for understanding the situation and for deciding what the outcome will be.

Sometimes events do not fit into a pre-existing knowledge structure, either prepositional or schematic. If anomalous events cannot be reconciled then the decision may need to be reframed, so that the approach changes. Irrespective of whether or not the decision maker’s framing of the events results in the use of previously acquired knowledge or the formulation of an action plan, she must use the events to guide the fine tuning of the response. Past experience usually provides only a general strategy for dealing with the situation. The decision maker must diagnose the situation by evaluating the states of its most salient features.

\textbf{3.3.3 Framing Research}

Research has examined framing, but has often done so under the guise of schemata (Bartlett, 1932), which is another way of looking at frames. The labile nature of many of the subcategories of schemata, are indicative of the many perspectives from which researchers study. For example, scenarios (Jungermann, 1985) and mental models (Johnson-Laird, 1983) are researchers’ labels for schemata that play a role in forecasting and problem solving. Knowledge partition (Dinsmore, 1987) is the label
for schemata that play a role in inference. Episode schemata (Rummelhart, 1977) and causal models (Einhorn & Hogarth, 1986) are labels for schemata that play a role in reasoning about complex chains of occurrences that lead up to some specified event. Script (Schank & Ableson, 1977) is a label for schemata that play a role in dealing with social situations. Prototype (Cantor & Mischel, 1977; Rosch, 1976) and Stereotype (McCauley, Stitt & Segal, 1980) are labels for schemata that play a role in classifying people, objects and events. Self-concept (Marcus & Nurius, 1986) is the label for schemata that play a role in organising our knowledge about ourselves.

Schemas allow the perceiver to process incoming information and hence are seen to function as 'cognitive habits' (Taylor, 1982). Schema operates in conjunction with availability heuristics\(^\text{11}\) to result in biased social judgements (Nisbett & Ross, 1980). People use their own personal constructs or schemas when confronted with a new situation for example. This can lead different people to arrive at different inferences based on the same stimulus. Stereotyping is a good example of this. Stereotypes, and the expectations that form them, can function to guide understanding/comprehension by interpreting events with the use of the availability bias. This has been shown to happen with very banal stereotypes, (e.g. Hamilton & Rose, (1987) who examined stereotypes of librarians), in addition to more emotive stereotypes. Stereotypes can, therefore, bias the gathering and storage of information and subsequent impressions.

The present work intended to incorporate an analysis of the content of Garda stereotypes/schema etc. and to examine how these affect subsequent information processing. It was also intended to examine how lay theories of human behaviour inform how investigative decisions are framed.

A study by Wagenaar and Keren (1986) provided an example of how framing affects the decision making process. Their findings demonstrated that depending on the function or role of the decision maker, and the information that was available or provided, framing provided the context within which information was used, and different frames put the focus on different types of information. Research on framing has also focused on how people differentially frame problems that are stated in terms of possible gains or possible losses. Tversky & Kahneman (1981), found in their

\(^{11}\) Heuristic research is described in section 3.4.1
work, that people avoided taking risks and tended to choose the sure thing, when outcomes were framed as gains. Conversely, they found that people took risks and chose the gamble when outcomes were framed as losses. The fact that wording has an effect on framing goes to show that it is a pervasive phenomenon that is sensitive to relevant information. It was mentioned earlier that to reduce information processing demands the decision maker constructs ‘small world’ representations of the ‘problem’ because they cannot cognitively deal with a great deal of information. Beach (1997), however, suggests that ‘small world’ representations may be too simplistic, may not include the right things or may just be wrong - hence it behoves decision-makers to be flexible and sensitive to signs that the representation needs correction (reframing). It is possible to see how some people may remain inflexible, retaining their frame despite overwhelming evidence that would disconfirm their frame’s correctness. In this situation decision makers would be vulnerable to serious error. Other decision makers can be flighty and inconsistent, looking at the decision this way and that and never getting to the bottom of the problem (Beach, 1997). With respect to accuracy, Beach (1997) suggests it would be best for decision-makers to be somewhere between these two extremes. Research has shown that experts confronted with complex dynamic problems appear to make almost instantaneous judgements about what to do. Moreover, they deny making mental calculations and evaluations (Moray, 1999).

Research in cognitive science and in behavioural decision-making has examined what makes people experts and how they approach problem solving and decision making. Shanteau (1992) analysed the results of many studies and found that:

- Experts perform better in domains involving physical processes. Therefore, they do better in inherently predictable domains.
- Experts perform less well in domains involving human behaviour. Therefore, they do worse in inherently unpredictable domains.
- Experts, however, do better than novices because they can use their experience to frame situations rapidly and accurately. They then use the underlying meaning of the situation provided by the frame to guide their task performance. This provides flexibility because it allows the expert to vary his or her approach without losing track of the bigger picture. Framing allows an expert’s performance to be informed by a significantly richer store of
information than a novice’s and at the same time injects a degree of flexibility and adaptability that is unavailable to the novice. Having framed the situation, experts use the frame to draw on their knowledge about what to expect in the situation, what variations are reasonable (and what they mean), what has worked in the past, and how that might be adapted to the present situation (Beach, 1997).

- Lacking the depth of experience novice’s are more likely to do things ‘by the book’ thereby failing to use the nuances of the situation profitably.

Shanteau’s findings (1992) are supported by a host of studies that examine chess playing with novices and experts. Memories of past experience play an important role for experts (see Chase & Simon, 1973; DeGroot, 1965). Chess experts (and presumably experts in other domains as well) can recognise meaningful patterns of events and, having framed them, can use them to perform the tasks that the situation demands. The extent to which these findings translate into decision making contexts that deal with human behaviour is unknown. Some research (e.g. Pennington & Hastie, 1986, discussed later), however, has provided evidence that even with meaningful and consequential decisions (e.g. juror decisions) that decision makers do match certain kinds of knowledge with the present situation in order to make decisions.

3.3.4 Shared frames

Naturalistic decision-making recognises that decision-making is essentially a social behaviour and that cognition is bound to a social context. This social aspect of decision-making can be observed when decisions concern others; decisions have to take others into account; decision making responsibility is shared; people make decisions on behalf of the organisation; shared training experiences and socialisation effects on decision frames. Social processes are likely to be especially important when defining and structuring a decision for both lay and professional people. In order to facilitate shared aspects of decision-making, frames need to be aligned so that others understand the reasoning behind the decision. Alignment is facilitated in the following ways:

1. Talking about the decision aligns it with others. Discussion permits differences to be ironed out and mutually shared ideas to be grasped. This can be facilitated by identification processes, that may determine framing of the decision and thus
affect the salience of information and values. For example, seeing oneself as highly religious may affect the advice a G.P gives to patients concerning contraception (Chace, 1999).

2. Culture (Trice & Beyer, 1993) refers to a shared set of beliefs and values, e.g. a country’s culture or worldview or an organisation’s culture or worldview. People who share cultures often arrive at similar frames for situations. This sort of alignment can be subtler than the former method.

Following a review of naturalistic decision making research, it was evident that while references to contextual factors and social context were mentioned in theory, naturalistic decision making models have not explicitly addressed the effect(s) of social context and were still very ‘individualistic’ in their approach. This is a serious limitation of this work, in that it serves to limit the ecological validity of such models. The next two sections of this chapter will address the kinds of context-specific factors that need to be taken into consideration in terms of their effects on the decision making process.

3.3.4.1 Organisational Culture and shared representations

An organisation’s culture consists of the organisationally relevant beliefs and values that are mutually subscribed to by its members (Schein, 1985; Trice & Beyer, 1993). Organisations, therefore, prescribe what is necessary and expected of employees, what goals ought to be pursued and how one ought to pursue these goals (Beyer, 1981; Cambell & Nash, 1992; Weatherly & Beach, 1996). Sackmann, (1991, p. 21) described culture as the ‘collective construction of social reality’. Sackmann examined shared organisational knowledge and developed a cognitive model to represent all of these forms, from models of perceiving, integrating and interpreting, to the ideas (and scripts) they use in order to be able to arrive at decisions. She classified cultural knowledge into four different dimensions. Firstly, there is dictionary knowledge that provides definitions and labels for events. Secondly, there is directory knowledge that provides information for how things ought to be done within the organisation. Thirdly, there is recipe knowledge that prescribes what should be done and what should not be done in certain situations. Finally, there is axiomatic knowledge, which is the domain of top management and comprises the fundamental assumptions governing why things are done as they are. These knowledge dimensions
are particularly interesting in the light of how individual cognitive knowledge structures affect judgement and information processing in the context of work. They reinforce the notion that naturalistic models of decision making have to include explicit contextual features and that research methodology has to allow for contextual factors to emerge from the analysis. Organisational cultures are said to induce even more commonality than do national cultures (Trice & Beyer, 1993). National cultures often involve a variety of subcultures that share a small number of core beliefs and values that define them as part of the larger culture. Organisational culture, however, is thought to be more homogenous. This assumption is problematic when describing police occupational culture, reasons for which are discussed in the next section. If people dislike the culture of the organisation, it is easier to leave than to change it. Therefore, most people who are comfortable to remain in the organisation are fairly comfortable with the beliefs and values that make up its culture and with the way in which the organisation's members tend to frame situations. The larger the shared core within an organisation, the more similar the decision frames constructed by the organisations' members. Individuals in this organisational setting can usually make decisions that will neither surprise nor outrage other members (Beach, 1993). On the other hand, if the core is small, it is likely that conflict will arise, as there will be greater levels of disparity in how members conceptualise the decision space. Different people will have different frames and a decision may look wrong, foolish or malevolent to other members. According to Beach (1997), presence of a shared culture does not mean that things will always go smoothly but absence of one will almost certainly ensure that it will. A culture in which values are broadly shared is called unified and a culture where values are not broadly shared is called fragmented (Weatherly & Beach, 1996). This idea that a decision maker assesses the degree of compatibility of a particular decision option with the organisation's culture and tends to choose the option where compatibility exists has been examined by a handful of researchers (see: Beach et. al., 1988; Shockley-Zalabak & Morley, 1989). Beach et. al. (1988) found that the less broadly an organisation's culture is shared by members, the greater the disagreement among the organisation's executives about the acceptability of different plans. Shockly-Zalabak & Morley (1989) demonstrated that the greater discrepancy between value statements and rules that govern day-to-day behavioural expectations and the employees statements about their own values, the less satisfied employees were with their jobs, pay, opportunity to contribute and they gave lower
estimates of the company's survival. This work, however, does not examine possible disparities between an organisation's 'official' formal culture and its informal, sometimes more covert subcultures. These kinds of disparities will be important to consider when one is addressing the relationship between organisational culture of the police and investigative decision making. Ethnographic studies of the police have identified informal occupational norms and values operating under the apparently homogenous and rigid hierarchical structure of police organisations (Holdaway, 1983; Manning, 1977; Reiner, 1992). Police culture is discussed in the next section 3.3.4.2.

Janis & Mann (1977) outlined that culture has a downside, in that it can result in "groupthink" (Janis & Mann, 1977; Janis 1982) whereby in utter unanimity everyone heads off in the wrong direction. This was thought to be manifest through a failure to consider alternatives or question assumptions, the derogation of outgroups and the avoidance of information that might weaken commitment to a certain judgement. Frames that do not fit well with the organisational culture get little consideration, so novel viewpoints and fresh ideas are quickly quashed. This does very little for organisational innovation and change, as organisational reforms would be difficult to bring about as they often fly in the face of the organisation's culture (see: Chan, 1996; 1997). In this sense, the range of admissible frames in a decision making context is thought to be limited by the culture. Context can also impinge on decision frames when the stakes are high, according to Beach (1997). In these contexts, a first impression is seldom settled for instead information is sought to test the validity of the first frame and to guide in tailoring a frame that best fits the facts. This is likely to be important in legal decision making contexts, where the stakes are high and outcomes costly. In this context, after initial framing, a lot of the time is spent on fleshing out the understanding of the situation and making judgements (inferences) about those parts of it that are not wholly clear. This has direct implications for hypotheses relating to how the police frame and consequently investigate reports of rape.

While it is recognised that members in an organisation must work together in order to construct socially shared meanings and interpretations of events, shared understanding is never perfect (Beach, 1997). We know from research just described that people with more or less experience were likely to know different things about an issue. People with different experiences tended to frame things differently, and started from
different assumptions. In this way, people conceived different things about the problem. In aggregate, therefore, decision problems can be ill defined and the decision options not at all clear. In this context, most effort is not directed at reaching a decision, but in trying to understand the problem and to conceive of options for dealing with it. This is why so much work in decision making has been concerned with diagnosis. For this reason the decision making process in organisations has been described as a decidedly disorderly process, in which the search for a good definition of the problem engenders ideas about solutions that in turn influence the definition and further thinking about options (Beach, 1997). Organisational decisions from this perspective can look chaotic and involved. This description is confounded when one observes power differentials, coalitions etc. and the process gets even more complex. These considerations are key in the context of police culture – the topic of the following section.

3.3.4.2 Police Culture and sub-cultures

Much has been written about the ‘occupational culture’ within which the police operate. Fielding (1994) has referred to police culture as “an almost pure form of hegemonic masculinity” (p. 47). Police culture refers to accepted practices, rules, principles of conduct that are situationally applied and socially constructed rationales, attitudes and values (Manning, 1989). Reiner (1992) stated that ‘police culture has become a convenient label for a range of negative values, attitudes and practice norms among police officers. It is suggested that because police officers at the rank-and-file level exercise enormous discretion in their work, their informal working rules can subvert or obstruct policing reforms’ (p. 231). Skolnick (1966) described certain features of the ‘working personality’ of the police officer. These are a response to the danger of the task, the unpredictable and alienating nature of the work, the authority of the ‘uniform’, and the pressure to be ‘productive’ and ‘efficient’. Reiner (1992) further embellished this description by providing personality features related to the working personality of the police which include: a cynical, pessimistic and suspicious worldview (often derived from unfulfilled expectations of the job), isolationism coupled with a strong sense of solidarity with other officers (see also Fitzgerald, 1989; Prenzler, 1997), a conservative political and moral outlook (see also Chan, 1997), a pragmatic, down-to-earth, anti-theoretical perspective and a machismo and racist attitude (p. 129). Holdaway, (1983) describes police culture as: “a residual core of
beliefs and values, of associated strategies and tactics relevant to policing, (which) remains a principle guide for the day-to-day work of the file-and-rank officer" (p. 2). Despite Reiner's claims that police culture is not monolithic, many texts and studies treat occupational culture as an excessively unitary and deterministic concept (Prenzler, 1997). Studies have shown that there is much internal differentiation between ranks. Chan (1996) cited Reuss-Ianni (1983) who differentiated police or cop culture from police management culture or management cops. Most authors when referring to 'cop culture' are in essence referring to street-cop culture. Manning (1977) differentiated between command, middle management and lower participants. Cain (1973) differentiated between police who worked in rural locations and those who worked in city locations. Campbell (1999) cited Punch (1979; 1985) who illustrated that officers who police the red light district in Amsterdam were either 'asphalt cowboys' or 'uniform carriers'. Punch argued that police officer's values and behaviours were ultimately shaped by the unique area they police (1979, p. 19, cited in Campbell, 1999; p. 94). It is clear from this work that when one talks about police culture, it is with respect to a multiplicity of cultures that are situationally defined.

3.3.4.3 Socialisation and the investigation of rape
Being a member of police culture provides 'ontological security' and 'social identity' for police officers according to Campbell (1999). The feeling of having others around you as allies also generates a feeling of trust and these qualities go some way to describing the socialisation process - the process of acquiring an appropriate organisational identity and a growing acceptance of group informal norms, values and beliefs (Fielding, 1988). The socialisation process in police organisational culture has been studied with respect to police response to women victims of sexual aggression, with researchers claiming near universal (Heidensohn, 1994) approaches across individuals within the police culture. This is characterised by an exaggeration of aggressive physical action, competitiveness, and a preoccupation with images of conflict and heterosexuality acted out within a strong exclusionary environment of misogyny and patriarchy (Brown & King, 1998). In Australia, Nixon (1992) documented that attitudes of the police often reflect gender stereotypes, inherent in sexist informal occupational culture, which function to dismiss a complaint of rape as being provoked and deserved or of not having happened at all. This work suggests that police culture is inimical to sensitive investigation of sexual offences as
socialisation processes subject new recruits to intense peer pressure to conform to the norms of the group (Fitzgerald, 1989). In addition to this research has shown that new recruits frequently enter their new job with a strong attachment to official goals and that commitment is subsequently eroded as the officer becomes embedded and absorbed into the organisational context. Erosion of values often begins during the initial training phase (Ellis, 1991; Wrennall et. al., 1992). Shearing & Ericson (1991), however, suggested that police are active in constructing and making references to the culture as guiding their actions. Transmission of an organisation’s beliefs, goals, values is not merely by socialisation or acculturation but also through a collection of stories and aphorisms which serve as scripts and event schema to instruct officers on how to react and interpret new information. Stories provide a ‘vehicle for analogous thinking’, creating a ‘vocabulary of precedent’ and provide shared understanding (Shearing & Ericson, 1991). This has resonance with the previous discussion of shared decision frames and alignment. It was suggested that talking about decisions aligns it with others and that discussion permits ideas to be mutually understood and shared. This is part of the identification process and plays a crucial part in decision making. As far as this author is aware, no research has been published that purports to examine police narratives with respect to the socialisation process and the investigation of sexual crime.

Any thorough analysis of police decision making will have to consider that ‘police culture’ as a psychological construct has questionable analytic value. Instead, police subcultures and differing policing identities that are situationally defined, may be more valid points of departure. In addition to this observation, it was also considered important to recognise the active and interpretative role of police officers in structuring their environment and, hence, in structuring their decision space. This point, while not so evident in police culture literature (Chan, 1996), has been discussed previously with respect to police attributions and the decision maker’s active role in perceiving, attending to, interpreting and processing information. It has been explained that police culture plays an important function in the investigation of rape and that socialisation processes may operate to create an environment where sensitive investigation of rape is problematic. The next section will discuss aspects of information processing. This discussion will help to understand the process of diagnosis and also help to link diagnosis with information processing strategies in
terms of action selection and implementation. It is difficult to discuss information processing without reference to action selection. This is mainly because naturalistic decision making models (e.g. recognition models and story models) combine an analysis of both (and diagnosis), therefore, it was decided that there would be no extra value in separating these sections with respect to the present discussion.

3.4 Information processing

This discussion will begin by critically describing research in heuristics and biases. This body of knowledge came from the descriptive decision making tradition and is mostly laboratory based. It has, however, been hugely influential in naturalistic decision making. Following from this, naturalistic decision making models that include information processing strategies, such as recognition and story construction processes will be outlined. The way in which these models help in understanding investigative decision making will be discussed where appropriate.

3.4.1 Heuristics and Biases

Descriptive Decision making followed from behavioural decision research but was concerned with how people normally make decisions and judgements, rather than ideal ones. Because of this, the proponents of descriptive decision making have come from a psychological background, rather than an economic one. These researchers were concerned with the limits of human cognitive capacity and the processes of probability and frequency assessment. In examining how decision makers conformed to the expectations of normative theory a large body of work on heuristics and biases emerged. Much of this work relies on the contribution of two American researchers, Amos Tversky and Daniel Kahneman. These authors found that violation of both logical and statistical principles of probability theory when making decisions stemmed from several rules-of-thumb or heuristics that people employed to avoid over-loading themselves (see: Kahneman, Slovic & Tversky, 1982; Meehl, 1954). While heuristics are seen as rational, they can be misapplied and this can lead to error (Tversky & Kahneman, 1973; 1981; 1982; Kahneman & Tversky, 1982; 1984). For example, it has been found that people perform poorly when making probability
judgements. It is important to note that these heuristics are generally employed without reflection and conscious consideration of their usefulness or appropriateness. Tversky and Kahneman (1973) have outlined the most common judgemental strategies that decision makers use. These include the availability heuristic, representativeness heuristic, illusory correlation, non-occurrence, falsification and negative evidence. These will be discussed in turn.

3.4.1.1 Availability Heuristic

According to Tversky and Kahneman (1973) “A person is said to employ the availability heuristic whenever he estimates frequency or probability by the ease with which instances or associations come to mind (p.208). Availability heuristic describes how decision makers assess probability on the basis of how easily instances of the events in question can be brought to mind by the process of perception, memory or construction from imagination. This means that familiar events will be judged to be more probable than unfamiliar events. While this assessment might be correct, it can often fail to produce an assessment that conforms to probability theory. Events that are easy to imagine are, therefore, thought to be more probable than those that are not. This heuristic can be accurate to the extent that availability is associated with objective frequency levels. In this way the availability heuristic can lead to error. It is not, however, the sum total of occurrences that can be brought to mind that affects availability; it is the ease of retrieval, construction and association that provides the estimate of frequency or probability (Taylor, 1982). Therefore, the decision maker does not have to engage in lengthy, elaborate inferential processes of retrieval or construction. There are, however, factors that can affect perceptual salience or the ease with which something is recalled that are uncorrelated with frequency. Tversky & Kahneman (1973) outline two main classes of tasks where bias can occur – the construction of instances and retrieval of instances. Taylor (1982) suggests that construction and retrieval are also tasks of the social perceiver. She goes on to apply experimental findings in heuristics research to social situations where one constructs an event (e.g. how will an old woman react who has just been raped) or draws on previous examples, (e.g. past experiences of women reporting rape in the police station). When the availability heuristic is accurate, Taylor suggests, one’s assumptions will match those reached by employing a more elaborate, exhaustive procedure (1982; 1983). Bias, however, can occur when inferences are inaccurate.
Taylor describes how bias in the available data can bias subsequent social processes in three ways. “First highly salient data may be more available and hence exert a disproportionate influence on the judgement process. Second, biases in the retrieval process itself may yield an unrepresentative database. Third, the perceiver’s enduring cognitive structures such as beliefs and values foster preconceptions that heighten the availability of certain evidence, thus biasing the judgement process” (p. 192). One can see how all of the above can lead to biased social judgements. The first bias concerning salience has already been discussed in Chapter 2 where police attributions of blame were outlined. Research demonstrated that certain information was more available or salient to the police and that this information was given more weight when making a causal attribution. Hence, salience and availability factors affect attribution. An interesting aspect of research on availability is that while research does not deny that motivational factors can influence the judgement process, it strongly suggests that errors in processing can be understood without recourse to motivational explanations. This is particularly evident in research examining visual/perceptual salience.

3.4.1.2 Representative heuristic

Representative heuristic involves the application of relatively simple resemblance or “goodness of fit” criteria to categorisation problems (Nisbett & Ross, 1980). The representative heuristic is employed by decision makers who assess the probability of an event on the basis of how closely it resembles some other event or set of events. By this heuristic an event is deemed probable to the extent that it represents the essential features of its parent population or generating process (Tversky & Kahneman, 1973). A representative heuristic is employed in answer to many of the questions that form part of the laboratory experimental methodologies that characterise heuristic research. Probabilistic questions like: ‘What is the probability that object A belongs to class B?’ or ‘What is the likelihood that process B will generate event A?’ typically rely on the representativeness heuristic (Kahneman & Tversky, 1982). It has been demonstrated experimentally that this approach to the judgement of probability can lead to serious errors because representativeness or similarity is not influenced by several factors that affect judgements of probability – namely prior probability is neglected. In these cases, people are in error because important information has been neglected and relevant base rates have been ignored. (see: Tversky & Kahneman, 1973). However, it
is recognised that the Representative heuristic is an essential cognitive tool and one that is used efficiently in countless inferential tasks.

Past experience usually provides only a general strategy for dealing with the situation. The decision maker must diagnose the situation by evaluating the states of its most salient features. One can see here how availability and representativeness heuristics provide a natural explanation of how salient features might be identified by decision makers and how they might rely on their ‘small world’ representations and general knowledge to diagnose the problem. Klein’s (1997) work on recognition also has considerable importance here. This work is discussed in section 3.4.2.

3.4.1.3 Anchoring and Adjustment heuristic
Anchoring and Adjustment heuristics are employed when decision makers start from some anchor (initial value) and then adjust their assessment upward or downward in light of whatever considerations seem appropriate. This heuristic is usually employed in numerical prediction when a relevant value is available and as is not considered directly applicable to the research questions of this study.

3.4.1.4 Illusory correlation, non-occurrence, falsification and negative evidence.
In addition to the above heuristics, researchers have found an interesting bias in frequency judgements of the extent to which two events co-occur. Subjects tend to be able to identify very high or very low correlations but are unable to correctly evaluate moderate correlations (Chapman & Chapman, 1969). Experiments that have examined this Illusory Correlation demonstrate that subjects believe two events to be associated (if A, then B), even when they are not. Given that in social science most events are only moderately related rather than highly related, this presents a problem for association estimates. Tversky & Kahneman (1983) point out that the availability heuristic provides a good account for the illusory correlation effect. Subjects may be more likely to focus on present-present instances and fail to consider negative instances. For example, often when considering the link between pornography and sexual assault, the pornography present and assault present cases are examined (Chase, 1998). With respect to negative evidence, research has shown that people tend to ignore negative information (falsification) along with non-occurrence and the absence of events. This implies that once decision makers have made a decision they
tend to avoid information that contradicts or conflicts with their interpretation. Thus, one tends to justify the decision rather than test it. The relative extent to which these heuristics operate in situations where there are significant consequences to the decision is unknown; nor is the extent to which these heuristics are context specific.

While these descriptive theories claimed to be concerned with how individuals make decisions, their emphasis was focused on comparing normal behaviour with prescriptive models. The methodology for most, if not all, of the research on heuristics is experimental and hinges on subjects making probability judgements and estimates between options (choice). Research on heuristics and biases can further be criticised for its assumption of a decision maker as an information processor, thus obviating the agency that people have in constructing and 'choosing' to construct different representations of events. Also, the concept of 'bias' in decision making is problematic in that it implicitly assumes that there is an 'objectively correct' way of processing information. While some may suggest that an 'objective' and 'right' way to make decisions is prescribed by mathematical models, these have already been demonstrated to be inapplicable to human decision making and, hence, the question has to asked whether an objective right way of decision making can ever be suggested. This point will be discussed further in chapters 6 and 8.

With these limitations in mind, it is still the case that availability and representative heuristics help to explain decision making and are necessary to achieve a comprehensive description of the process, but they are not sufficient. These efforts at describing what decision makers actually do still fall far short of describing how people make decisions in 'real-life' everyday decision environments. Biases in salience, biases in retrieval, biases due to cognitive structures, (schemas, stereotypes, beliefs, values), can lead to heightened availability and to incorrect inferences in social judgement, but these in and of themselves do not give an adequate explanation of how people make decisions in real-life contexts.

3.4.2 Recognition and information processing
We have already touched upon aspects of recognition in our discussion of decision frames. Framing was described as a mental construct that involved recognising aspects of past experiences and beliefs and interpreting the salient features of the
problem with respect to these. ‘Small world’ representations (section 3.3.1), described by Simon (1954), involved recognising and interpreting salient features of situations. Beach (1997) suggested that the role of recognition in decision-making has two facets: Firstly, the context has to be taken into account, so the decision maker must be able to interpret ongoing events in terms of his or her past experience and existing store of knowledge. Past experience and knowledge about ongoing events are, therefore, crucial to any decision made in the real world. The second facet of the role of recognition is what Simon (1979) called Standard Operating Procedure which are programmed responses to specified situations (cited in Beach, 1997, p. 143). Standard operating procedures are generally very specific, such as: ‘when X arises, do Y.’ Recognition is simply matching features of the present situation to the ideal or prototypic situation X. Discretion is required by the decision maker in order to be able to assess whether the match can be made where the difficulties lie with respect to a mismatch. The prescription for responding is usually called the policy. When situation X is a broad class of situations that cannot be defined in sufficient detail to permit feature by feature matching, the policy gives the decision maker only a general idea about the appropriate response. This would more likely be the case in investigative decision making, if policies were employed at all. In this way, decision making is not so much pre-programmed as ‘constrained’ in which the constraints are imposed by the policy. Standard Operating Procedures have the advantage in that an important decision can be made once and then used on subsequent occasions for the same or similar situations. While this is efficient, it is also inflexible, it can make behaviour predictable and can encourage stereotyped responses to problems (Beach, 1997).

The most extensive research on recognition based decision making has been done by Gary Klein (1993) and his work has resulted in the Recognition Primed Decision model (RPD). Klein (1997) has described this model as “a naturalistic decision making model. It attempts to describe what people actually do under conditions of time pressure, ambiguous information, ill-defined goals, and changing conditions” (p. 287). The RPD model is based on research of experienced decision makers, working in complex uncertain environments, performing well-learned tasks (e.g. fire fighters, flight controllers, army tank operators). The model attempts to describe these types of decisions addressing processes such as situation awareness and problem solving. Policy or scripts have also been used when describing the model. The RPD model has
four main components: 1) Recognition of the situation, 2) understanding the situation (recollect past responses from experience and does it meet expectations), 3) serial evaluation of the potential of various sets of actions for solving the problem and 4) mental simulation of the possible results of using an action. The third and fourth component of Klein's model elaborate the kinds of processing involved in action selection.

The first assumption of the RPD model is that people can use experience to generate a plausible option as the first one they consider. There is empirical support for this assumption (Klein et. al., 1995). A second assertion of the model is that time pressure need not cripple the performance of expert decision makers because they use pattern matching (this strategy shares many overtones with Tversky & Kahenman’s representativeness heuristic). Klein provided support for this assumption by examining chess players decision making (Calderwood, Klein & Crandall, 1988). A third assumption of the RPD model is that experienced decision makers can adopt a course of action without comparing and contrasting possible courses of action. Kaempf, Wolf, Thordsen & Klein (1992) examined the various courses of action chosen by navy anti-air warfare pilots in actual encounters with hostile forces. They found that the majority of actions chosen by these pilots were adopted without deliberate evaluation.

Pattern or feature matching, according to Klein, are crucial functions involved in the diagnosis of an event. Diagnosis is the attempt to link the observed events to causal factors. Story building is another way of linking observed events to causal factors according to Klein (1997). Story building involves a type of mental stimulation in which a person attempts to synthesise the features of a situation into a causal explanation that can be subsequently evaluated (Klein & Crandall, cited in Zsambok, & Klein, 1997). Mental simulation can be used to project a course of action or to retrospectively make sense of events. Story building is discussed in more detail in the next section.

The assumptions of Klein’s work are interesting with respect to the aims of the present study, particularly Klein’s finding that the more experience the decision maker has in the area in which decisions arise, the greater the role of recognition. It is
important to bear in mind that Klein chose well-learned performances of expert decision makers and examined the links between context, goals and action and how these are so inextricably linked and thoroughly learned in order to be automatic, requiring virtually no reflection. It is unknown the extent to which recognition and diagnosis is automatic with decision involving human behaviour. Findings of this nature suggested that it was important to compare the responses of more experienced Garda with less experienced Garda, in order to elaborate any differences in the decision making process.

3.4.3 Story building and information processing

As mentioned by Klein in his RPD model, people attempt to understand the causal forces at work in a situation. Nowhere is this more true than in investigative decision making where the reconstruction of past events is elemental to investigative goals. Naturalistic decision theory suggests that people formulate causal rather than statistical models and base their judgements on what they see as logical consequences of these causal forces. Causal logic or knowledge based logic may be an equally reasonable way of thinking about decision tasks according to some of the work in this field. This type of information processing is evident in models such as the ‘scenario model’ (Jungermann, 1985), the ‘story model’ (Pennington & Hastie, 1986; 1988), and the ‘argument model’ (Lipshitz, 1993). The following section will describe the story model of decision making as it is thought to have considerable bearing on the research questions and context of the present research.

Pennington & Hastie (1985; 1986; 1988) explored the role of narratives in organising complex bodies of information in jury decisions. The authors maintained that their work on naturally occurring jury decisions demonstrated that “reasoning under uncertainty does not follow nor is it expressed in terms consistent with conventional probability theory; and that the penultimate stage of the decision process involves reasoning about multi-attribute verdict categories rather than a unitary culpability dimension” (p. 243). Pennington & Hastie (1986) hypothesised that jurors impose a narrative story organisation on trial information and evidence, in which causal and intentional relations between events are central. Participants were taken to a jury room in a courthouse where they watched a videotaped trial and were interviewed afterwards. The story model consisted of three components: Evidence evaluation
through story construction; decision alternative representation (verdict category establishment for the juror task) and story classification (selecting the verdict category) (Pennington & Hastie, 1986). Similarly to the recognition primed decision making model, the story model also elaborated about action section stage of decision making.

Pennington & Hastie found that jurors’ decisions were dependent on knowing the circumstances that led up to the event. Jurors ‘economically’ organised the information into a story that was inferred from the testimony, in combination with his or her general knowledge about the world – stories had a beginning, middle and end in typical narrative style. Stories presented to the participants were brief and to the point. Irrelevant information was not included in the stories. When information was not included, the jurors made up inferences based on the parts of the story they had already constructed. Over one half of subject’s story references were to events directly testified. The remaining events (45%) were inferred actions, mental states and goals that served to fill episode structures (Pennington & Hastie, 1986, p. 249). General knowledge about the structure of human purposive action sequences, characterised as an episode schema, served to organise events according to the causal and intentional relations among them as constructed by the juror.

When the story was completed the jurors made a verdict that most closely “fitted” the story. Jurors, however, depending on the story they constructed reached different verdicts - this is because they often based the story on what they themselves would do in the specific circumstances or what other people would be likely to do. Pennington & Hastie (1986) show that: ‘variability in the story construction stage is systematically related to verdict choice although variability in the other two proceeding stages is not systematically related to verdict choice’ (p. 253). That is, the story was heavily dependent on the jurors’ implicit theories of human behaviour. Not everybody had the same implicit theory. “The story is established by inferring events not included in the testimony from frames of world knowledge matching events already established. Inferences are evaluated by simulating one’s own behaviour in similar situations, by checking for contradictions with other plausible conclusions, and by checking for inconsistencies with the current form of the story” (p. 254). Importantly the focus is on interpretation and evaluation and not (like in normative
theorising) on direct relations among information and computations of the worth of options on a single dimension (utility). The story model involved the construction of a mental model and was primarily used to explain and understand the past. In addition, scenarios allow one to understand the past, but in addition they are used to construct the future. In both models, knowledge about the past constrains decisions and thus influences what the decision maker will do in the future. Narrative models and explanation based decisions provide valid and insightful directions for this thesis as it is likely that causal reasoning plays an integral role in police decision making during rape investigations. One important distinction that distinguished jury decision making from police investigative decision making deserves attention. During investigations, the police play a more central role in constructing the story themselves. To a large extent, they seek out information and choose what information they want to search out. The police decision maker has considerable more agency than jurors, who in the main receive information in an highly controlled and prescribed way. One could argue that prosecutors, defence barristers and judges impose competing story structures on jurors. It was thought interesting to examine the relative importance of story structures to police investigations.

Pennington & Hastie suggested that the use of causal reasoning in the story model is distinct from attribution research in two main ways. Firstly, they explained that causal reasoning occurs through the employment of knowledge structures (e.g. episode schemata) representing some part of the real world. The emphasis is on comprehension that has a deductive nature. This is in contrast to attribution models where inductive calculations are posited (Kelley, 1973; Jones & Davis, 1965). Secondly, most attribution research (and that described in Chapter 2) has involved decisions in which a judgement of a cause’s identity or strength defines the subject’s task. In juror decisions, like police decisions, causal attributions are instrumental to the task as they identify relevant information through comprehension processes. Attribution theory clearly has a place in judgement making, yet the above distinction suggests that deductive reasoning may be a more representative information processing strategy than attribution processes. Pennington & Hastie’s (1986) findings are of further relevance to this thesis as, similarly to juror decisions, the police also have to consider evidence with respect to alternative legal categories, prescribed by law. At some part of the investigation it is likely that the decision maker will have to
consider and establish the legal categories and crime classifications and the features of the case. This stage is complex and in Pennington & Hastie’s model involved the representation of each verdict alternative as a category with certain defining features and a decision rule specifying the appropriate combination. It is likely that legal categories will also play a role in police decision making.

### 3.5 Action Selection

Both the recognition model and story model elaborate strategies for selecting an option and making a decision. Among these were serial evaluation of various sets of actions possible, mental simulation of the possible results of using an action, representation of verdict categories for example. In addition to these, Hebert Simon argued that decision makers instead of trying for an optimal solution, or being entirely rational, a decision maker might actually just settle for an adequate solution and in so doing saves on resources. This strategy is called satisficing. Simon (1955; 1979) described satisficing as another way of reducing the information processing load of the decision-maker. The decision maker has some set of standards that an option must meet in order for it to be at least minimally satisfactory. The first option that comes along that meets all of the standards is the one that is selected. The simplicity and ease of use of this decision strategy make it worthwhile to take the risk of not choosing the best option in favour of choosing a less satisfying one. This strategy is neither ‘rational’ in the sense of following prescriptive theory, nor does it require the computational effort as dictated by prescriptive theory.

The nature or specific domain of the decision is another important factor that is thought to permeate decision making and affect ultimate action selection. It is evident from the research discussed up to this point that decision making research has mostly focused on non-emotive, non-controversial, non-behavioural decisions. This thesis concerns rape. Rape is a highly emotive topic and one that is associated with a whole host of differing and extreme beliefs, as discussed in Chapter 2. Although contemporary attitudes toward rape have become more positive in recent years, these attitudes continue to be complex and varied (Payne, Lonsway & Fitzgerald, 1999). It
is probable that police behaviour may be influenced by the individual's bedrock beliefs about what is moral and ethical and, therefore, prescribed and proscribed. This is related to the issue of ethics or deontology, which refers to the influence of moral obligation and commitment on human behaviour. Etzioni (1993) has been the primary proponent of a deontological perspective on decision making. Etzioni described three sources of influence on decision making. Two of these, the utilitarian and social have already been discussed. The third component, the deontological, suggests that moral and ethical considerations, internal to the decision maker, play a part in the decision making process. Community values and goals are embodied in social relationships and in institutions, and are social products involving the obligatory actions of one party and the rights of another (Anderson & Carter, 1984). It will be interesting to note if moral and ethical considerations emerge from this work and if these interact with the investigative context in terms of the perceived values of the organisation, the wider community and the decision maker to affect what decision is made.

3.6 Research on police decision making

A brief review of the literature reveals that the application of social scientific methods and theories to the investigation of criminal events is a relatively new phenomenon. Generally, concern has been on improving the performance and success of investigative decision making via the application of normative theories and expert systems, (e.g MIRIAM, HOLMES), rather than the analysis of actual decision making and the mechanics of the process of judgement inherent in an investigation. Clearly, the sensitive nature of the latter and the consequent difficulty of gaining access to closed organisations and recruiting adequate numbers, is one of the main factors impinging the completion of such research. Some studies that have explicitly examined decision making in the police include the following: Smith (1987) examined how police handled violence between citizens and found that decision choice was affected by who was involved in the violence, (e.g status in the neighbourhood), as well as what had occurred. This finding supports other research that has highlighted the importance of situational variables in the arrest decision (Bynum, Cordner, & Greene, 1982; Robinson, & Chandek, 2000). Waaland & Keeley
(1985) investigated the effect of legal and extralegal factors on police officers' decisions to arrest or not in cases of wife abuse. Regression analyses suggested that victims' extralegal behaviour generally was the primary determinant of responsibility assigned to both victims and assailants.

Empirical research examining bias in police investigations of rape has been more informative, yet remains extremely limited. Wrennall, Tuohy & McQueen (1992) examined whether discretion is relatively more influenced by police officers' training or experience, on decision to arrest for a motoring offence. These authors highlight studies that have shown that a police officer's decision to prosecute can be shown to be based on factors outwith the offence itself, such as perceived seriousness of the offence, departmental policy, the demeanour of the offender and context in which offence occurred (Sykes, Fox, & Clark, 1976, cited in Wrennall et. al., 1992). These authors hypothesised that an officer's behaviour will be strongly influenced by operational experience and by the informally acquired norms of conduct prevalent within the police force. It is also possible (as demonstrated by Van Maanen, cited in Wrennall et. al., 1992) that informal norms of conduct are often more powerful in controlling behaviour than standards instilled through formal training. These authors gave police officers, (new recruits and members with one years experience), a questionnaire concerning how to resolve a hypothetical encounter, (in terms of prosecuting or not), both before and after a training programme was completed. Findings suggest that socialisation activity is at least as important in shaping new recruits' values and discretionary judgement as the more traditional methods of induction. Certain elements of judgement were not susceptible to socialisation or training, thereby suggesting that judgements concerning extenuating circumstances are more influenced by operational experience.

Research on police discretion has found that discretion is more often used for traffic violations and victimless crimes (Albanese, 1984). In many cases, the police have little or no discretion due to the nature of the violation and other legal and policy constraints. With respect to rape, it is true that there are legal constraints governing the level of discretion that can be used. Once a formal complaint has been received by An Garda Síochána it is incumbent upon them to investigate it. Various decisions,
however, within any investigation are open to judgement and interpretation and, hence, discretion is inevitable.

Police decision making research, discussed above lacks a consistent and integrated theoretical formulation making conclusions difficult to generalise and the decision making process in this context little understood. Moreover, there is no research on any aspect of police decision making processes in Ireland. The present work has strived to bring together theoretical and empirical work arising from laboratory studies of schema, attribution processes, stereotyping and formal information processing in decision making, along with empirical work arising from more naturalistic perspectives. It has attempted to expand and clarify these findings with respect to how investigative decisions may be made and how constituent parts of the process may be interrelated.

3.7 Conclusion and research questions

This chapter has elaborated the reasons why a naturalistic decision making paradigm was considered to be the most appropriate for this research. In brief, the naturalistic decision making perspective provides a repertoire of conceptual tools (from framing and diagnosis, to heuristics and narrative structures) that were thought most useful in enabling research questions to be addressed. The naturalistic decision making paradigm is also sympathetic to the basic decision making assumptions of this research and provides a good fit. These include an assumption that decisions are not solely a matter of choice and that multiple outcomes are likely to be involved. Decision making is conceptualised as primarily interactional, and context specific where cognition is bound to and constrained by social context. Decision makers are conceptualised as having an active role in constructing events and determining outcome. Decision makers are also thought to be reasoned social beings, but not rational in terms of mathematical logic. The focus of this research was on describing and explaining the decision making process in terms of how and why Gardai make the decisions they do; this aim was also supported by the naturalistic decision making perspective.
While the first study of this research is necessarily exploratory in nature, it was
critical that methodological consideration be given to issues of diagnosis, schema,
decision frames, context, socialisation processes, information processing, heuristics,
recognition processes, causal structures and action selection. Social context and group
processes, in particular, were important to consider here, as previous naturalistic
decision making models had a highly individualistic perspective and lacked these
dimensions.

With an explicit focus on process and how social psychological factors interact, the
research aims to develop a set of propositions whose interrelatedness is made explicit.
This will culminate in the development of an explanatory model delineating the
decision problem space, the decision process itself and to what extent it is affected by
social psychological and contextual factors. Of critical importance here will be how
the decision frame and knowledge structures are related to subsequent information
processing and behaviour. An elaboration of the cognitive strategies that police
officers employ to enable a decision to be reached will also be made.

Previous research on decision making led to the suggestions that by comparing male
and female police officers and experienced and inexperienced police officers in An
Garda Síochána it will be possible to explore issues of gender socialisation,
occupational culture and expertise, as these relate to decision making processes in
investigations of rape.

It is envisaged that by making the decision making process empirically explicit, the
process of attrition can be more fully understood and behaviour modifying variables
identified. The ways in which this will be achieved is the subject of the next chapter
addressing epistemological and methodological issues.

By its very nature, the naturalistic paradigm implies an in-vivo, qualitative
methodological approach. The next chapter will examine epistemological and
methodological issues that will need to be clarified and delineated in order to resolve
the above questions. This will result in clear and definite directions for how the above
research questions and can be further clarified, defined and operationalised.
Chapter 4

Epistemology, research methodology and research methods

4.0 Introduction

It was outlined (in the previous two chapters) that this work seeks to uncover how police decision makers interpret, frame, and diagnose rape investigations and how they go about making key decisions. From a naturalistic perspective, this work seeks to examine the meanings police attach to different stages of the decision making process and to highlight links between beliefs and investigative decisions and behaviour. Similarly to what Geertz (1983) outlined, this work attempts to arrive at theoretical statements of general scope and applicability, and to keep these statements close to the distinctive meanings described by decision makers, as the naturalistic perspective advocates.

In keeping with the decision making and naturalistic assumptions outlined in Chapter 3, this research has adopted a weak social constructionist epistemological position to the production of social scientific knowledge. The aim of this chapter is to critically discuss the rationale for this choice, in addition to methodological and technical considerations. The main methodology employed for this work is qualitative methods. Qualitative data will be derived from semi-structured interviews and subjected to a grounded theory method of data analysis. Content analysis will also be used. Issues involved in the production and analysis of good qualitative data and good qualitative practice are further discussed in this chapter.

Epistemological considerations are firstly addressed. This includes a discussion of social constructionism (and how it differs from a positivistic perspective) and how this epistemological perspective ‘fits’ with the conceptual tools of social cognition and quantitative methodologies. Following from this, is a discussion of qualitative
research methods and issues for developing good practice. The grounded theory method, its assumptions and value for the present study are outlined.

4.1 Epistemological considerations

Harding (1987, p. 2/3) pointed out that epistemological position (a theory of knowledge or strategies for justifying beliefs) should be distinguished from research methodology (way of proceeding in gathering evidence) and in turn from any specific method adopted (research strategy or technique). It is important to recognise that the choice between quantitative and qualitative methods was not purely a technical consideration, dictated by the nature of the research questions. Above and beyond technical considerations, was the necessity to situate choice of method within epistemological considerations. This had implications for the production of empirical material and more importantly, its evaluation.

4.1.1 Epistemological position of this research

The previous chapter outlined the basic decision making assumptions underlying this work; namely, decision making was conceptualised as a dynamic, interpretative, interactional process that results in action. Decision making was conceptualised as a social process, inextricably linked to the context in which it occurs. The decision maker was conceptualised as a purposeful agent who interacts with the environment and is not a mere ‘logical’ information processor. It was demonstrated that traditional, positivistic approaches to the study of decision making failed to accurately describe decision making in real-life, complex task environments.

In contrast to the positivist epistemology of traditional decision making, the epistemological position of this work is located within the social constructionist approach. This approach to the production of knowledge recognises that the reality experienced by people is shaped by the meanings they attribute to their social and cultural environment. Therefore, human experience is mediated historically, culturally and linguistically. This perspective emphasises the uniqueness of human beings in nature, especially that human beings ‘act back’, or interact with their environment
rather than passively respond to their environment (Charon, 1996). This approach fits well with naturalistic decision making as it argues that people construct their own reality and that perception is an active process informed by the individual’s own and their community’s pre-existing understanding of reality. It is important to recognise, however, that social constructionism represents a widespread paradigm within contemporary social psychology and it underpins a plethora of methodological approaches, (e.g. symbolic interactionism). This research adopted a weak social constructionist epistemological perspective, the reasons for which are outlined in the next section.

4.1.2 Social constructionism and the dilemma of ‘truth’

Social constructionism evolved from feminist critiques of established positivist epistemologies (Willig, 2001). In particular, many radical challenges had been made to the hegemonic ideal of hypothetico-deductive models of knowing (based on the deductive testing of causal relationships) derived from natural sciences within psychology (see: Gergen, 1973; 1985; Henriques, Holloway, Urwin, Venn & Walkerdine, 1984; Semin, 1986). This epistemological position is buttressed by its rules of objectivity, reliability, validity and generalisability. Positivism in psychology has been almost exclusively concerned with quantitative methods, where data is employed to fit a prior theory. A central epistemic value ascribed to the positivist tradition is the concept of ‘value-neutral psychology’, which is thought to result in pure knowledge and truth. It is with this value that social constructionism radically departs from positivist epistemology.

Social constructionism asserts that multiple perspectives and subjectivities (truths) are inherent in any worldview. Strong social constructionism challenges the assumption that reason can provide an objective and universal foundation for knowledge and further contends that language does not have an independent objective meaning outside the social and relational context in which it is spoken (Derrida, 1991). Strong social constructionist thought argues that there is no real ‘truth’ and that all subjective meaning is relative and multiple. For example, Denzin & Lincoln (1994) discussed the crisis of representation in the post-modern tradition and stated that interpretative theories challenged qualitative researchers with the proposition that they cannot
directly capture lived experience. "Such experience, it is now argued, is created in the social text written by the researcher" (Denzin & Lincoln, 1994; p. 11).

There is a tension between reconciling strong social constructionism (and the idea of multiple realities) with the ideas and conceptual tools used in socio-cognitive research (decision frames, schema, attitudes etc.). These tools, discussed in Chapter 3, are considered to be elemental to a comprehensive understanding of decision making processes yet they presuppose that there is a cognitive life world to be explored, both in terms of its content and mental mechanisms. Traditionally the social cognitive approach is a realist epistemology, which some would argue is at odds with strong social constructionism (e.g. Parker, 1990; Potter & Wetherell, 1994 (who argue that prototype and stereotypes do not exist)). This research contends that it is possible to find a happy medium between on the one hand a commitment to truth and the realism of science and on the other hand the recognition of relativism and multiple perspectives (see: Hammersley, 1989). By adopting a weak social constructionist view it is acknowledged that people can express divergent and often conflicting views (depending on the situation), yet it is argued that coherence can be identified in what people say. Augoustinos and Walker (1996), point out that despite the criticism of rating scales etc., one of the most robust findings in social psychology is that people describe a core set of consensual descriptions to describe social groups. Research has indicated that well developed schemas, particularly social stereotypes, generally resist change and continue to exist even in the face of contradictory and inconsistent evidence (Hopkins & Routh, 1992). Adopting a weak social constructionist approach, does not suggest that people employ stereotypes consistently and always, but stereotypes are "a particular kind of ‘cognitive resource’, or alternatively an ‘interpretative repertoire’ which is relatively stable, shared and identifiable" (Augoustinos and Walker, 1996, p. 275). The ease with which people can identify and describe attitudes or stereotypes and their consensuality is indicative of their cognitive and symbolic importance. It is quite possible to maintain this belief while also recognising the social constructionist nature of social categories, in terms of the way people use them in discourse and their functional nature in terms of providing meaning and definition (Edwards, 1991).
In addition to the above rationale, this research also argues that there is a whole gamut of criteria for judging between alternative and competing accounts of a situation. From systematic, rigorous methodological inductive techniques, to constant questioning of the researcher, to careful attention to the material and methods employed, to findings based on multiple sources of support that increase validity, to feeding back findings to participants. This view argues that legitimate or ‘warranted’ data can be generated through qualitative research methods (Henwood & Pidgeon, 1992; 1994) and that qualitative findings can be justified as plausible, relevant, understandable and applicable.

In line with social constructionist thought, this research accepts the socially constructed nature of human experience and that human experience is shaped and constituted by interaction, communication and cultural and socio-historical forces. In this way human cognition is always socially situated. This research also attempts to move away from a purely individualist perspective of decision making and embraces the social nature of interaction and interpretation. Social constructionism highlights the role of the researcher as important in interpretative work of generating new understanding and theory. The latter point will be discussed in more detail in section 4.4.1.2.

The research aims for the first study naturally overlap with the goals of qualitative research. For example, Emerson (1983) stated the goal of fieldwork is to “arrive at theoretical propositions after having looked at the social world, not before” (p. 93). It is clear that initially, the quantitative approach with its emphasis on deduction and the generation of formal hypotheses from existing theories and the subsequent testing of these hypotheses against the data generated, is unsuitable for our purposes. A qualitative approach will ensure that theoretical conclusions of police decision making in rape investigations will be based on participants’ understanding rather than on deduction from received theory, which has already been outlined as unsuitable for the context of this study (see Chapter 3). Section 4.3 will describe what is meant by qualitative methodology and section 4.6.3 describes the fusion between inductive and deductive techniques in qualitative analysis. The following section outlines a research agenda involving the use of mixed methods.
4.2 The case for ‘mixed-methods’ research

It is important to avoid viewing qualitative and quantitative methods as deriving from incommensurable paradigms. In practical terms, Henwood & Pidgeon (1992) pointed out that this would deny the possibility of strengthening research through the use of a principled mixture of methods. Most commonly accepted in psychology is the practice of grounding quantitative research by prior use of qualitative investigation, to ensure that quantitative measures assess issues that are relevant to the research problem in context and salient to participants. A second possibility is to use qualitative and quantitative research methods in parallel. For example, Silverman (1985) describes how “simple counting techniques can offer a means to survey the whole corpus of data ordinarily lost in intensive, qualitative research. Instead of taking the researcher’s word for it, the reader has a chance to gain a sense of flavour of the data as a whole. In turn the researcher is able to test and revise his generalisations, remove nagging doubts about the accuracy of his impressions about his data” (p. 140). In the next paragraph Silverman (1985) adds: “simple methods of counting can deepen and extend qualitative analysis of linguistically-structured realities” (p. 140).

Inductive and deductive methodologies are not anathema within a social constructionist framework. Epistemologically, theoretically and practically, it is possible to progress with this research framework from induction through to a hypothetico-deductive phase consistent with a naturalistic decision making perspective. It is possible to harness different methods of data collection within different research paradigms as basic epistemological assumptions do not contradict one another. It can further be argued that using mixed methods strengthens one’s research by enabling research questions to be addressed from different perspectives and standpoints (see: Smith, 1996). This research will begin with an in-depth series of interviews with Gardaí in order to develop a naturalistic decision making model of police investigations of rape. This will be followed by a questionnaire study that will attempt to operationalise key constructs within the model, in order to develop our understanding of how the component parts of the model interrelate. It is hoped that the
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Qualitative analysis will inform the type of conceptual categories to be employed in the quantitative survey and that the use of both methods will create opportunities to synthesise the strengths of both methodologies (see: Pondy & Rosseau, 1980). Essentially, within a weak social constructionist paradigm, there does not have to be a tension between the use of qualitative and quantitative research methods.

From a weak social constructionist perspective this research, therefore, aims to answer research questions by employing both qualitative and quantitative research methods.

4.3 Qualitative research methods: A brief introduction

Glaser & Strauss (1967) outlined in their seminal work, 'The Discovery of Grounded Theory', that the status of qualitative work was at an all time low at that period. They developed Grounded Theory in response to the lack of theory development within sociology. Grounded theory is the choice of analytic method employed in this work and is described in section 4.6. Henwood & Pidgeon (1992; 1995) pointed out that similar problems existed in contemporary psychology. This acknowledgement has been accompanied by a concomitant increase in the acceptance, development and use of qualitative methodological techniques in psychology (e.g. Henwood & Pidgeon, 1992; 1994; 1995; Potter & Wetherell, 1994).

Lincoln & Guba (1985) outlined that a qualitative or 'naturalistic' paradigm is concerned with delineating the meaning of experience and behaviour as it is situated within the context and allowing for complexity to emerge and be accounted for. Within this naturalistic paradigm the imposition of a priori categorisations and theory was anathema, while an emphasis on grounding concepts in data was paramount. The qualitative paradigm promotes the search for intersubjective meaning or verstehen rather than abstract, universal laws (Verstehen is akin to the hermeneutics approach of Heidegger (Packer & Addison, 1989)).

Qualitative research has been said to defy "comprehensive definition" (Stiles, 1993, p. 594) and is generally explained by describing its features and elaborating the central
ways in which it diverges from quantitative research. While theory is the goal of both quantitative and qualitative methodologies, the relationship between theory and the research process is different for both. As previously outlined, with quantitative research the emphasis is on constructing *a priori* hypotheses from theory before the collection of data. With qualitative research the emphasis is to derive this information relating to theory from the data. With qualitative research events tend to be understood and reported in context. This is with respect to both the social and cultural context and the research setting. Qualitative research addresses the problem with quantification whereby uniqueness and human experience is neglected in favour of forcing internally structured subjectivities into externally imposed ‘objective’ systems of meaning (Henwood & Pidgeon, 1992).

Within the qualitative paradigm are many different methodological techniques and philosophies. For example different approaches include ethnography, ethnmethodology (Garfinkel, 1967), symbolic interactionism (Blumer, 1969), Verstehen and hermeneutic investigation (Packer & Addison, 1989), constructivist approaches (Gergen, 1982; 1985b; Harré, 1987). Different methods of data analysis include, grounded theory (Glaser & Strauss, 1967), discourse analysis (Potter & Wetherell, 1994), protocol analysis (Newell & Simon, 1972), narrative analysis (Reissman, 1993), content analysis (Krippendorf, 1980).

### 4.4 Qualitative methodology and evolving good practice

Qualitative research has been criticised by those subscribing to the positivistic tradition as the standards of quantitative research are generally absent from such work. These standards that serve the myth of ‘objective truth’ involve an emphasis on validity (face, external, internal, concurrent, predictive, construct), reliability (internal consistency), generalisability and verification (Cronbach, 1970). The shift in focus in the qualitative paradigm away from objective truth and toward *verstehen* is matched with a similar shift in the criteria used to evaluate it. Of course, there are no methodological criteria or standards capable of guaranteeing absolute accuracy in research – either quantitative or qualitative. A number of researchers, however, have
generated methods for good practice in qualitative research (e.g. Emerson, 1983; Henwood & Pidgeon, 1992; 1994; Stiles, 1993;). These procedures guide the process of research and guide its evaluation also. They include a concern with credibility and trustworthiness (reliability and validity) and transferability (generalisability). Both will be discussed in turn.

4.4.1 Credibility

One of the main issues that researchers from the hypothetico-deductive tradition maintain, is the issue of reliability or lack of credibility and validity in inductive methods. Stiles (1993) argues that reliability and validity are better understood by the term ‘trustworthiness’ in qualitative research. Stiles (1993) argues that ‘trustworthiness of observations’ should replace the idea of reliability in positivistic research and ‘trustworthiness of interpretations’ should replace the validity concept. With this in mind, positivistic procedures such as inter-coder reliability are less relevant when evaluating qualitative analysis, the final goal of which is not to attempt to achieve some external ‘objective’ truth.

The first consideration to be discussed that underlines both of the above trustworthiness propositions concerns the quality of the data on which analysis is performed. It is important to ensure that the data forming the basis of qualitative analysis represents accurately the information the researcher intended to seek. With respect to the current research, it is important to attempt to ensure that retrospective verbal accounts of participants’ decision making are credible representations of decision making in the workplace. This question will now be addressed.

4.4.1.1 Retrospective verbal accounts – are they good enough?

Nisbett & Wilson (1977) expressed doubts about people’s ability to report on their past behaviour and events. Other researchers, however, have asserted that individuals

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12 Naturalistic decision making assumes an in-vivo approach to studying decision processes. The context of the present work precluded observational research methods and it was also impossible to obtain any taped recordings of the investigative interview as it is not police policy to record such interviews. Interviewing Gardai provided the ‘closest’ data that enabled the development of a naturalistic decision making model.
are well capable of describing and giving sensible accounts of their perceptions and ideas and behaviours (Harré & Secord, 1973). Lawrence, (1994) stated that qualitative analyses of people’s cognitive processing have resulted in rich data about peoples’ perceptions of their own knowledge and strategies. Harré & Secord (1973) explain that people are very often the best commentators on their own covert personal thoughts and behaviour, as they experience their thoughts and hence have privileged access. An observer can make inferences about another person’s perspective but these inferences are constructed in the observer’s mind. It makes sense to go directly to the individual and ask them. Some researchers have contended that when people attempt to report on cognitive processes, they do not truly introspect but instead draw upon a priori implicit causal theories about the extent to which a given statement is plausible (see: Nisbett & Wilson, 1977). Ericsson & Simon (1980) have cited evidence supporting their prediction that verbal accounts can be accurate if they address processes that are actually attended to and registered in short-term memory. An implication of this work is to ask questions about topics that are likely to be consciously thought about. Ericsson and Simon (1980) outlined that one of the key differences in eliciting ‘trustworthy’ participant accounts and untrustworthy accounts was whether the information obtained is in the participant’s awareness. This involves asking what rather than why questions:

“Suppose that subjects in a problem-solving experiment are asked whether they used subgoals to solve the problem or solved it directly. If they assert that they used subgoals, this would hardly be conclusive evidence that they did, for it is easy to propose models of their cognitive processes that would permit them to generate this answer without consulting memory traces of the solution process to search for one or more subgoals among them. On the other hand, if a subject, in a reply, at once described one or more specific subgoals and these were both relevant to the problem and consistent with other evidence of the solution process, then it would be more difficult to construct a model of the cognitive processes that would produce this information without hypothesising that it was stored in, and accessible from, the subject’s memory of the steps taken in solving the problem”. (Ericsson and Simon, 1980; p. 217).
The interview schedule was designed, primarily, to elicit information with respect to *what* questions (e.g. what is the main decision to be made, what did you do in this instance, what was the procedure undertaken, what was your reaction etc.). *Why* questions were asked of respondents when their causal reasoning was of interest and to examine the rationale behind certain beliefs and actions – particularly when making judgements and attributions of others (why do you think people do those things as you describe?)\(^{13}\). Semi-structured interview design facilitated the generation of ‘what’ information, through the use of open-ended questions and building the responses of the participant into the analysis. By this I mean, enabling the participants to talk about whatever aspect of the interview agenda he or she deemed relevant. Another technique employed that facilitated the generation of ‘what’ information was to express ignorance with respect to the subject matter. In this way participants were encouraged to give detailed responses and to give voice to implicit assumptions and otherwise ‘obvious’ information (see: Willig, 2001).

In addition to the importance of the quality of data that provides the basis for analysis, it is also important to consider trustworthiness of observations and trustworthiness in the production of interpretative conclusions or in the process of analysis. In response to these considerations, two important research practices are encouraged to facilitate good scientific practice: 1) The need for the researcher to be overt and explicit with respect to values informing the research and the values of the analyst. This is often referred to as reflexivity. 2) The requirement for the research process to be clearly and accurately recorded and delineated. Both of these points will now be discussed.

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\(^{13}\) It was found that participants in this study often responded to ‘what’ questions by simultaneously providing answers to ‘why’ questions. For example, when participants described the last case of rape they had dealt with or heard of in work (responded to a what question), they often elaborated in-depthly on the reasoning behind their behaviour or thought processes. Therefore, if the researcher then asked the participants a why question (e.g. why is it that so many women are making false reports of rape?) the answers to this question overlap demonstrably with the description of the last case they dealt with. This pattern supports the contention that the data collected is internally coherent and consistent.
4.4.1.2 Reflexivity and the importance of values

Prilleltensky (1989) has pointed out that one of the most influential factors interfering with an understanding of psychology in a social context is the refusal of psychologists to elaborate the role of values in their discipline. The perception of social science as value-free has changed considerably over the years. Prilleltensky (p. 797) cites Howard (1985; p. 255) who stated “although philosophers of science still debate the role of values in scientific research, the controversy is no longer about whether values influence scientific practice, but rather about how values are embedded in and shape scientific practice”. Gergen (1973; p. 312) states that “value commitments are almost inevitable by products of social existence, and as participants in society we can scarcely dissociate ourselves from these values in pursuing professional ends”. Handy (1985) takes this one step further and states that a research framework that avoids the inherent problems of the positivist approach would have to include the recognition that “both the experience of self and many forms of psychological theorising are influenced by the wider social setting and secondly that the products of psychology may become integrated into and influence the wider culture, thus helping construct the very phenomena the discipline sets out to study” (Handy, 1985, p. 161).

Rennie (1988) discussed that it is difficult for researchers to fully outline their implicit assumptions about their work. Chapter 2 and Appendix 2.1, go some way to outlining the values of the current research with respect to rape and its investigation. Underlying research on rape and the legal process is a belief that women and men who have been raped ought to be treated sympathetically and that all victims of crime ought to be given a fair opportunity to bring their case to court and seek justice from the legal system. In addition to this belief, there is also a belief, derived from feminist analysis, that women and other minority groups are often in a disempowered position due to the patriarchal traditions inherent in social structures and power relations (e.g. male dominated legal system; male judges, dominant male-supportive beliefs.). There is a belief that it is incumbent for individuals involved in various aspects of the legal profession to have awareness of this and to develop responses to counteract discrimination on the basis of gender. Many of these beliefs are, in theory, becoming part of modern police training agenda and underpin recent changes to police practice (see: Appendix 2.1). Finally, section 4.1.2 touched upon the belief of social stereotypes as ideological mechanisms that function to justify and legitimate the
oppression of certain groups. Social categories are thought to be more than mechanisms used to simplify a complex social world, as propounded by the traditional information processing approach to cognition. This research views social stereotypes as largely ideological representations used to justify and legitimise existing social and power relations within society (see: Augoustinos & Walker, 1995).

In order to confront the issue of values and bias in theory, qualitative researchers attempt to rid themselves of preconceptions, so that the ‘true’ accounts will emerge relatively uncontaminated by a priori conceptualisations of what the data ought to look like\textsuperscript{14}. Qualitative researchers also try to identify their biases and record their biases as they proceed with the analysis. By explicitly acknowledging their biases, this helps to reduce or lessen the influence of the researcher on the data (or make the influence more open to scrutiny). The constant comparative method of grounded theory is also designed to keep the analysis close to the data and thereby further lessen the effect of the researcher on the analysis. Despite these strategies built into some qualitative methods to address these concerns, the effects of the researcher still have to be considered.

Stiles (1993) reflected that the researcher’s initial biases are not immutable, if biases are defined as impermeability to new experiences. The ability to surprise, to change our minds, to come to new understandings demonstrates that biases are not immutable and that preconceptions may in the long run have a weak effect (see p. 613). Stiles (1993) argues that investigators cannot eliminate their bias and preconceptions but they can make them permeable. Certainly, it was the experience during this research that initial views were the subject of change and that views were constantly changing as reflected in the iterative nature of the analytic process.

Reflexivity also involves thinking about and documenting the effects of the researcher on the researched and indeed the effects of the researched on the researcher.

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\textsuperscript{14} See section 4.6.4 that outlines the importance of recognising that the researcher can never ‘rid’ themselves of or fully ignore a priori conceptualisations and that these can be regarded as an essential part of the analytic process.
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Constructivism acknowledges the interdependent or reflexive nature of the research process and one way of evaluating this process is by having a record of the way the researcher reflects on the process. Qualitative research "acknowledges the ways in which research activity inevitably shapes and constitutes the object of inquiry; the researcher and researched are characterised as interdependent in the social process of research" (Henwood & Pidgeon, 1992; p. 106). For example, many of the Gardaí interviewed expressed their satisfaction at doing so as they seldom get the opportunity to voice their opinions and concerns about their work. The researcher also attempted to create an interview environment that had a number of mixed dimensions that were intended to facilitate reflection and discussion about the research topic. It was intended for the research setting to evoke a comfortable, relaxed ambiance whereby the researcher attempted to identify and empathise with the interviewee. The interview preamble was designed to reduce and/or eliminate nervousness or embarrassment for the interviewee, by giving them a sense of control and leadership in the interview process. The researcher attempted to create and maintain a professional, non-judgemental atmosphere in the interview setting. This strategy was successful for all but one interview. Documenting these details helps to demonstrate the trustworthiness and credibility of the research.

The converse of reflexivity is what Heidegger (1927/1962) called "fallenness" or the tendency for an interpretation to lose its power and immediacy and to become a slogan (cited in Stiles, 1993, p. 613). It is important for an interpretation to change and develop according to new observations and observers. Grounded theory analytic method allows for the correction of previous inaccuracies or previous thoughts that would disallow the current observation (Glaser & Strauss, 1967). For a qualitative researcher, this is one of the most exciting and truly dynamic aspects of inductive analysis. By documenting the analytic process it is possible to retrospectively examine

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15 One interviewee refused to allow the interview to be tape recorded. As the researcher had travelled some distance to attend the interview, it was decided to carry on with the schedule and write shorthand notes of the interviewee's responses. The interviewee was very withdrawn throughout the interview and the researcher was unable to establish any trust or rapport. The interviewee was full of trepidation at all times, giving mono-syllabic answers for much of the time. The interview was relatively short in comparison to all other interviews and because of the notes produced (i.e. incomplete transcriptions of all that the interviewee said) it was decided to drop that participant from the analysis.
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how thoughts, ideas, interrelationships, and concepts were created and developed to produce theoretical observations, and in this instance, the decision making model.

It is important to point out, that during interviews and when analysing interviews the data was categorised and represented without recourse to moral or legal judgements (as to right or wrong, good or bad decisions). Interpretations with respect to wider implications were purposely reserved, as much as possible, for when the analyses were completed. These efforts to make known the influences of the researcher on the data and analytic process increase the 'trustworthiness' of the research and its findings.

4.4.1.3 Making the analytic process overt

Emerson (1983) states that the hallmark of fieldwork is flexibility. This, of course, leads to issues that concern assessing the evidence for theoretical conclusions developed from methods that are not fixed and that often are difficult to specify\(^{16}\). A solution to this problem is to make the analytic process overt, to describe it thoroughly, explicitly and accurately. Similar to the view of Robson (1993), this author believes that trustworthiness can be achieved by taking a clear, well-documented and systematic approach to the process of collecting and analysing data that is open to scrutiny with respect to the values of good research practice. Some qualitative research methods (e.g. grounded theory) have in-built techniques that facilitate this requirement. For example, it is difficult to validate interviewees accounts as there are no external markers to compare it to, however, the technique of constant comparison allows the researcher to explicitly trace similar patterns across interviewees' responses – thus increasing the validity and credibility of conclusions.

Mason (1996) suggests that the researcher should provide evidence, in the form of permanent records (tapes, transcription etc.), in addition to an explanation why the audience should consider the material to be accurate and reliable. These records are then open to verification by other researchers. Through this process it is important to keep detailed memos of both category development (allows one to trace the

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\(^{16}\) A central reason for choosing grounded theory as an analytic method is that it specifies a systematic and rigorous data analytic procedure and an explicit method for documenting the research process.
antecedents of more macro-level coding) and memos of the researcher’s thought processes, particularly with respect to early theoretical ideas. Memoranda are particularly useful when ideas emerge as to how categories may be linked theoretically, hence, memoranda monitor the deductive aspects of the generation of theory. “It is the memo that enables the investigator to record ideas about potential central categories and about relationships among categories. This conceptual material is the basis of the grounded theory”, (Rennie et. al., 1988, p. 145).

Turner (1981) recommends writing comprehensive definitions that summarise the development of conceptual categories and why categories have been labelled in the way they have. Comprehensive definitions and descriptions produce a public product “which makes explicit the initially tacit conceptual classifications perceived by the individual researcher” (Henwood and Pidgeon, 1992; p. 105). In this way the ‘fit’ of the data to the categories developed can be assessed. Lincoln and Guba (1985) further suggest keeping notes on sampling decisions, hunches about the quality of the data, general observations and in so doing the researcher is ‘laying a paper-trail’, which is open to external audit by peers (see chapter 13). Once again this allows for progress to be tracked and for the antecedents of major theoretical observations to be delineated. Practitioners of qualitative research suggest that keeping a research diary is good practice and helps to sustain the emphasis on recording the analytic process as much as is possible. Harding (1991) differentiated between ‘weak’ and ‘strong’ objectivity. Strong objectivity is when the researcher makes public the full interpretative processes of knowledge production. Research should attempt to reveal the social bases for knowledge, which can be argued to be more adequate knowledge (Pidgeon, 1994). This study aims to adhere to the standards of ‘strong’ objectivity.

4.4.2 Transferability (generalisability)
Transferability has been suggested as a term to replace the idea of generalisability in quantitative research – the extent to which research findings are ‘transferable’ to other samples and/or contexts. Indexicality is the implication that qualitative data is not transferable as explanations are linked to a particular setting and time (Johnson, 1999). Johnson (1999) outlined solutions to this problem that involve, employing a number of the strategies aimed to make the analytic process more overt (as described in the preceding section), and using multiple sources as a way of promoting
transferability. Theoretical sampling and negative case analysis are two methods (associated with grounded theory) that aim to achieve maximum transferability. These will now be discussed.

4.4.2.1 Theoretical sampling and Negative case analysis

"By searching for data that differ in kind from instances previously recorded, analytic research creates a picture of the scene researched that is strategically biased toward much greater variation than random sampling would reveal" (Katz, 1983).

This can be done by sampling other data/persons that may shed light on theoretical formulations, or examining data within the same text for instances that refute/support theoretical formulations. Katz (1983) further stated that brilliant qualitative studies over represent the richness of everyday life in the place actually observed in order better to represent social life outside of the research site. Negative case analysis was systematically employed throughout the analysis of interview data for this research. In addition to highlighting negative cases, as described by Glaser & Strauss (1967), the research also drew up individual profiles for each participant that functioned to record new/rare categories specific to the individual and negative cases that bucked the trend in category development. This process was a critical aspect enabling the development of a robust model that accounted for wide variations in decision making in context.

The aim of negative case analysis is to "aid in the generation of conceptually dense, grounded theory" (Henwood & Pidgeon, 1992, p. 107). Theoretical sampling is important as it allows one to seek data that will extend and modify the emergent theory. This was also the experience in this research. The approach to theoretical sampling as advised by grounded theory had to be modified on practical grounds for this research, as it was incumbent upon the researcher to envisage the likely participants that would need to be interviewed beforehand\textsuperscript{17}. Participant information had to be specified in the research proposal developed for An Garda Síochána in order to inform them of the number and kind of personnel that were required for interviewing purposes. The theoretical aims of the research informed sampling decisions. Theoretically, it was important to incorporate different Garda perspectives

\textsuperscript{17} While groups were identified beforehand, the analysis began initially with the first probationer sample and then progressed to each of the remaining groups.
in order to a) examine how different Gardaí conceptualised the investigative process and b) to sample Gardaí who varied by gender, length of service and training experiences. Sampling a broad range of participants was key to developing a model that maximised transferability of research findings from the outset.

Negative case analysis helps to prevent another problem identified in qualitative analysis – text appropriation (Opie, 1992). Text appropriation is defined as an act on the researcher's part "in the sense that they can appropriate data to the researcher's interest, so that other significant experiential elements which challenge or partially disrupt that interpretation may also be silenced" (Opie, 1992, p. 52). To avoid text appropriation it is important to focus on, identify and explain difference, points of contradiction and complication. It is important to pay "attention to the paradoxical, the contradictory, the marginal" (Opie, 1992, p. 59), in order to help question a more conventional explanation and to expand theoretical reasoning.

4.5 Considering context: Design and planning of research with the police

The problem of access is paramount in research on the police. This is particularly so in the Irish context, where An Garda Síochána has only recently begun to undertake research into sensitive topics with outside organisations\(^1\). This piece of research was particularly sensitive for the following reasons. It involved an inherently sensitive topic: how the police investigate rape. It involved an evaluative study of police training and its effect on the investigative process and, hence, could have a negative impact in terms of public relations and public confidence. Evaluation research is more typically conducted at the request of the administration (Morse, 1994). The research proposal submitted to An Garda Síochána for this work is in Appendix 5.3.

\(^1\) The Garda Research Unit, based in the Garda training college was established in 1994. The author is aware of only one study that interviewed eleven Gardaí about the problems experienced by complainants of rape and the problem of attrition (see: Leane, Ryan, Fennell & Egan, 2001). This research did not examine decision making in the investigative process.
Confidentiality is a major consideration for qualitative research and particularly for research in this context. The communication and practice of confidentiality is something that permeated the entire research process and beyond and assurances of confidentiality were a central part of this. Due to the seriousness of the research topic and the responsibility that the researcher had to those who participated in the study and to rape complainants, it was crucial that statements from participants could not be attributed to them and specific unique details of cases could not be identifiable. To ensure this, any identifying information that could remotely be considered to identify people, places or cases was removed from all quotes. Generally, removal of this information did not affect the analysis, but in some instances (because descriptions of some cases could not be reproduced) it did take from highlighting text that clearly revealed some Garda beliefs. Removed information included things such as names, any place names/locations mentioned, specific details about rape scenarios that a reader may recognise.

The planning of the research proposal was the first key step and would determine whether access was granted or denied. For this reason it was important to systematically delineate the proposed research clearly and explicitly and to make it relevant to the needs of the organisation. Methodologically, it was imperative for the researcher to pre-empt strategy and design issues and to consider possible outcomes and the usefulness of the findings. The researcher visited Garda research management beforehand in order to sound out whether the proposed research would be welcomed. The researcher found personnel in the research unit to be interested, encouraging and facilitative. At that time (December, 1998) the Garda Research Unit was itself conducting the first large-scale study of attrition in rape and sexual assault cases. They had also been having meetings with representatives from Rape Crisis and were open to suggestions that the researcher had. A proposal was drafted to conduct a study that would examine Garda training in relation to how rape was investigated. After due consideration, research unit management recommended the proposal to police management and informed the researcher the following July (1999) that access had been granted.

It was important then in the planning stages to pre-empt what research strategy would be best suited to follow-up the first study. It was clear that the first study would
Chapter 4

4.6 Qualitative Method: grounded theory

This section will outline why grounded theory was chosen as the principle qualitative data analytic technique for the interviews with Gardai. It will then examine the idea of theory generation as a process rather than as a series of stages. Both deductive and inductive strategies will be elaborated as they both play a role in grounded theory development. The principle elements of grounded theory development will be described. These include categorisation, constant comparison and theoretical sampling.

4.6.1 Why grounded theory

The method of analysis employed for both qualitative studies was based on the explicit, systematic methodology of 'Grounded Theory' as propounded by the
Chapter 4

sociologists Glaser and Strauss (1967) and Strauss and Corbin (1990). Grounded theory is employed because it provides a systematic, inductive approach to theory generation, particularly when compared to phenomenological approaches. Grounded theory also provides an opportunity to create theory in subject areas that are difficult to access with traditional research methods (Rennie et. al., 1988). Additionally, grounded theory allows one to go beyond the data and explore and analyse the process in terms of the wider social context and power relations (including the contexts and dynamics involved in the research setting). Certain key analytical elements of the grounded theory method, e.g. constant comparison, serve as a vehicle for a form of deconstructive analysis, in that it will offer a strategy to tap a ‘multi-seamed’ decision making process, allowing for conflicting interpretations and meanings.

There have been many elaborations of the grounded theory method, not least the original text of Glaser & Strauss (1976) but also Rennie et. al. (1988), Turner (1981), Strauss & Corbin (1990) and Pidgeon et. al. (1991). Grounded theory specifies specific data handling strategies that enable the researcher to move from initially unstructured material to a collection of theoretical observations. An important aspect of grounded theory is the idea that research using this method is a process and this idea is inherent in its analytic techniques.

4.6.2 Research as process

Grounded theory is an iterative process that includes both the collection and storing of the data in the first instance, through to the generation of descriptive codes and the eventual presentation of outcome. While the discussion of the method invariably is presented as discrete steps, it is important to remember that often the analysis will move between the earlier and latter steps quite flexibly right through the analysis. Henwood (1996) states: “Grounded theory is an iterative process and researchers often move between steps (and the steps merge into one another) as the analysis proceeds” (p. 103)

One of the first rules described by Glaser (1978) is to study one’s data. This is facilitated by transcribing the content of the interviews oneself, rather than hiring somebody else to do so. Transcribing gives one time to think in-depthly about what each person says and the implicit meaning underlying their words. Paying attention to
interview content also gives the analyst an insight into their own interviewing skills and the way in which they responded to participants. This allows assessment and improvement of interviewing technique\textsuperscript{19}.

Glaser and Strauss (1967) specifically detailed that it is important, in the development of theory to move between the stages of data collection and data analysis. Glaser & Strauss (1967) mentioned that is important to check aspects of emerging interpretation and to gather new data as appropriate (theoretical sampling). Rennie et. al. (1988) stated: “groups can be compared on the basis of even a single dimension if it is judged to be germane to the existing theory. As the number of comparison groups increases, the conditions and limitations of the theory unfold” (p. 142). It has already been explained that due to the sample of this study, it was not feasible to return to the original data sources in order to clarify aspects of the emerging model, although the researcher did attempt to analyse data strategically, as the model was emerging\textsuperscript{20}. In the first instance probationer Gardai were interviewed and their interviews were transcribed and in the process of being analysed when the next set of interviews were conducted with members of the Gardai with longer lengths of tenure. The probationer interviews were completely analysed before analysis of the next set of transcripts began.

\textsuperscript{19} For example, the interview strategy was modified after transcribing the first few interviews and noticing the extent to which the interviewer positively reinforced what the participants were saying (by saying 'yes' and 'yeah' repetitively). Interview technique was modified because it interfered with what the participants were saying and impeded transcription. Alternatively, the interviewer nodded in affirmation to sustain the dialogue and reinforce what was said.

\textsuperscript{20} The method of transcribing taped interviews whilst simultaneously analysing (coding) data and conducting further interviews served an important function in the opinion of the researcher. The iterative and loosely linear nature of analytic process meant that the researcher was more likely to be kept stimulated by the changing roles. Transcribing interviews can be a monotonous, time intensive and laborious process. By interspersing other analytic functions around this task, it served to keep the researcher thinking and to keep the researcher thinking about the data and potential categorisations emerging from the typed interviews.
4.6.3 The inductive versus deductive research strategy
Feyerbend (1975) suggested that inductive qualitative analysis is never pure and that all forms of research, qualitative and quantitative are based on an admixture of these processes (induction, deduction and verification) (cited in Pidgeon, 1996). Henwood & Pidgeon, (1992) cite Latour, (1987) who thought that to talk in terms of theory discovery (grounded theory) assumes a model of the individual researcher dispassionately uncovering pre-existing objectively defined facts. Emerson (1983) described that qualitative analysis is not divided into separate distinct stages, but is a process that combines the collection, coding and analysis of data. This combination involves both inductive and deductive methods. Emerson (1983) cited Baldamus (1972; p. 295) who argued that field research did not involve a strictly inductive process and that the procedure, “may be envisaged by imagining a carpenter altering the shape of a door and the shape of the door frame to obtain a better fit...the investigator simultaneously manipulates the thing he wants to explain as well as his explanatory framework” (cited in Emerson, 1983; p. 94). In general, however, deductive methods play a small part in qualitative analysis. Bulmer (1979) calls this process of induction and deduction - ‘retroduction’. It is particularly important to acknowledge deduction as an overt component of the qualitative method of data analysis. The next sub-section will examine how deduction plays a role in grounded theory.

4.6.4 ‘Retroduction’ in grounded theory
It is generally agreed that qualitative data analytic methods employ both deductive and inductive reasoning strategies. For example, Glaser & Strauss (1967) developed grounded theory before the rejection of the scientific method inherent in strong social constructionist argument. Indeed, some elements of grounded theory overlap quite cleanly with positivistic concepts. For example, theoretical sampling, the term ‘coding’ rather than categorisation (implies quantification), and more importantly the idea that social and psychological facts exist independently and objectively in the world. Later developments of grounded theory (e.g. Strauss & Corbin, 1990) incorporated hypothesis testing explicitly into the grounded theory method. This view of grounded theory is thought to be overly deterministic and does not account for the mobile and constructed nature of meaning Pidgeon (1996). Strauss & Corbin’s (1990) interpretation also avoids tackling the epistemological inconsistencies underlying such
a position. From the perspective of this research (and with respect to the use of grounded theory) it is necessary to accept the notion of induction and also to accept that the researcher will have some level of theory and 'theoretical resources' to guide the process of interpretation and representation (Pidgeon, 1996, p. 81). It is recognised that the researcher’s prior understandings and orientation are in actuality an intrinsic part of any development of theory. Glasser & Strauss in their original treatise did recognise that the researcher does not approach research as a ‘tabula rasa’ (p. 3). It is considered good practice to outline one’s ‘theoretical resources’ beforehand.

The current research began by consulting numerous sources of information to develop an insight and understanding of the standard formal operating procedures in rape investigations. Most of this is outlined in Appendix 2.1. As many training documents and procedural texts and articles were sought to build up a representation of the investigative process. In addition to this, informal interviews were conducted with key police personnel to further familiarise the researcher with rape investigative process and the policing context. In total, seven interviews were conducted with detective sergeants, inspectors and Garda training personnel and members who came recommended as being specialists operating in the field. In addition to this, the researcher undertook a large-scale review of the literature on decision making and particularly focused on research concerned with decision making in legal contexts. This review is outlined in chapters two and three.

This author agrees with Pidgeon (1996) when he states that “it makes no sense to claim that research can proceed either from testing prior theory alone or from ‘pure’ inductive analysis of data” (p. 81). When theory emerges or is discovered in grounded theory, this is the result of a ‘constant interplay between data and the researcher’s developing conceptualisations, a 'flip-flop' between ideas and research experience (Pigeon, 1996). Henwood & Pigeon (1992) call this process theory generation (as opposed to theory discovery), a process that is central to the social practice of science, as well as the use of grounded theory technique. It was the experience of this researcher that theory was important to focus the research and gave it boundaries when comparing the findings and developing conceptual categories. Theory was not, however, employed or useful when developing categories. The notion of theory generation, however, highlights the process of inserting new discourses within old
systems of meaning – the active, constitutive process of representation and re-representation in science.

4.6.5 Data categorisation

The advantage of employing grounded theory approach to the analysis of the interview transcripts is that it provides a highly systematic, innovative and powerful method for handling and analysing this type of data. The method initially consists of coding or labelling incidents of data. This part of the process is called ‘open coding’ by Glaser & Strauss (1967) and involves the researcher categorising parts of the participant’s language as the transcripts are being analysed from sentence to sentence. In this way the products of research are derived directly from the data. The authors suggest that open coding is a way of indexing the data and provides the building blocks for subsequent analytic techniques (see Pidgeon et. al., 1991, p. 161). Line by line coding keeps the analyst close to the data. This analysis took a very fine-grained approach to coding the data that often resulted in numerous categories emerging from small pieces of text. Units of categories that are similar are sorted into clusters on the basis of their similar meaning. This common meaning binding the categories together is lexically symbolised and this then, represents a category. Concepts can be categorised at different levels of abstraction. Categories can be data-based (or in-vivo codes), where the description remains true to the language used by the participants (very common at the beginning of the analysis). Categories can also be researcher based, whereby the researcher thematically labels the category according to its meaning as defined by the researcher (particularly common as the analysis proceeds). It is important that these terms ‘fit’ the data well. As the categorisation proceeds, some categories may become saturated or full. While the traditional grounded theory approach does not require the researcher to keep adding more instances to these categories, for the present analysis it was deemed that counts of instances within categories could prove useful when the aspects of the final model were being developed and especially when examining patterns within individuals (see: Silverman, 1985). By systematically building upon categories, it provided the opportunity to conduct content analyses at a later point.
4.6.6 Constant comparison

A number of key data analytic strategies are central to the core analysis of grounded theory. The method of 'constant comparison' is the principle feature of grounded theory development. A central aspect of the analysis is to compare each incident with all other instances both within and between categories. Coded concepts in this way are refined, compared, extended, merged and relationally interpreted. Constant comparison is the primary facilitator to integrate and make links between categories. Miles & Huberman (1994) suggest drawing diagrammatic illustrations to help clarify and represent salient links between sets of data. This was a critical analytic tool in the present analysis and was found to be particularly useful when large amounts of categories were involved.

Writing memos is also a central aspect of grounded theory development. "memo-writing helps you to elaborate processes, assumptions and actions that are subsumed under your code" (Charmaz, 1995; p. 43). These effectively capture and externalise the thoughts of the researcher. When trying to identify patterns in the text through constant comparison, it is suggested that the researcher bring raw data into their memo writing, in order to preserve 'the most telling examples of your ideas from the very start of your analytic work'. (Charmaz, 1995; p. 43).

It is important that any theoretical results of grounded theory should be plausible and believable. It should provide a comprehensive account of all of the material collected. Miles & Huberman (1994) wrote that when carried out properly, a grounded theory inductively derived from the study of the phenomenon it represents, meets the criteria for 'good science', (see also: Glaser & Strauss, 1967; Glaser, 1978; Henwood & Pidgeon, 1992; Rennie et. al., 1988; Strauss & Corbin, 1990).

4.7 Conclusion

The epistemological position of this research is a weak form of social constructionism. The main methodology employed for this work is qualitative methods. Qualitative data will be derived from semi-structured interviews and
subjected to a grounded theory method of data analysis. Content analysis will also be used. Issues involved in the production and analysis of good qualitative data and good qualitative practice were discussed. In addition to qualitative methods (which will inform the bulk of this work) will be a quantitative survey. This work will build on the benefits of both of these methods within a constructionist framework. The ideology of the researcher was discussed as this was deemed to be an integral part of qualitative analysis. The method section in Chapters five, six and seven will elaborate on some of the issues described in this chapter, in addition to providing design details of the research methods.
Chapter 5

A Naturalistic Decision Making Model of Police Investigations of Rape: Part 1

5.0 Introduction

The previous three chapters have outlined extensively the theoretical framework and epistemological position within which research questions are to be operationalised. The aim of this chapter and the next (Chapter 6) is to present and describe the first qualitative empirical study of the research. Firstly, the method section will be presented. This will give an overview of how the study was designed, who participated in the study, how the interviews were arranged and conducted and how the analysis was performed. Secondly, the findings will be described. It is important to point out that the findings of this study are large in number, complex in terms of the interrelatedness of component parts and varied in terms of meaning and content. To facilitate coherent and succinct presentation of findings, they have been divided up into two chapters. This chapter illustrates and generally describes the overall model. Following from this, more detailed descriptions of the findings will be presented as a running commentary in sections according to key stages of the model. These are: 1) The Evaluative Knowledge Structure; 2) Decision Frame; and in the next chapter, 3) Investigative Stages, and, 4) Final Deliberative Stage. Following each of these subsections will be a discussion of the implications of these findings for the model as a whole, and decision making processes in general. This chapter will conclude with a brief discussion of the decision frame. Finally, the next chapter (six) will conclude with a discussion of these findings in the context of Naturalistic Decision Making. The following chapter (seven) will incorporate these conclusions into the design of the next quantitative empirical study.
5.1 Method

This section will describe the participants who took part in this study. This will include a description of the participant contact procedure. This will be followed with a section outlining the interview. This includes a description of the interview schedule and interview setting. The method section will end with a discussion of the analytic procedure.

5.1.1 Participants

Semi-structured, in-depth interviews were conducted with 33 members of An Garda Síochána. All participants were of Garda rank, as these are most often the people that receive complaints and conduct interviews with the complainant. Of these, five participants were plain clothes Detective Gardaí, three were uniformed Community Gardaí and the remainder were operational police officers with regular uniformed duties.

Participants varied according to their length of tenure: 13 probationer Gardaí ((PV 0 yrs), six male, seven female), members of which were near completion of their two year training course. All of these participants had nine months operational experience as part of their training. Eleven Gardaí ((Post 5yrs), four male, seven female) with five years length of tenure. These represented one of the first groups of Gardaí who graduated from the newly developed training programme\(^{21}\). Nine Gardaí ((Pre(15 yrs) five male, four female), who had 15 years length of tenure, and who were trained under the old system. In total, 15 Gardaí were male and 18 female.

Interviews with final year probationer Gardaí were conducted in the Garda Training College, when students were completing their last term of lectures before graduation. 13 were randomly selected from a list of all probationer Gardaí in that class. Prospective participants were approached, informed of the research project and asked to participate. All agreed and interview appointments were arranged.

\(^{21}\) The Garda training programme was radically changed after the Walsh report was published in 1988. Appendix 2.1 explains these programmes.
The 21 participants in the longer serving groups were selected from a list of all Gardaí who had graduated from the Garda College in 1995 and 1985 respectively. For logistical, financial and practical reasons, telephone contact was made with Gardaí on the list who were based in Dublin city stations. In all, direct telephone contact was made with 21 prospective participants and all agreed to take part. These participants were from eleven Dublin city Garda Stations and one in Cork city. Interviews were conducted in an office of the Garda Station where the participant worked. Interviews were audio taped with the participants consent and lasted between 55 and 90 minutes. Participants were thanked for their help and cooperation and given details of how to contact the researcher if any questions arose at a later date.

5.1.2 Interview Schedule

The interview schedule (Appendix 5.1) was designed to elicit information from participants in each of the following areas described below. Throughout the interview schedule, attempts were made to design questions that prompted participants to discuss their answers with reference to rape investigations which they had direct and/or indirect exposure to, as discussed in Chapter 4.

i. **General demographic information, role definition and levels of occupational identification:** Details relating to participants’ occupational and training experience, and demographic information. General questions concerning perceived role as a member of An Garda Síochána. For example, ‘what do you perceive your main role(s) in the Garda Síochána to be?’; ‘What characteristics do you think are crucial or essential to fulfilling these roles?’.

ii. **Information processing, decision making and concomitant belief structures when investigating reports of rape.** Participants were asked to recollect the last rape they had dealt with at work or heard about at work. With this case in mind they were asked to recount their thoughts and actions. In particular, they were asked what they considered their primary decision to be and how they went about reaching that decision. The schedule was designed to elicit as much information as possible about every aspect of the investigative process and context, from the point of view of the police officer. For example: ‘I want you to think of reports of rape in particular,
let's say the last one you dealt with, can you tell me what the scenario entailed? 'What is the first thing that you think? What is the first thing that you do?' What would you perceive your main job to be at this stage?'

iii. Schema based social attributions. Non-leading questions, designed to elicit the types of information and belief structures that participants employ when making investigative decisions and judgements. This section of the interview schedule was revised to incorporate questions that specifically addressed causal attributions and false rape allegations, after pilot interviews indicated they play an integral part in the investigative process. For example: ‘What do you think causes rape?’, ‘What causes women to make false reports?’, ‘In your experience, out of all reports of rape, how many roughly are false? Genuine? Withdrawn?’

iv. Garda policy and legal framework. A number of questions were designed to address legal and policy issues and how these, if at all, influenced the work of the police officer. For example: ‘What is Garda policy with respect to the recording of this crime?’, ‘And making an accurate decision as to the truth of the report, on a scale of one to ten?’.

v. Training. Feedback was obtained from participants with respect to the type and effectiveness of training they had received. Recommendations or suggestions participants may have had were also elicited. For example: ‘What is the main type of training that you do/did, to prepare you for this type of crime?’, ‘What parts of the training did you find informative and helpful? Why?’, Do you think it would be a good idea to have a specialist category of Garda who is specifically trained in the investigation of sexual offences e.g. Sexual Assault Investigation Officers, on a more widespread and available level than that which we currently have?’

5.1.3 Interview context and setting

Due to the multi-faceted sensitivities involved in conducting interviews on this topic and particularly with this sample, a preamble was constructed to allay any likely concerns of the participant. The main goal of the preamble was to promote an interview setting that allowed for a full, frank and open discussion of the issues, in a non-threatening environment for the participant. Three main considerations were addressed when designing the interview preamble: 1) The minimalising of any
possible embarrassment experienced by the participant when discussing aspects of rape investigations. Rape-specific research interests were briefly mentioned beforehand, in an open and professional manner. The interviewer attempted to contextualise the topic of rape investigations as a bone fide research interest, similar to many other kinds of police duties. 2) The preamble was also designed to maximise participants' beliefs about confidentiality, in terms of their own identity, identifying information of their colleagues, and identifying details of cases they may describe during the interview. Participants were reassured that all information would be received in strict confidence and no identifiable information would be subsequently released or used in reports. 3) The main thrust of the preamble was to impart on participants a clear understanding of the background and motivations behind the research. That it constituted a meaningful and professional piece of applied work with clear beneficial implications for members of the force. The aim was to be honest with participants and to communicate that all of their opinions and experiences were valid and instrumental to informing and improving our understanding of rape investigations. The open ended style of the questions allowed for flexibility and provided a rich dataset, by enabling participants to focus on what they felt was important – an essential feature, intrinsic to good grounded theoretical development. Social desirability effects were countered by emphasising the research interest; namely, to develop an understanding of the role of the participant, the importance of the participants' experiences in helping to understand the complexities of the investigative process. In this way the substantive focus was deflected away from the rape victim. This strategy was important, as it was thought that participants could become defensive/threatened and protective if they felt the research was interested in how they treat women. This was not the case with this research.

It was thought that being 'open' with participants did not negatively impact upon what they said. The experience of interviewing participants led to the conclusion that the preamble had the desired effect of facilitating participants to feel free to discuss their experiences of investigating rape, to outline problems, concerns etc. While not every participant responded in the same way to the interview (some interviews had a faster pace, some interviewees were very keen to keep chatting, others needed more prompting) overall, participants did not report feeling embarrassed or anxious in any way. In fact, most participants commented that they enjoyed doing the interview and
asked about what would become of the research, for example. One observation that occurred during the interview period was the advantage of being both Irish and female. Having an Irish accent was certainly an important characteristic that resulted in an automatic familiarity between the interviewer and interviewee. It would have been a very different interview scenario if the interviewer had been English or any other nationality. Being Irish also meant that there were no problems understanding different accents, colloquialisms or slang. It was thought that being female was a further advantage with both male and female participants. It was perceived as somehow natural for a female to be interested in such things, and natural for a female to understand such things (as evidenced by the content of the interview material). It may have been more difficult for a male interviewer to conduct these interviews.

5.1.4 Analytic Procedure
The content of all 33 taped interviews was transcribed verbatim. The main method of analysis employed was based on the explicit, systematic methodology of 'Grounded Theory' (Glaser and Strauss, 1967; Strauss and Corbin, 1990) previously described in Chapter 4. Content analysis (Krippendorf, 1990) was also considered useful, to explore the profile of responses across all participants. Transcripts were subjected to a systematic inductive qualitative data analysis that attempted to manage an initially loosely structured, highly complex data set. The objective of this research concerned the systematic generation of a formal grounded theoretical model, defining and elaborating how investigative decisions are made.

Firstly interview transcripts were read a number of times to familiarise the analyst with the content. Key terms in the text were underlined as the analyst was reading and, as the analyst became more familiar with the content, incidents were coded. This pertained specifically to the naming and categorising of phenomena through close examination of the transcript. Strauss and Corbin (1990) label this process as open coding. Data were broken down into discrete parts, closely examined and compared. As many categories of analysis as possible were made and this process was a long one resulting in over 400 categories by the time eleven of the transcripts were coded. Almost immediately, however, instances of data emerged to fit an existing category. Furthermore, it was common for particular pieces of text to have a number of meanings. These were therefore coded as separate categories. At the beginning of the
analysis, coding led to the development of data-based (e.g. false reports) rather than researcher based or derived categories (e.g. gendered deployment). As text was methodically and iteratively coded into categories, it enabled the formulation of conceptual categories and properties underlying the developing theoretical model to emerge.

The *management of coding* was achieved initially by using both traditional index cards and employing an electronic coding application package (QSR NUD*IST VIVO version 1.0). Traditional indexing methods were much more useful and effective at the outset, (for at least the first six interviews), as they allowed the analyst to build up a three-dimensional visio-spatial representation of coded text. This facilitated the management of categories and led to early indications of emergent groups and patterns. Using a non-computer assisted indexing system, that involved the physical positioning of index cards in a relational manner, was fundamental to grasping and systematically organising a large amount of conceptual information at the beginning. A traditional indexing system in the early stages of the analysis permitted the analysis to be data driven rather than being constrained by employing coding features of the computer package, or to restrictively visualise and categorise the data on a two dimensional computer screen.

As the number of categories generated increased and became somewhat cumbersome, and an early, albeit primitive, structure was emerging, the researcher felt more confident to move solely to NVIVO in the management of the data. In this respect the computer application was invaluable, in terms of storing large quantities of information that could be retrieved more efficiently. During this time index cards representing larger groups of data were still employed as a visual aid to assist with conceptualising the data. While NVIVO is a flexible and sophisticated programme, the extent to which some or all of its features are employed depends very much on the

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22 Using different coloured markers helped the analyst to track similar categories and allow patterns to emerge at an early point in the analysis. Using colour to thematically code similar categories became increasingly important as the volume of categories grew. This technique not only allowed for relationships in the data to emerge early on in the analysis but also forced the analyst to constantly compare new categories with ones already developed, to see where they could be placed.
purpose and type of analysis one is engaged with. For example, the quantitative functions were for the most part neither useful nor relevant to this analysis. Counts of how much text was coded under any category was more an indication of how long a participant talked for or how often information was repeated over time.

As categories were elaborated, groups of related data were becoming apparent in the analysis. These tended to relate specifically to different aspects of the investigation or different aspects of beliefs about rape. For example, from the beginning a whole series of categories was emerging to do with the medical examination of the complainant, or the deployment of staff, or the categories associated with the taking of victim statements. For this reason, broadly defined sets of related data emerged naturally from the analysis.

The merging of similar categories was purposefully avoided for most of the analysis, as this procedure can often lead to loss of subtle differences between the categories and the chronology of where and who they came from. Alternatively, these categories were organised into sets that allowed for structure and relatedness to be acknowledged but also for other subtle differences to be accommodated. Complexity was accommodated as much as possible, whilst recognising the need for integration. This aspect of the analysis was critical in developing a robust model that uncovers clear patterning of responses but also allows and caters for idiosyncratic and subtle differences in expression.

There were a number of difficulties experienced when coding this data. The first concern was that the number of categories constructed at the beginning of the analysis was very large and there was a worry that categories were being duplicated. A solution to this problem involved printing the names of all categories at the end of each day and cross-checking to ensure that this was not the case. Another solution was developing a very clear and simple code naming strategy. For example, all categories associated with hospital, began with 'hosp'. Another difficulty at this stage was ensuring that the data was not being misinterpreted. The descriptions of real-life rape investigations were a reminder of the seriousness of the research and the responsibility of the analyst to reliably interpret the data. This involved a highly conscious categorising strategy that attempted, as far as possible, to represent the data.
using the wording of the participant and staying close to the data. Reading the actual text contained within the categories when comparing categories was helpful in doing this. Focusing on instances that contradicted one another was also helpful, as it gave the analyst a sense that the total picture was being examined and all information represented.

The role of the researcher's expectations, beliefs and preconceptions was addressed during the analysis. A feature of this research was the unexpected nature of the content of the interviews. The researcher did not expect for the participants to be so candid about their work and beliefs. The findings of two small scale studies (Bacik et. al., 1998; Leane et. al., 2001) and preliminary interviews with Garda personnel and Rape Crisis representatives, had led to the expectation that victims were relatively content with the response of the Garda\(^{23}\) and that Garda training promoted sensitive treatment of rape complainants. Unexpected responses (e.g. only one in every ten reports of rape are genuine), presented its own problems in terms of how best to react to this information and reduce the effects of the researcher. A successful strategy involved focusing completely on what participants were saying, in terms of grasping and understanding their experiences and point of view, without evaluating them. The fact that the material was interesting and thought provoking (in the sense of what participants were saying and understanding their perspective) helped to sustain this focus. Throughout the analytic process, the same strategy was employed. By studying the data up close and only focusing on what was said, the analysis provided a way to find the interrelationships in data and to bring collective meaning into focus. An additional strategy, related to the above involved giving the impression that the researcher was uninformed and thus, interested in learning.

The analytic process developed as different categories and their properties tended to become integrated and understood through constant comparison. Constant comparison (discussed in Chapter 4, section 4.7.6) forces the analyst to make some related theoretical sense of each comparison. Comparisons and links were made between individual categories of data and also between and within data sets. This strategy

\(^{23}\) Although, it was borne in mind that the number of women interviewed in both of these studies was 6 and 8, respectively.
moved the analysis to a higher level of inference and allowed for categories and category sets to be arranged in a meaningful and hierarchical way. For example some categories were core to a data set and others were more peripheral. This eventually led to a smaller set of higher level concepts, directly derived from the data, e.g. how initial impressions lead to differences in the investigative approach. This part of the process was long and sometimes tedious. It involved a painstaking trawl though all of the categories and comparing them on various levels with each other and with memos that suggested patterns of interrelationships – to see if they held.

A more macro-level analysis of emergent patterns and constant comparisons was done when all interviews were coded in full. Attempts were made to identify relations between sections, higher level categories and sets of codes. This stage was facilitated by NVIVO. Firstly, category names, attributes etc. were printed in alphabetical order. Categories specific to any participant group were identified and highlighted. All categories that belonged to a particular set were once more colour coded and overlapping categories were noted (categories that belonged to two or more sets). For example, the category 'Sergeant doesn’t read recommendation’ was considered to be relevant to sets that represented, ‘crime seriousness’ issues, ‘occupational culture’ issues and ‘procedural investigative’ issues. Extracts of text corresponding to each category were printed out in full, labelled, assigned to its appropriate grouping and the respective numbers of how many extracts belonged to each group were recorded (content analysis). Higher level sets (containing sub-groups of interrelated categories) were as follows: Deployment; Idiosyncratic differences; Experience; Crime seriousness; Investigative aims; False report beliefs and disposition; Impression formation and motivational aims; Statement taking; Occupational culture; Practical process; Recommendation/eventual decision, and training.

Individual case profiles for each participant were also constructed according to the main themes emerging from the analysis. This technique provided a useful alternative analytic tool that allowed comparisons to be made both horizontally across transcripts and vertically within transcripts.

A content analysis was conducted where a breakdown in frequency (different counts of categories across groups of participants) was thought useful. Content Analysis was
conducted on aspects of goal definition, beliefs, veracity cues and recommendation strategies.

Memo taking throughout the analysis proved to be an increasingly essential analytic tool. Memos documented how categories were developed and to what they were related. This helped to make the analytic process more explicit and facilitated the structure to emerge from the analysis. This is because initially the analyst is surrounded by large amounts of data and as categories are coded, ideas, comments and intentions emerge that require noting before these are lost and the analysis proceeds. These memos were very useful to store ideas, observations and remarks to think about during later stages of the analysis.

The last stage encompassed a reorganisation and re-evaluation of all concepts into a final model. With the reduction and integration of categories, came related theoretical conclusions based on comparison. The conceptual constructs, that formed key aspects of the model, were crosschecked and re-tested with all participants’ data and the final model was constructed. Crosschecking was facilitated with individual case profiles. These profiles were most useful at the final stage of model development as they allowed for the internal coherence of the model to be evaluated by converging individual profiles with the generic model to see the degree of fit. Negative case analysis (described in chapter 4, section 4.4.2.1) was another instrumental tool in validating and testing defined interrelationships in the model. Scenarios or whole descriptions of rape investigations described by participants were separately coded and proved important at the crosschecking stage. Here, the model developed was compared to participants’ descriptions of rape investigations, which allowed for the ‘goodness of fit’ of the model to be established qualitatively.

The conceptual tools of naturalistic decision making (described in Chapter 3) provided convenient labels that enabled a more sophisticated model, that could be meaningfully related to theory. It was at the final stage, when the relationships between categories had already been established that the ‘flip-flop’ between naturalistic theory and the data was evident. The following terms— decision frame, diagnosis and the structure of decisions described in decision theory, were particularly useful. The effects of prior theory were also evident when categories emerged that
were similar to theoretical postulations, e.g. recognition processes, and the construction of stories, attributional biases. In most cases, however, labels and structure came from the data first. Where useful and appropriate existing labels were used from naturalistic decision making, rather than create new redundant terminology.

5.2 Findings

The decision making model, grounded within the documented data is presented in Figure 5.1. In the first instance the model will be described in general terms. This will be followed with a more in-depth presentation and discussion of the findings.

5.2.1 Overall Description of Model

The description of this model will be discussed in four main interrelated sections. The first two define the decision-making frame of the investigation. It will be recalled that the decision frame is a mental construct that consists of elements associated with beliefs and past experiences (Evaluative Knowledge Structure) in addition to salient features of the complaint itself. The final two sections of the model concern the specific information processing and decision making strategies that follow from case-specific decision frames.

5.2.1.1 Evaluative Knowledge Structure

The first part of this model is characterised by an experiential-based, evaluative knowledge structure, divided into three main subsections (social knowledge; victim-centred attitudes; primary decision goal). These subsections are not mutually exclusive, but are described (and illustrated) as separate entities. This facilitates explication of the decision-making process and highlights key aspects of the knowledge structure that play a crucial role in ascribing meaning to observed events and, hence, in the formulation of a decision frame for rape investigations. The frame of investigative decision-making in this context, is made up of numerous interrelated belief structures, within which a specific report of rape is embedded. Knowledge elements of the frame exist independently of a particular case but merge and feed directly into the way in which a specific complaint is attended to and assessed.
Social knowledge (beliefs, attitudes etc.)

Primary Decision Goal
  Implicit
  Explicit

Veracity Judgement

Case-specific Decision Frame

Certainty

Story/proof

Evidence/eval

Differentiated Alternatives
  □ Outline corroboration
  □ Pros & cons of court

Recommend Prosecution

Uncertainty

Story/truth

Evidence/eval

Iterative Reasoning Process

re-frame

Undifferentiated Alternatives
  □ See if story makes sense
  □ Weigh up stories
  □ Forecast outcome

Outline problems

Figure 5.1 Naturalistic Decision Making Model of Police Investigations of Rape.
In terms of function, the evaluative knowledge structure plays the most important role in the whole decision making process. It provides a rich resource of scenario based schema, scripts, attitudes, stereotypes, motivations and goals that fuel and direct the investigative process. This extensive knowledge base provides the raw material and evaluative filter (for the recognition-primed social judgement phase), through which a complaint is received and decision frame defined. The knowledge structure affects the salience, availability and prioritisation of information, the relative weight ascribed to automatic social judgements of truth, moderates the way in which the case is dealt with and prescribes the conclusions that can be made. One of the major moderators found in this study was the 'Primary Decision Goal' and whether this was stated as a veracity goal either explicitly or implicitly. This is discussed in more detail in section 5.2.2.

5.2.1.2 Investigative Decision Frame
The second part of the model to be described, concerns the kinds of processing that occurs once a complaint of rape is received by a Garda (see: Veracity Judgement in model). This is a social judgement phase and marks the beginning of 'Investigative Stages' shown in Figure 5.1 When a report of rape is made to a Garda, depending on the constellation of beliefs in the Garda's knowledge structure, and the relative weight ascribed to veracity judgements as dictated by the primary decision goal, an initial veracity judgement is made. The social judgement phase results in the definition of the case-specific decision frame. The strength and direction of this veracity judgement is dependent upon the type of beliefs held by the decision maker and the relative weight ascribed to these judgements, as indicated by the primary decision goal. Veracity judgements, often described as 'instinctual' or based on 'gut feeling', are made by Gardaí using a number of heuristics, or cognitive shortcuts, that enable the investigator to make spontaneous intuitive judgements and decisions. These heuristics involve availability and recognition processes, tied to knowledge structures, whereby a series of veracity triggers or cues lead to a condition of certainty or uncertainty in the investigator. The case-specific investigative decision frame is characterised by certainty, whereby the Gardaí believe the complaint to be genuine, or with uncertainty whereby the Garda is unsure. Participants described a number of veracity cues that they employed in order to make intuitive credibility judgements. These were categorised as non-verbal, story-based cues and intelligence-based cues (information
derived from third party sources). Non-verbal cues that lead to veracity judgements include factors associated with how the person looks and behaves visually (age, injury, professional status, working class, dishevelled) and how they behave and react to the situation (body language, agitation, distress, nervousness, calm). Story-based cues to deception include characteristics of the report made, in terms of details of the story and events surrounding the rape. Story-based cues can also be more verbal and include the way in which the injured party tells the story, the way she speaks, but, most importantly what she says and against whom the complaint is made. Verbal cues generally manifest themselves as elements of the story told, that the investigators automatically attend to and categorise as indicative of truthfulness or not. Other veracity cues include information supplied by third parties, e.g. about the injured party’s family or about herself (that she had made a report before) or the person against whom she is making the allegation. These again manifest themselves as elements of the story that the investigator considers to be indicative to truth or lies. In the automatic social judgement phase, the decision maker’s repertoire of knowledge, derived from previous direct and indirect experience, is utilised fully, as is the Transactive Memory System that exists within police occupational settings.

5.2.1.3 Investigative Information Processing

The third section of the model to be discussed concerns the procedural features of the investigation that occur once a verbal complaint proceeds to a formal interview and statement. This section is illustrated in figure 5.1 in two parts that run parallel, as each describes the investigative process, but are located within different case-specific decision frames. On the one hand, automatic veracity judgements can result in the investigator feeling certain (confident) that a crime has occurred (or willing to accept a complaint as true). This leads to a ‘condition of certainty’ regarding the veracity of a complaint and the officer is then motivated to seek and delineate corroborative proofs of the complaint. On the other hand, however, case-specific veracity judgements can result in the investigator feeling uncertain with respect to the truth of an allegation and the investigative aim becomes one of reducing uncertainty and detecting deception. From the analysis it would appear that investigative conditions of uncertainty are common experiences and are broadly defined in terms of varying levels of doubt. Feelings of uncertainty were categorised at differing levels of expression, from participants who said they had a ‘gut feeling’ to those that remarked ‘she was
definitely lying’, to a participant that said ‘that something was amiss’. It is important to highlight that some judgements are the product of social interaction (with peers and supervisors) and others arrived at by the individual alone. These judgements have to be ‘justified’ to colleagues and supervisors. The social aspect of decision making identified in this study was multi-layered and identifiable on differing levels throughout the process. This important facet of decision making is discussed in more detail in the following sections.

This part of the model also describes the information processing strategies that occur during investigative procedures. One of the main strategies, employed by all participants, was the generation of story structures and causal models, particularly when taking the victim’s statement of complaint. This is followed by iterative sequences of evidence interpretation and evaluation. At any point during the investigation it is possible for the investigator to re-frame the decision. Participants described numerous examples of rape cases they had dealt with where their initial case-specific decision frame was later reversed as new information was evaluated, new evidence was found or the victim managed to persuade the investigators that her story was true. An important finding was that social knowledge in the form of the evaluative knowledge structure permeates through the entire investigative process and affects primary decision goals, the case specific decision frame, statement process, information processing and final deliberative stage. This point will become evident as the model is discussed in more detail.

5.2.1.4 Final deliberative stage

The final section of the model addresses the latter deliberative stages of the investigative process, where all investigative information has been amassed, subjected to varying cognitive decision strategies and prosecution recommendations are made. The final deliberative stage is an extension of the investigative stages. In a similar way to the previous stage described, different case-specific decision frames lead to overlapping yet distinct decision making strategies. As mentioned previously, under conditions of certainty, investigative aims motivate the decision maker to elaborate corroborative proofs of the case. In this decision frame, recommendation decisions are generally made on cases where there are differentiated alternative stories due to a belief (and/or proof) that the allegation is true (or possibly, entirely false). Conversely,
in a decision frame of uncertainty, the decision maker is often left with undifferentiated alternative stories to consider. A more involved and complex set of heuristics and cognitive reasoning strategies is employed to reach a recommendation decision in this decision frame. Strategies include, weighing up the pros and cons of the case for court, seeing what story best fits the evidence and the investigator's own theories of human behaviour, imagining what is likely to happen if the case does go to court and forecasting what the DPP will think of the case.

In deriving this model from the data, categories and explanations were described by different participants relating to different parts of the decision making process. However, within each participant links were found between key constructs in the model, for example the link between social knowledge and primary decision goals. The use of participant profiles (described in the method section of chapter 5) was an important analytic tool for examining intraindividual patterns in decision making as represented in the overall model.

The following sections of this chapter and the next chapter will describe and critically discuss in more detail the findings of this study. Prior to this detailed discussion, this section will finish by presenting findings that demonstrate how staff are deployed in rape investigations and who gets to deal with various aspects of the investigation. Deployment issues are important to consider at this point, as they give some sense of how rape investigations are dealt with on a more macro level and how participants conceptualise this system. Once these categories have been presented, the Evaluative Knowledge Structure will be discussed in relation to the following shared beliefs and goals: 1) Beliefs in high level of false reports of rape; 2) Suspicious disposition toward reports of rape; 3) Veracity decision goals; 4) Beliefs in motivations of deceit; 5) Withdrawal and false rape allegations.

5.2.1.5 Task distribution

Rape and the initial stages of the investigation (primarily the taking of the complainant's witness statement) are held to be primarily female task domains within the organisation. Hence, if a person reports a rape to a male Garda he will automatically attempt to find a female Garda to take the statement. It was noticed when coding the transcripts, that there is no single, clear policy of deployment. It
seems to depend on the person, the unit that you work with (particularly the Sergeant) and the station itself. The rationale given for why rape, sexual assault and incest complaints are the work of female Gardaí was that ‘women would prefer to talk to women’. A number of female participants were annoyed with this assumption and reported frustration at being ‘pigeonholed’ in such a way.

In a number of rape cases described by participants, female Gardaí take the statement from the injured party and the detective unit staff (mostly male) deal with the rest of the investigation. This happens when the detective unit decide to deal with the case rather than leave the entire investigation to uniformed staff. The detective unit deals with rape cases that are considered to be more serious. One participant (detective Garda) from group two explained that in her station the detective unit deal with all reports of rape. The practice appears to be different in other stations, where uniformed staff deal with complainants. In these cases, it was common for participants to describe how the female Garda would be the main investigating officer and would deal with the entire investigation including writing the recommendation (usually ‘less serious/acquaintance’ cases). Participants described getting advice from the detective unit in these scenarios, if the need arose. All participants described how cases have to ‘go up through the ranks’ when the file has been completed, i.e. the recommendation is checked/written by the Sergeant and Superintendent. This process is described in section 6.2.4 (Group cognition).

The following text illustrates the extent to which reports of rape are given to female Gardaí to deal with, irrespective of experience or rank. These extracts also illustrate the rationale behind this procedure. Note that the first few extracts are from the probationer sample demonstrating that even though these Gardaí are yet to finish their training and qualify, they are also called upon to take rape statements.

Please note that ‘Int’ precedes a question posed by the interviewer and in normal type, whereas participants’ comments are all in italic. An appendix was created (appendix 5.2) to provide extra examples of quotes for all sections of Chapter 5. Appendix 6.1 contains extra section quotes for Chapter 6. Neither of these appendices contain every example of categories developed (as the number would be too large), but extra examples serve to give a broader representation of the point being made.
Chapter 5

PV(0 yrs) 6: “on my unit I am the only one [female]. There are four others on other units.”

Int: And who gets these cases?

PV(0 yrs) 6: “oh me yeah, when my unit is working yeah, they look for a female”.

Int: Would the lads automatically get you or would they ask the complainant if she had a preference?

PV(0 yrs) 6: “No, they would automatically get me [laughs]. They would say, ‘are you okay with this?’ well they do now anyway. Like I remember one morning that I had to deal with a rape victim now, I, it was from another station, they had no female, so they rang and I said ‘yeah no problem, I’ll go up’. Never dealt with a rape victim before and am I put down the phone and one of the lads said to me ‘I can offer you no advice whatsoever’ that’s all he said to me. He said ‘I don’t know what you have to do there’. But it wasn’t that bad either”.

PV(0 yrs) 1: “Generally speaking, I know it’s probably not right but generally speaking they seem to look into it themselves, females, I don’t think they are drawn to it themselves but I think it’s automatically assumed that a female wants to see a female”.

PV(0 yrs) 4: “there was a female Sergeant in the station, she’s gone now. She dealt with everything around that whole area”.

“I suppose it would ‘cos it’s a sensitive thing you know [rape]?, I think that’s why most female Gards come in handy”.

PV(0 yrs) 12: “that’s another thing that surprised me, huge debates down in this college about rape, the ‘banner’ always gets it, you know? And it’s given to them and my theory on it is the person should get A: whoever they’re given and B: if they

24 Traditionally a female Garda was called a ‘Ban Garda’, ‘ban’ meaning woman in the Irish language. In 1991 this name was no longer used and all Gardai are described using the same term meaning there is no gender difference in title (McNiffe, 1997). This study found, however, that female Gardai are still known as ‘banners’ a nick name derived from the older title.
request a female then give it to them but a female shouldn't be pushed on them, because it's gaining confidence in no one, I mean you're being shoved in a corner with rapes and sexual offences and you get sick of them, you didn't join the force to become a sexual consultant”.

Int: Do you resent having to take all the sexual crimes?
PV(0 yrs) 13: “Ah sometimes maybe if you're tearing busy and the next minute you're pulled off, you'd be pissed off for the first initial 20 seconds or whatever and he's [male Garda] sitting on his arse25 or whatever you know? At the end of the day I suppose, if you think it was yourself you'd want to talk to a woman because that's what it comes down to at the end of the day”.
“first and foremost the Sergeant will think 'well a woman will want to speak to a woman', which is I think, that would probably be the case in an awful lot of situations”.

As mentioned previously, it also emerged that after a female member (irrespective of experience or rank) takes the statement, then the investigation can either be taken over completely by the investigative unit or the female continues and can seek advice and support from the unit. Deployment policy appears to depend on the station one is working in. These patterns generally emerged from the member giving detailed descriptions of cases he or she had worked on or heard about at work. For example:

Post(5 yrs) 11: “That's more a country station thing. Even Cork, from people that I've trained with. If they got a report, an adult claiming she was raped, they would take a statement of complaint from them and that is the last they would hear from it. Detective or crime branch as they call it would deal with it. Whereas (station name), and most of Dublin city stations if you take a complaint it's your case, you deal with it. You write it everything”.
Int: Would you liaise with the detective branch?
“Not necessarily (station name) now. I can only speak for (station name).”

25 ‘Arse’ is a colloquial word meaning “The buttocks”.

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Post(5 yrs) 2: “Usually talk it over with your Sergeant and come to an agreement and you’re supposed to ask her if she wants to go down to [hospital] and sometimes she will refuse. Then after that you have her brought home and then in the next couple of days talk to the detectives office and see how serious it was, they would get involved at that stage”.

Post(5 yrs) 7: “You tell the detective unit what happens, just to see if they or would they know anyone going round [rapist].

Int: Would they take over it [investigation] then?

“Not necessarily, they may have input into it, so we would liaise with them but you would have control over it yourself”.

Pre(15 yrs) 2: “It would be the female who would take the statement and she would have no further involvement in it, so if I was investigating it I would get her down but she would be just a cog in the big wheel. That is my impression of it”.

It can be concluded that overall, female members of An Garda Síochána are expected initially to deal with complaints of rape and male Gardaí are not. When a report of rape is made, male participants describe their first reaction as one of trying to find a female Garda to take the woman’s statement. There was some annoyance among female participants about this. It was generally considered that the reason why female Gardaí have to deal with rape complainants is because women are better at speaking to women about ‘private, sexual’ matters26. Moreover, it was felt that female

26 Female Gardaí were also thought to be better individuals to take statements of complaint from abused children, as one female participant from group two pointed out “the first statement I took I was a student and the Sergeant asked me to take a statement of a five year old girl and I thought he was going to be with me but he left me on my own with this child and I’m thinking ‘what am I supposed to do?’, because I was only training and I did not have any knowledge whatsoever...the last case of sexual assault I got was a little girl and boy and my boss, he came to me and said can you give us a hand here. I’m not comfortable and he comes to me then and I’m the only person up there not married and that has no children. And I’m the one being asked to go in and speak to children. And I just thought about it for a while. This particular guy has loads of children...but it’s the way they perceive your role. You’re a girl, off you go”.
complainants would prefer to disclose their complaint to a female Garda. There was less agreement among participants with respect to who deals with the rest of the investigation and who decides this. Many scenarios were described where the female Garda takes the complainant’s statement and has nothing further to do with the investigation, as the detective unit deals it with. Other scenarios included the case being passed to the detective unit, with the female Garda remaining on the case in a diminished capacity. Finally, scenarios were described where female Gardaí managed the entire investigation and sought help and advice from the detective unit, if needed. These deployment patterns seemed to be dictated by practice in the station and by perceived seriousness of the case. Serious cases were generally described as being automatically sent to the detective unit. Less serious cases were likely to be dealt with entirely by the female Garda. These findings are important as they provide some indication of who deals with rape investigations, who generally takes the statement of complaint, how organisational cultural and societal factors affect deployment and general attitude toward rape investigation and its prioritisation within the organisation. These findings are also helpful when combined with findings that elaborate gender similarities/differences in beliefs and investigative approach.

5.2.2 In-Depth Description of Evaluative Knowledge Structure

Many shared beliefs, attitudes, schemata and other aspects of social knowledge emerged from this analysis. Among these, a number were found to be intimately related to decision-making and could also account for differences among participants of how they go about investigating rape. This section will describe the main aspects of the evaluative knowledge structure that play key functions in investigative decision making.

5.2.2.1 Beliefs in high level of false rape reporting

Very early on in the analysis of interview transcripts there emerged from participants a pervasive belief with respect to the problem and prevalence of false rape allegations. Participants from the probationer (PV 0) group and those with five years experience (Post 5) appeared to be divided between those that believed there to be ‘a lot’ of false reports of rape (n=8) and those that believed that the extent of false rape reports was ‘not that much’ (n= 7). However, there were also members of both of these groups
who thought the level to be about half or less than half. Participants with fifteen years experience (Pre 15) generally thought that the incidence of false rape reports was either ‘half and half’ or ‘not that much’. All of these estimates are extremely high in comparison to official crime statistics for this offence, which is around two out of every hundred reports (2%) [Garda Annual Crime Report 2001]. The following are a series of quotes taken from these categories:

PV(0 yrs)13: “To be honest, roughly speaking I would say that for every ten cases reported, if one was true, it's such a huge...”
Int: Is it that high?
PV(0 yrs)13: “It is definitely that high, yeah, there are an awful lot”.

PV(0 yrs)4: “I suppose you decide yourself whether the allegation is true or not, you know a lot of times as well you can get complaints where nothing happened at all?”. “In my experience almost half [allegations are false]”

PV(0 yrs)7: “Most would be false”
Int: What is most?
PV(0 yrs)7: “Say, you might get ten, um I’d say maybe at least seven or eight of them would be later on false, just people coming in saying 'you know it didn't happen?'. Boyfriends and girlfriends and partners”.

Post(5 yrs) 8: “And it is terrible to be so negative, but I come across it fairly regularly”.
“Um, I think I’ve had more bogus than genuine which is terrible. I’d say nearly six out of every ten are not, are very dubious”.

In response to the question posed by the interviewer, “In your own experience, out of all reports of rape, how many roughly are false?” the following replies were made:

Pre(15 yrs) 9: “From my own experience I would say 70:30. 70, as in it’s made up or it’s panic or whatever. Personally, I would always be very cagey without showing it”.
Post (5 yrs) 10: “I’d say half. I would say half”.

Pre(15 yrs) 2: “I don’t know, I don’t know. Four out of ten”.

Pre(15 yrs) 4: “I’d say it’s about 50:50, the non-genuine ones maybe years ago definitely influenced how the genuine ones were dealt with. That’s a sad reflection”.

Only a small number of participants believed that the level of false rape reports was not that high:

Post (5 yrs) 3: “We’ve only had one or two cases for that [false allegations]. We generally wouldn’t, we’ve had one or two but then there is family problems, you know various reasons. It wouldn’t be a huge problem here with us”.

Post (5 yrs) 7: “I’d say it would be around 20%”.

Post (5 yrs) 9: “mostly genuine [complaints received], ‘cos around here anyway [poor area] they wouldn’t come near the Gards anyway. They wouldn’t bother going to the Gards”.

There was also a small subgroup of respondents who reported that they would be unable to say/indicate how many reports approximately were perceived to be false. All but one (out of four) of these respondents are linked by them having little or no experience of dealing with rape.

It is clear from the above extracts that there exists strong beliefs among the participants that many, if not most, reports of rape are false. It is interesting to note that these responses were distributed evenly across gender, experience and rank. The older of the three groups (Pre 15yrs) were less inclined to state that false reports occur ‘a lot’ and were more likely to say that false reporting levels are ‘about half and half’.
or ‘not that much’. It is particularly interesting that beliefs in very high levels of false rape allegations were expressed by probationer Gardaí as well as other groups, even though the former participants have much less operational and practical rape experience than the other two groups. The next section will clearly demonstrate how many of these beliefs are learned and/or reinforced from listening to older, longer serving members. The next section will examine participants’ comments that demonstrate how beliefs become shared among members (police officers) and will be followed with a brief discussion of the functions these serve.

5.2.2.2 Anecdotal experience of false rape allegations.
Anecdotal experience and the power of conversation in communicating and aligning ideas among colleagues are particularly evident for the younger probationer group many of whom have little on-the-job experience. False rape allegation scenarios were often described by this group, in terms of stories they had heard from colleagues, rather than cases they had direct experience of. A considerable part of their knowledge of and belief in false allegations seem to be transmitted through conversations and stories exchanged with longer serving members, reinforced by the belief that the best people to learn from are more senior, experienced officers. The following extracts provide evidence of this.

PV(0 yrs) 11: “I’ve seen them in practice there’s a few I’ve not only seen but heard of within the station, like you’d hear this woman came in last night and gave a false allegation”.

PV(0 yrs) 1: “Yeah, I listen to the lads talkin’ or whatever but I wouldn’t have personally dealt with it [false allegations]”.

PV(0 yrs) 6: “sometimes you’d wonder when you’d hear stories, was it the victims own fault, ‘cos there is always drink involved, like say definitely with say acquaintance”.

PV(0 yrs) 2: “Well it wouldn’t be taught [that false allegations happen], it would be said in class ‘cos it happened before like, you know a rape reported and then they
found out look it wasn't, it was just a one night stand, there was drink taken and parents screamed at her, girl's pregnant, you know something like that there?"

Three points can be drawn from these findings. Firstly, it would appear that young trainee police officers socialise extremely quickly into the occupational culture of the organisation. Socialisation processes are clearly facilitated by an almost implicit understanding and acceptance that older members are effective, reliable sources from which to learn\(^\text{27}\). This is likely to be reinforced by the hierarchical structure of the organisational context. The second point is that the social nature of beliefs and attitudes are very much evident, where beliefs arise through social interaction and communication. Throughout the model the importance of social context and social psychological processes will become apparent. Conversational information derived from police interactions with one another, function like ‘building blocks’ and are used to construct, interpret and understand social reality in the context of rape (see: Augustinos et. al., 1995; Stryker & Statham, 1985). Wells (1987) outlined two ways that people come to think about causal factors in their social environment – original processing (direct observation of relationships such as the covariation between two events (e.g. attribution theory)) and socialised processing or how people learn about causes and adopt cultural hypotheses through language based communications. It seems that in relation to rape, younger members learn from talking to longer serving members about what to believe and expect from complaints of rape. This serves to align thinking (as discussed in Chapter 3) and to create similar expectations among the Gardai. It can further be concluded that learning in this manner, where the experiences of colleagues are internalised and experiences are shared, is suggestive of what Wegner (1987) called ‘Transactive Memory System’. Some authors have discussed this as a component of group cognition and decision making. There are other aspects of rape investigations, particularly with respect to intelligence based

\(^{27}\) A question was asked of all participants toward the beginning of the interview schedule where they had to think of a colleague whom they most admired and to explain why this was so. A consistent finding from the probationer sample was that they admired older members with lots of experience whom they considered to have a wealth of information about how to do the job and about the people living in the locality. These attributes were considered by the probationer sample to be elemental to successful policing.
5.2.2.3 The ‘Credibility Gap’ and Investigative Motivations

The next aspect of the Evaluative Knowledge Structure, that has clear implications for how investigative decisions are framed, is participants’ mistrust of rape complainants. Belief in high levels of false rape reports was combined with a resulting wariness toward those who make complaints of rape in general, for fear of their report being false. Responses from all groups indicated some degree of wariness and suspicion toward reports of rape. This was particularly evident among the probationer sample, but was further expressed by many participants in the other two groups. It would appear that instead of accepting complaints as genuine (as dictated by the standard operating model), they instead receive complaints with the possibility of false report firmly in mind. All three groups expressed this in terms of being wary toward, or critical of, any report made. A participant in the longer serving group described this scepticism in terms of a “credibility gap” that the victim has to bridge. The logic here is that it is complainant’s responsibility to prove, persuade, or convince the investigator that she is telling the truth and to bridge the credibility gap. The following are extracts of text the illustrate this point:

PV(0 yrs) 10: “Rape isn’t always a straightforward case and you have to be aware that not everybody’s allegation has 100 per cent truth to it”.

PV(0 yrs) 2: “Before I joined the job I really wouldn’t have thought much about it, but now you hear well you have to be careful ‘cos at times it might be a woman trying to get a man back. You know you gotta look at both sides...you gotta be careful, you gotta look at both sides like, you gotta keep an open mind”.

Pre(15 yrs) 4: “You’d have to admit that it [experience of false reports] makes you wary. When somebody comes in the first time, I can’t straight off say, ‘oh, this is another one of these bogus!’ If I had that attitude I could forget everyone. Having said that I can’t deny that it is there. Once bitten, twice shy. You will come across cases where I have been told it was a case of rape and it transpires it wasn’t.
Obviously we can prosecute someone for that and we have done so, but I have to put it in the back of my mind but I'd never make it very obvious.”

Post (5 yrs) 8: “It’s not something you can be instructed on or taught. I think the first time you get your fingers burnt, then you are a bit more cautious and sit back and listen”.

Int: To what extent do you think that report is typical of reports in general?
Post (5 yrs) 8 “it’s typical to the extent that, now when somebody comes in to report such an allegation that your initial reaction is not to believe them, bar they’re, they come in and they are beaten half unconscious and you know that something has happened to them. You get somebody coming in off the street and they want to make a complaint and it’s, ‘well...’ You would always have the thought that this person could be telling me lies”.

The above extracts have a number of features in common. Participants explain their beliefs about false reports are learned from past experience and that previous experience modifies the way future cases are dealt with. A key aspect associated with scepticism is that Gardaí did not want to appear foolish or wrong professionally in front of their colleagues. Being sceptical was not just about getting to the truth of an allegation but it was also about not getting it wrong, or not losing their own credibility as investigators. Participants described that getting their fingers burnt led to an increased focus on false reports, or ‘once bitten twice shy’. This social evaluative aspect of veracity will be discussed in more detail in section 5.2.2.4. Extracts reiterate one of the conclusions from the previous section, which is that past experiences can also be in the form of stories told by colleagues. Moreover, participants seem to express that they are ‘open-minded’ or ‘objective’, yet simultaneously confirm that complaints are interpreted on the basis of beliefs in false rape reports, and, as an investigator, there is a need to be careful and attentive to this. Beliefs in high levels of false reports and concomitant feeling of suspicion toward reports in general served to make available attitudes, stereotypes, scripts and schemata associated with false rape reports. In this way, rather than being ‘open-minded’ these beliefs serve to prescribe potential interpretations of events. Wariness results in decision makers being more open, aware and attendant to information that will allow them to confirm and/or reject
feelings of suspicion. This process (involving the use of heuristics) will be elaborated upon in section 5.2.2.5. It is interesting to note that these shared social beliefs operate not only in the cognitive domain but also in the motivational domain. Participants not only make attributions based on their stored information but also have expectations and intentions with respect to their beliefs. In this way investigative decision makers play an integral part in actively defining and giving meaning to a situation.

Finally, some participants provided a number of justifications that supported their notions of, and attitude towards, false reports of rape. Among these were the idea that men need to be protected from women who make false reports of rape and that false allegations of rape are thought to be very serious offences that have to be ruled out in any given situation. Participants also described many scenarios that motivated women to make false rape allegations. These motivations will be discussed in section 5.2.2.5.

5.2.2.4 Primary investigative decision goals

Veracity seeking intentions and detection of deception appear to be conceptualised by most participants as a primary investigative decision goal. It was found that veracity decisions were expressed with varying degrees of explicitness, from the participant who stated that the investigative goal for rape cases is always to decide if ‘she is telling the truth’, to the participant who says detection of deception is not the main thing in a rape investigation but credibility has to be assessed. Veracity seeking goals were also mentioned along with other investigative goals, by a smaller number of participants. The second most frequently mentioned investigative goal was to establish the corroborative proofs of the case. The following extracts illustrate veracity seeking primary investigative decision goals.

Int: What is the first decision that they have to make about the case?
Post (5 yrs) 10: "Well you need to get at the genuineness of it and see how credible the witness it”.

Pre (15 yrs) 2: “you have a victim in here and first of all she has to get over the credibility gap, be believed by the police and then she has to sit in front of 12 people and be believed by them”.

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Int: What do you think the mindset of a person who receives a complaint is, the first decision they would have to make?
Pre (15 yrs) 4: “The first decision is if it is true or is it false”.
“Well, I suppose one of the most important things is you nearly have to decide for yourself, did this happen or did it not and you will be asked that question. ‘What did happen, what is your opinion?’”

Pre (15 yrs) 7: “The biggest thing is always did it or didn’t it happen. That’s the first thing you have to find out. And you can’t blame us for thinking like that because of the amount of false allegations that are made”.

It is interesting to note that the last extract was made by a female police officer who said she had very little experience of dealing with rape and heard from colleagues in other stations that they experience a lot more false rape cases.

PV (0yrs) 12: “I remember when I initially walked into the hospital my first impression of her was ‘hmmm, don’t know if I like the look of her’, just police instinct you do, don’t know now, and I’m talking to her and still wasn’t convinced”.

Both male and female participants are represented in the above extracts. All older members mentioned truthfulness as a primary investigative concern while a smaller number of participants in the other groups expressed alternative primary decision goals. These included, five participants who stated that they felt their job was to believe the complainant, a small number who stated that their primary concern was the welfare of the injured party and also to collect evidence. The following extracts are illustrative of these sentiments:

PV (0yrs) 10: “Well you have to have an open mind and take it like what they are telling you is the truth and you have to follow it and you are just trying to do the best you can for them”.

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PV (0yrs) 5: "Well it's not up to me. The way I look at it is it is not up to me to decide whether they are telling the truth or not. It is to take their word for it."

"Hypothetically, the main thing is collecting evidence first".

Post (5yrs) 3: "but generally you know early on if it is not genuine. Things just won't add up. You still treat it as genuine until you know otherwise but generally there are other reasons behind why women do that, you know?".

Int: What do you perceive your main job to be at this stage?

PV (0 yrs) 7: "I suppose just to get to the bottom of it, to find out who the person is, get their story, get the file in straight away and try to help the person".

For the majority of participants, primary investigative decision goals were conceptualised as veracity seeking goals. Most participants perceive their job to be about determining if the complaint is genuine or not. Most police officers mentioned this goal explicitly in the context of cases they had dealt with previously and in hypothetical cases. There were a small number of participants who emphasised alternative investigative goals. However, these participants also acknowledged that the credibility of the complainant was important and had to be addressed - they simply did not give it primary importance when talking about the investigative process (hence implicit veracity goals). This small number of participants appear to conceptualise their role in a qualitatively different way to the majority of police officers. The pattern of responses for these participants is discussed later. Veracity decision goals, (and whether these are stated explicitly or implicitly), affect the relative weight ascribed to credibility judgements. This is a very interesting finding as it suggests that the more important this goal, the more important veracity assessments are in defining the case-specific decision frame. It is important to clarify and make clear the distinction between the primary investigative decision goal that is located within the Evaluative Knowledge Structure and case-specific decision goals that apply to investigative stages (proof seeking or truth seeking). The case specific goals of an investigation are directly affected by veracity judgements that in turn are affected by
the primary decision goal. As outlined previously, a decision maker’s beliefs, attitudes, schemata etc., play a fundamental motivational role in defining salient features of any given situation and defining the course of action to be taken. This relationship between implicit and explicit veracity goals will become more clear when extracts of text that describe participants’ descriptions of actual allegations are presented. These extracts reveal a patterning of decision goals that are called into play depending on the participants’ beliefs, explicit veracity goals and characteristics of the complaint. These extracts will be further discussed in section 5.2.3.2.

5.2.2.5 Scripts and stereotypes of false complaints of rape:
This section will present and discuss some of participants’ beliefs and schemata that are supportive of primary veracity decision aims. There exists widespread agreement among participants of the motives, circumstances and behaviour of a woman who makes a false report of rape. Scenarios or event schemata describing false rape complaints and complainants themselves included details of the motivations behind such reports, characteristics of the story likely to be told and predictive outcomes of the case. Participants appear to have a number of shared learned scripts that define both the individual who makes a false rape allegation (stereotypes) and specific characteristics of the false allegation (event schemata). A Content Analysis was performed on the extent to which participants mentioned certain beliefs perceived to be motivating factors that give rise to false rape allegations. These are presented in Table 5.1 below. The numbers represent the total frequencies of participants who mentioned each category rather than the number of times the category was mentioned across all interview transcripts.
It is important to note that most participants mention more than one possible reason why they think women are motivated to make false complaints of rape. These schemata and stereotypes play a critical role in the social judgement phase as they provide an interpretative basis for information processing. These schemata enable decision makers to orient their attention and to assess the similarity between beliefs and the situation. The following section will present extracts of text that illustrate participants’ beliefs and event schemata with respect to each of the above categories.

1) Revenge was perceived to be the most common motivating factor underlying women’s behaviour when making false reports of rape. The figures in table 5.1 are interesting. They show that most participants from the younger group mentioned revenge as a motivating factor. The group with five years experience did not mention this factor as often. In fact this group was more likely to mention psychiatric reasons, fear of pregnancy and attention seeking. Group three demonstrated a much more similar response pattern to the probationer group. Intergroup differences and similarities are discussed in more detail at the end of this section. The extracts below, once again demonstrate that event schemata can be learned from talking to colleagues and older or more experienced members and that these stories are perceived as valid and reliable. Implicit within all of the following scripts is the idea that both the complainant and the alleged culprit know one another or are in a relationship.

<table>
<thead>
<tr>
<th>Motivational factors</th>
<th>PV(0yrs.) n=13</th>
<th>Post(5yrs.) n=11</th>
<th>Pre(15yrs.) n=9</th>
<th>TOTAL n=33</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenge</td>
<td>10</td>
<td>3</td>
<td>6</td>
<td>19</td>
</tr>
<tr>
<td>Pregnancy</td>
<td>3</td>
<td>5</td>
<td>3</td>
<td>11</td>
</tr>
<tr>
<td>Attention seeking</td>
<td>3</td>
<td>5</td>
<td>3</td>
<td>11</td>
</tr>
<tr>
<td>Emotional Problems</td>
<td>3</td>
<td>4</td>
<td>2</td>
<td>9</td>
</tr>
<tr>
<td>Guilt</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>Psychiatric</td>
<td>0</td>
<td>6</td>
<td>2</td>
<td>8</td>
</tr>
<tr>
<td>Evil</td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>3</td>
</tr>
</tbody>
</table>

Table 5.1 Figures represent the number of participants within each group that mentioned each factor as an explanation of why women make false rape allegations.
PV(0yrs) 11: "If she says they were doing a steady line\textsuperscript{28} or whatever, consent is dodgy then in your own mind it may be dubious or whatever like but maybe she's just getting back at him, sleeping around or...".

PV(0yrs) 2: "You may find that maybe there was something happening [consensual sexual activity], she just got pissed off, she wanted to get the fella [fellow] back, but up until that, you'd still have to investigate it".

Post (0yrs) 10: "I suppose some people have a lot of grievances with other people, way to get back at somebody yeah".

Post(5 yrs) 1: "It's something we've got from meeting in the office and one of the member's coming in with a thing and they'll just say 'will ya go in and see what you think' and it's not a cynical thing, it's because we know a lot of them are not going to be the same story or whatever and I'll just go in and as I say just sit there and chat to them you know 'cos, as I say the initial thing is horrific what they come in about being raped, and you might, I might say, okay, stand there now and I'll get someone for you, or hold on we'll get a car back to bring you to the scene or whatever and it might turn out that it was, they were dumped on a date, you know that sort of thing".

The last extract of text demonstrates another possible source of bias that has been mentioned by a few officers – that is referral bias. This happens when before an investigator even meets a complainant, a colleague informs her of what their credibility assessment (opinion) is. This referral bias leads the investigator to bring to mind beliefs associated with the colleague's assessment or results in the investigator making a series of \textit{a priori} hypotheses based on second hand information. It is noteworthy that participants often illustrate their answers with detailed descriptions of directly experienced reports they have dealt with or heard of, where the woman made
the allegation because she wanted to exact revenge on her boyfriend or partner. Participants did not tend to have to conjecture or imagine what the motivating reasons could be.

A common facet of participants’ descriptions of false scenarios is the problem of ‘consent’. Within most of the scenarios described the complainant is assumed to have had consensual sex with the alleged culprit and then something went wrong afterwards – similar to the ‘sex stress’ scenarios discussed in Chapter 2. These scenarios provide some insight into the focus of the investigator’s attention and their primary concern – consent.

2) Guilt due to infidelity, is another factor that members believe motivate women to make false rape allegations. Extracts from this scenario will be presented along with extracts from a separately categorised, but related scenario fear of pregnancy. Guilt, fear of pregnancy and revenge scripts all involve the underlying assumption that false reports are made against men known to complainants or against men who are in relationships with them. Consent is once again a feature of these scenarios.

PV(0yrs) 6: “I would imagine it would be someone that has out of guilt I’d say. For example, if it was a married woman and they got sorry afterwards”.

PV(0yrs) 7: “Maybe they did say ‘yeah, let’s have sexual intercourse’, you know? And then after a while they’d say ‘fuck it, I didn’t want that to happen’ and they get themselves pregnant and they say ‘oh, I was raped you know?’”.

Post(5 yrs) 1: “Another thing, is a reason that a lot of reports of rape are withdrawn is that they’re terrified that they are either pregnant or that someone has found out or that their boyfriend has found out that they have slept with someone else. It’s a very sad indictment, but a lot of them would think if I report rape then I can get out of trouble. That has been a few of them”.

28 A steady line refers to being in a stable (non-marital) relationship.
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Pre (15 yrs) 6: "Am, a lot of these women from my impression go off-side [are unfaithful] non-prostitute types would be, they go off-side. They have boyfriends and girlfriends and they go off-side with some fella and the next thing ‘oh-oh, I was out all night, I’m going to have serious problems here’, feeling guilty you know?".

Post (5 yrs) 9: "you do get one or two alright that come in and then withdraw it ‘cos really, maybe they just wanted the morning after pill. It depends on what your definition of rape is, the consent”.

3) Participants also believe that women make false allegations of rape because they are attention seeking by nature.

PV (0 yrs) 10: “I suppose someone who has an insecure nature, and is looking for attention for different reasons. It’s a cry for help, I think someone who makes a false allegation of rape”.

Post (5 yrs) 11: “Am, attention seekers, or think they know what they are talking about. They know of another case or it’s in the family”. “Attention I think, more young girls”.

Post (5 yrs) 4: “Maybe about two days later, she withdrew, her friend convinced her. I had gone to the hospital with her and taken memos, brought her home, got clothes for forensics, contacted her friend. Alcohol had been taken by both parties. I didn’t talk to him. I talked to her about it. Spoke to the friend who said she was an attention seeker. Just explained and didn’t say anything to her at all”.

Pre (15 yrs) 4: “Attention seeking and mentally unstable. If I do this then I’ll be the focus of everybody, which I think is very sad”.

4) Psychiatric reasons were also believed to be a reason why women make false rape allegations and related to this were emotional problems in general. It is interesting that the older two groups tend to mention these motivating aspects more than the
younger group. The younger group tended to list situational rather than dispositional factors, which could be attributed to their lack of experience and hence, narrower repertoire of scenarios.

Post (5 yrs) 2 gives an example of a complaint received by somebody who was living in a mental health institution:

"their story is so completely off the wall, that you just know it could not possibly be true and at that stage, it is very difficult. I dare say they might think it is true and you have to be able to say, we have to handle this and at that stage it is no longer an investigation, it’s more we have to try and help this person realise that this never happened, or it may have happened years and years ago and has been investigated and is recurring again”.

Post (5 yrs) 6: “Mentally unstable. I don’t think any, for want of a better word, ‘normal’ person would just make a false allegation. I don’t think so. I’d say in some way mentally unstable or attention seeking”.

Pre (15 yrs) 5: “I’ve had one here, with psychiatric problems, who claimed she was raped, but am. It wasn’t; we say that she dreamt it up. There was a case, there was a fella she was going out with but that never went any further. It just happened that she had been in psychiatric institutions”.

PV(0 yrs) 10: “someone who has an insecure nature, and is looking for attention for different reasons. It’s a cry for help I think, someone who makes a false allegation of rape. Maybe they are compulsive liars, they’ve always been like that as a child”.

It was observed that the group with five years service (Post5) tended to put more emphasis on dispositional factors such as problems specific to the woman, psychiatric difficulties and the need for attention. The younger group tended to focus on situational factors associated with elements of the event and story. All groups were inclined to mention the possibility of pregnancy and guilt regarding an extra-relational
affair. It is difficult to draw conclusions from these patterns, except to say that the older groups have more experience of dealing with rape cases, and hence, may have a larger repertoire of scripts from which to surmise.

A breakdown of the false allegation scenarios described by members was made in terms of whether the description was derived from a real-life example or a hypothetical scenario. It was found that half of the probationer group described complaints that they heard of or dealt with and the other half described hypothetical scenarios. All females with five years experience described real-life examples of reports believed to be false and males tended to give hypothetical examples. The longest serving group tended to give examples that were both real and hypothetical. Irrespective of whether the scenario was ‘real’ or ‘hypothetical’, the content remained very similar throughout all descriptions. Longer serving members simply were more likely to provide real-life examples than the more inexperienced group. In general, there was a noticeable, albeit slight tendency for women to describe more pregnancy, psychiatric, attention and dispositional motivations. Men seemed to be more inclined to describe revenge, guilt and situational motivators. While it is imperative to be careful not to generalise from these patterns, possible gender difference in schemata could be present. Naturalistic decision-making literature suggests that people with more experience build up more detailed scripts of the problem space. This pattern of older members having more detailed and a greater number of false rape scenarios support this contention. Other factors, however, could also come into play and will be discussed later.

5.2.2.6 False rape schemata and expectations of withdrawal
Underlying a lot of these descriptions, is the tacit understanding that false allegations are made against persons known to the complainant\(^{29}\) who is usually young. It can also be observed from the presented extracts that participants believe and expect that many false rape allegations are subsequently withdrawn by the complainant. There also emerged a concomitant expectation that false reports do not last very long in

\(^{29}\) There was one exception: Post(5 yrs) 8 suggested that false allegations are made against someone unknown to the person. All other participants described scenarios where both parties were known to one another.
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terms of the Garda investigation and criminal justice process. It is clear that this expectation, that forms an identifiable component of shared episodic schemata of false rape allegations, gives rise to an *expectation-confirmation bias*. Reports that are judged to lack credibility (to varying degrees), are not expected to last very long and are often thought to result in the woman withdrawing her allegation. If the complainant does withdraw her report, the investigators then interpret this as confirmation of their earlier suspicions concerning the case. The experience is then interpreted and categorised by the investigator as a false report and will be employed in any future conversations and investigations of rape. It is probable that this expectation-confirmation bias accounts, in part, for the inflated perceptions of high levels of false rape reports. This interpretation is further reinforced by stories of false rape accounts told by colleagues where the ground truth\(^{30}\) is unknown, yet the participant confidently describes and categorises the report as having been definitely false. Participants, for example, described scenarios where clearly some incident had happened, or the victim was underage, yet the report was still categorised by the participant as wholly false. The following extracts outline the link between false rape and the withdrawal of complaints in false rape scenarios:

PV(0 yrs) 2: "I wouldn't think so [that may rape allegations are false]. I don't think, well it mightn't go too far. You'd probably find that she might give a statement and then you, if she knew the person. If it's a stranger rape definitely you know, and if you can get a suspect for it, nobody's going to make up something about somebody that they don't know".

PV(0 yrs) 6: "See I don't know 'cos they come out the worst and nine times out of ten, if it's guilt and they make a false allegation, they are going to withdraw their statement".

PV (0 yrs) 13: "In saying that too you'd find the people that would actually come in to cry rape or whatever and then withdraw their complaints, it's kind of withdrawn in a moment of impulse and they haven't thought through the story".

\(^{30}\) Ground truth is a term used to describe the objective reality of the event.
A small number of participants also mention that the complainant can be arrested by the Gardaí for wasting police time, however it was recognised that this seldom occurred.

Post (5 yrs) 9: "There was a girl on the, who was always making false reports and she was prosecuted by another D.O [Detective Officer] here. It was one of the first cases to come to court nearly three years ago now. She was actually prosecuted for wasting Garda time. Wasted time and energy 'cos the suspect was arrested'.

5.2.3 Case-Specific Decision Frame
This section of the findings will discuss the early social-cognitive processes that occur once a complaint of rape is made to the police and how this defines the case-specific decision frame. This discussion will begin with an assessment of how police officers described the social judgement phase of decision making. From here this section will present and discuss the varying cues that police officers employ when making veracity judgements. The discussion will then examine the ways in which the Evaluative Knowledge Structure feeds into veracity assessments and will conclude with a discussion of how content, structure and information processing inter-relate.

5.2.3.1 Automatic veracity judgement
Complaints of rape received by members of the Gardaí, are firstly subjected to an automatic evaluative veracity judgement. As will be presently described, these judgements are pervasive and appear to be both consciously activated and reflected upon by participants and also the result of implicit automatic judgements secondary to other investigative aims.

Members attribute their ability to form impressions about the veracity of a report to their inherent, intuitive 'police instinct' or 'gut feeling' or 'instinct' in general. This is expressed repeatedly among the probationer group (n=9), but is also expressed by the longer serving groups (Post n=5; Pre n=4). The recognition that gut instinct enables police officers to make veracity judgements occurred across gender, rank, and
experience. Participants who stated differing primary investigative goals also stated that gut instinct is a crucial judgemental tool. The following extracts illustrate this.

PV(0 yrs) 13: “I’d say the first ten minutes, it’s probably an awful thing to say, even we’ve talked about it amongst ourselves now, the women in the station and we reckon that in 95 per cent of the cases you can tell after the first ten minutes whether the person is telling the truth”.

Int: How is it that you know this?

PV(0 yrs) 13: “I don’t know whether it’s female to female, or Garda to alleged victim or I think it’s just a gut instinct”.

“Like we’ve talked and you’d say to the girls did anything happen last night and they’d say yeah someone came in with rape, alleged rape you know. Well what do you think? And no, no way”.

PV(0 yrs) 1: “There is a sudden, it just comes across that they are genuine. I think that’s instinct and gut feeling like”.

PV(0 yrs) 7: “Sometimes you would, sometimes you wouldn’t. It depends on the person, as I say some people you know for a fact they are genuine and other people are iffy [dubious]”.

“It’s just instinct I suppose, you just kinda say ‘hmmm, I don’t know’”.

The above extract demonstrates the way investigators can be sure or certain about the truth of an allegation, or uncertain and ‘iffy’.

Post(5 yrs) 5: “I just say ‘sixth sense’, I just think it’s not right”.

Post (5 yrs) 8: “I suppose your first impression is going to be informed when you actually see the person. I know it’s terrible. I mean it’s not going to be an accurate generally, it’s not an accurate impression but in that particular case other Gards had met her before I met her and they said to me ‘you know she’s wrecked? She looks absolutely knackered’, so you
would have an opinion before you even go in. Then I come in here and I see this girl and I thought, 'God, she looks terrible'. So, you think obviously something has happened'.

The above extract provides another example of referral bias, discussed in section 5.2.2.5, where the investigator forms an opinion beforehand based on colleagues' opinions.

Pre(15 yrs) 6: "You can tell a lot of cases initially whether it is, you make up your mind or you think this looks fairly genuine and you'd be dealing with it that way".

It is apparent that irrespective of the way in which participants conceptualise their investigative role (explicit/implicit veracity goals), they still mention the role of instinct as key to making veracity judgements. For example, Post(5) 5 has a lot of experience of dealing with reports of rape and dealing with vulnerable groups (e.g. has experience of being a liaison officer for women working in prostitution). She tends to focus more on the need for evidence but she also mentions the need to make a veracity decision explicitly. In addition to this, she mentions a 'sixth sense' as being important when making a veracity decision. Post(5) 9 does not mention the need to establish truth explicitly. She has considerable experience in rape investigation and does not think there are many false reports of rape. She mentions that in the first few minutes of talking to a complainant you "get a feeling, it's the way they report it". It is difficult to conclude from retrospective accounts just how 'automatic' these judgements are. Veracity judgements are described as if automatically activated, yet participants also describe using conscious strategies. Clearly, for participants who conceptualise their role as detectors of deception, veracity judgements are to a greater extent the result of conscious processing and attentional efforts. The next section will outline the types of cues that investigators use 'instinctively' and intuitively to make credibility judgements. This will help further clarify the processes involved in social judgement.
5.2.3.2 Cues that trigger veracity judgements

From some of the extracts previously presented, it will have become apparent that participants associate certain characteristics with false reports of rape. This section will present a systematic analysis of these cues. It was attempted to deconstruct exactly, and on what grounds, members ‘feel’ that a report lacks credibility or is false. The following ‘veracity’ cues were described by participants as triggers of feelings of scepticism and doubt, with respect to the allegation. These cues were evident in both false allegation stories narrated by participants and also in response to direct questions asking members how they make judgements and decisions. There was considerable overlap between the two sources of answers. Table 5.2 presents the breakdown of cues described by participants and documents the results of a content analysis on these deception triggers. The numbers represent the frequency of participants who mentioned each cue and not the frequency of mentions across interview transcripts.

<table>
<thead>
<tr>
<th>Cues to deception</th>
<th>PV(0yrs) n=13</th>
<th>Post(5yrs.) n=11</th>
<th>Pre(15yrs.) n=9</th>
<th>Total n=33</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emotional affect</td>
<td>11</td>
<td>7</td>
<td>7</td>
<td>25</td>
</tr>
<tr>
<td>Story consistency</td>
<td>7</td>
<td>9</td>
<td>6</td>
<td>22</td>
</tr>
<tr>
<td>Acquaintance</td>
<td>10</td>
<td>4</td>
<td>4</td>
<td>18</td>
</tr>
<tr>
<td>Drugs/drink</td>
<td>5</td>
<td>6</td>
<td>3</td>
<td>14</td>
</tr>
<tr>
<td>Body language</td>
<td>6</td>
<td>2</td>
<td>5</td>
<td>13</td>
</tr>
<tr>
<td>Working class</td>
<td>6</td>
<td>4</td>
<td>2</td>
<td>12</td>
</tr>
<tr>
<td>Injury</td>
<td>3</td>
<td>2</td>
<td>5</td>
<td>10</td>
</tr>
<tr>
<td>Previous allegation</td>
<td>4</td>
<td>1</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>Sexual contact</td>
<td>5</td>
<td>3</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Way they talk</td>
<td>4</td>
<td>2</td>
<td>1</td>
<td>7</td>
</tr>
<tr>
<td>Promiscuity</td>
<td>4</td>
<td>0</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>Timing of report</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Age</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
</tbody>
</table>

Table 5.2 Figures represent the number of participants in each group that mentioned each cue as a trigger of doubt with respect to the veracity of rape allegations.
The above factors can be classified according to whether they are non-verbal, story based (verbal) or third party information based triggers of veracity judgments. These triggers are not mutually exclusive and boundaries between where one stops and another starts are often blurred. In reality these cues are often processed simultaneously and have a combined effect upon the decision maker. Each of these veracity triggers will be discussed.

5.2.3.2.1 Non-verbal veracity cues

1) Emotional State

The majority of participants mentioned the emotional state and demeanour of the complainant when reporting rape to the police as indicative of false complaints. A genuine allegation is one characterised by the complainant being very distressed and upset upon making a rape allegation. If the complainant is cool, calm, quiet, unemotional, strong or reserved, then doubt is cast on the credibility of the complaint. This is something that results in an immediate impression, but is also used in later parts of the investigation (e.g. when recounting her story during the statement). The following extracts demonstrate this:

PV(0 yrs) 2: “She was very strong,...I was like ‘dodgy dodgy’, but just a very strong girl, so she wasn’t the type of person I was expecting you know the weeping girl in the corner and then you know something happened in her childhood and it will all come out. ... I remember saying to the Sergeant I don’t know is she telling the truth because she was so strong. I thought she was almost too exact and the story contrived”.

PV(0 yrs) 2: “It depends on the rape or sexual assault, I don’t know, you’d still have to be fairly devastated, like the person is going to be in a bad way”.

Int: At any stage did you doubt what she was saying?

PV(0 yrs) 6: “No I didn’t because she was so upset, she was so upset and it was awful for her but we had to keep going [with the statement] ...she was so upset”.
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Pre(15 yrs) 3: "Well I suppose the way the girl presented herself, you know? If she is distraught or whatever it would depend on her in that regard".

Pre(15 yrs) 2: "I suppose when you got down talking to her and you see a woman that’s traumatised".

It is clear from these extracts that participants’ schemata for how a genuine complainant behaves creates a prescriptive expectation and any behaviour that does not conform to this expectation is interpreted as problematic, and hence, doubtful.

2) Signs of physical injury

Some participants also mentioned lack of signs of physical injury as indicative of a false allegation. The longest serving group along with the probationer group tended to be more likely to mention injury as a trigger of uncertainty with respect to credibility. Signs of injury are believed to provide quasi-legal proof that the woman did not consent. Injury is also associated with the case being more serious and hence more credible. Some extracts are presented below:

Pre (15 yrs) 7 : "Well I suppose their demeanour and if they were very upset or appeared to be very traumatised and then of course there are the physical signs as well. Somebody may have bruises".

PV (0 yrs) 2: "You get somebody who comes into the station and her clothes half ripped off her and she has black eyes and cut up, and do you think she was looking for it? No I wouldn’t think that myself now, like but then again it does depend on the person who was taking the report".

31 Quasi-legal criteria relate to factors used to infer or deduce the existence of legal criteria (in the above instance, signs of physical injury are employed to infer degree of resistance which is thought to indicate whether consent was present or absent; (see: Chambers and Miller 1987, p. 65).
This extract outlines how victim blaming beliefs can affect a decision maker’s interpretation of a case.

Pre(15 yrs) 5: “Yeah, their physical demeanour as well is a giveaway very often, like obviously physically if they are injured, but the way they might tell it, beside what they tell”.

Post(5 yrs) 8: “..now, when somebody comes in to report such an allegation, that your initial reaction is not to believe them, bar they’re, they come in and they are beaten half unconscious and you know that something has happened to them. You get somebody coming in off the street and they want to make a complaint and it’s, ‘well....?’”.

3) Body-language

Participants mentioned that the body-language of the complainant serves as a veracity measure.

PV(0 yrs) 6: “You’d nearly know if someone was telling the truth or not. ‘cos you know if someone was really nervy and you say they are rubbing their neck or they are, you’d nearly think like if this is the truth like, if this happened to you, you wouldn’t be so nervous, like upset and being nervous, there is a difference between them”.

This extract demonstrates how the decision maker may compare the behaviour of the complainant to how they think they would behave in a similar situation. This helps to determine if the behaviour is believable. This strategy will be noticeable in other extracts as well.

Post(5 yrs) 11: “I think personally I would know from taking a statement from somebody whether they are telling the truth or not. I think you could tell from their body language or from, I don’t know whether it’s the embarrassment factor? I think I’d know from taking the statement when they are saying exactly what happened to them in their own words. I think I’d know whether it happened or not”.
Pre(15 yrs) 2: "it goes back to body language, but people never cease to amaze me, you know we had another girl here who joked and took it very casual, you know what's the story here? This girl had been raped and buggered you know? And you say to yourself, 'I don't think I'd [be like that]"

Pre(15 yrs) 1: "right am, body language, gestures, something you can, I mean those body language that are not in a book, I mean head gestures, crying, tears, am, you can assess with the person if you spend long enough with them, the kind of person they are and the likelihood of them making a false report is diminished if you actually know what kind of person they are"

It was mentioned at the beginning of this section that veracity cues are not mutually exclusive and operate in combination with one another. The above extract demonstrates how the decision maker employs a number of cues to build up a representation of what the complainant is like and based on the decision makers' implicit theories of human behaviour and stereotypes (stored in evaluative knowledge structure), she makes a judgement and decision based on this.

4) Way they talk

How participants perceived the way that the complainant talked, was also mentioned as a trigger of uncertainty. This trigger is closely related to body-language and emotional effect.

Pre(15 yrs) 5: "physically, if they are very injured but the way they might tell it, beside what they tell. It can be hard enough to suss out because some people are shy and quiet and talk slowly anyway. I have one girl now and she gave me every word carefully thought out. When I asked her a question, she paused every time and then gave her answer and the whole interview went like that, and I couldn't make out whether she was thinking of an answer to give me or the other way round. She made the statement and withdrew it after and it transpired after that then, that it had been false. Now I was that whole time and we
never really decided from that interview whether she was trying it on and putting on an act or she was just shy, upset and dealing with a stranger as well”.

Post(5 yrs) 10: “The way they talk, their language, their demeanour. They [colleagues] seem to be very good at picking up the signs as to who is genuine, who is not”.

PV(0 yrs) 7: “If you think the person is genuine by their tone of voice and stuff like that, you perceive it, you know?”.

5) Social Class

The socio-economic status of the complainant also affected veracity judgements, especially for the probationer sample. This judgement was often made on the basis that the complainant lived in the locality they policed. They also based this categorisation on aspects of a complainant’s physical appearance and/or demeanour already discussed. Class is considered important when making veracity judgements as working class complainants were perceived to be less credible witnesses.

PV(0 yrs) 2: “Am, dress... I mean it’s a factor that comes into it, the runners, hood, earrings, jewellery, simple little things like that we’d know, you’d associate with am, I don’t even want to say poorer areas because socio-economic nothing like that, but just, you’d associate those crimes with...”

PV(0 yrs) 3: “It depends upon the person, it is hard but if you had a well together person you would expect that person to be professional, good job, middle class or whatever, you’d expect that from that type of person. If they were well together, it probably makes your job easier because the whole procedure the taking of the statement and everything like that would be easy, it would be very black and white, and could put you in the position of not doubting them at all. Also it could have that, your perception of the young girl coming in, short skirt or whatever, drunk, crying that would be more of a person that you would be looking sceptically at”.

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Pre(15 yrs) 5: “To generalise they would be from working class areas, dropped out of school, would be sexually active for a while. They are going to be in trouble with ‘the Mam’, that’s it you see. They were out all night and they were with the crowd they shouldn’t have been with and this is their excuse. They see this as an easy way out”.

Pre(15 yrs) 6: “I’d say you are talking more working class, more liable to do it. The more middle class you get it tends to be less. If a middle class girl gets raped, it generally tends to be true, depends on the circumstances again and you have to look at the circumstances behind it all and be very careful but I have to say it does happen”.

6) Drugs and drink

Drug taking and alcohol consumption are mentioned by all three groups as something that casts doubt on a complaint. If drugs or drink were consumed it arouses suspicion as to whether the complainant consented to sexual intercourse or even knew what she was talking about. This was confounded by participants expressing that they also judge the complaint to be false when the complainant has difficulty remembering what happened. Interestingly, if drink was also consumed by the alleged culprit, there was no reference made to how this would impact on his behaviour or story.

PV(0 yrs) 3: “An awful lot of people would come in drunk, crying, you know a bit disoriented, after 10 minutes their facts won’t gel, you know it will be very harum-scarum, up in the air you know? And you just think in the back of your mind, ‘oh I don’t know really’”.

“It [false reports] would come to the kinda thing, Saturday night, 4 o’ clock in the morning, drunk, am”. “perception of the young girl coming in, short skirt or whatever, drunk, crying, that would be more of a person that you would be looking sceptically at”.

Int: What do you think causes rape?
PV(0 yrs) 6: “I don’t know sometimes you’d wonder when you hear stories, was it the victim’s own fault, ‘cos there is always drink involved”.

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PV(0 yrs) 7: “Mainly it’s after drink, they come in then the next morning. You normally, I wouldn’t take a statement off them when they’re drunk, and then they come back the next morning and more than likely a 100 per cent, 99 per cent say they won’t come back in the morning and am...

Int: What is that interpreted as?

PV(0 yrs) 7: “Like that it didn’t happen yeah, it was drink like, something most probably happened all right but do you know they kind of sort it out. Drink I suppose is one of the main facilitators”.

Once more we see the clear link between women withdrawing their allegation and the case being interpreted as false by the police.

Post(5 yrs) 4: “Very few genuine that come in here, mostly due to alcohol”.

5.2.3.2.2 Story based veracity cues and third party information

Aspects of the complainant’s story, particularly narrative inconsistencies, trigger feelings of disbelief and uncertainty in members of all groups. These stimuli concern the nature and characteristics of the report of rape made. For example, it was widely mentioned that the degree of relationship between the complainant and the alleged culprit is an important veracity measure. If the complaint is made against a person known to the complainant, for however long, doubt is cast over the allegation. Related to this veracity trigger is the problem of consensual sexual contact between the complainant and the alleged culprit. Any admission of consensual sexual contact before the rape generates doubts about the veracity of the allegation. The story that the woman describes, the details of the rape, her powers of recollection, any inconsistencies that the officer perceives - all are outlined by participants as cues that they use to judge the veracity of an allegation – and cues that trigger feelings of doubt. Both non-verbal and story based veracity cues can be processed automatically and simultaneously. Non-verbal cues to deception, however, seem to be more dominant when a person presents herself at a police station to make a report of rape. Story based
cues on the other hand, are more dominant when the complainant is recollecting the rape and making a formal statement to the police. Extracts of text will be presented to illustrate these veracity cues.

1) Inconsistencies in the alleged complaint
Inconsistencies in the complaint can range from anomalies in the logical sequence of events in the story, or in descriptions of the scene/clothing/act/culprit, to inconsistencies that are perceived by one officer more than another due to idiosyncratic expectations of what a complainant is likely to say or do in any given situation. Inconsistencies can arise automatically or can be purposively sought out by investigators who employ different techniques. For many participants, their own implicit theories of rape and sexual behaviour affect the way in which a complaint is judged, and these theories provide the criteria against which complaints are evaluated. This point has been made before and will become further evident in the following extracts of text.

Post(5 yrs) 10: "Well they are very good now the DDU [detective unit] here and the unit you know? They know how to get to the story line. Take down what they are saying first and then go back over it on numerous occasions and they seem to pick up discrepancies a lot of the time. But then again, there are genuine ones and they know, they seem to be able to tell the genuine ones very fast”.

Post(5 yrs) 1: “That we have a well, not a device, but I will go in and take an initial report. I might go away then and say, ‘well, you sit down there now and have a cup of tea’, and send someone in to sit and just to say to them, ‘jez, do you want to tell me what happened?’, and all the time, the differences in the story will immediately appear”.

Pre(5 yrs) 1: “if somebody comes in we haven’t seen before and reports a rape and we have to discover if it’s true or not, we begin to elicit quite a bit of information from her and the only way you can trip her up, or not to trip her up but to confirm her story is to go back and see if it matches what you have written down on your notes and it’s just a matter of am, to confirm your story all the time".
Post(5 yrs) 5: “oh just intuition, you seem to have the intuition. I mean the day will come maybe when it will go against me because I won’t believe somebody maybe, not that I would ever let them know. I would be firm with them and say ‘well listen now, you told me two hours earlier that Joe Bloggs was wearing gloves and yet you say you could feel his fingernails and I asked you two hours earlier what his hands were like and you said that you didn’t remember that he had gloves on?’.

Essentially the main veracity checks here are if the story is internally consistent and consistent over time. Making sure that the complaint is internally consistent is something the investigator appears to do automatically and intuitively. Making sure that a complaint is consistent over time is something that demands more planning and often, another police officer.

PV(0 yrs) 2: “Her statement again, because it had been said several times and the consistency was in everything she said, every time, that just underlined to me that this girl was telling the truth or she has had time to think about it”.

2) Relationship between complainant and alleged culprit:
The relationship between the complainant and the alleged assailant was found to be an important veracity trigger for many participants. If the complainant knows the alleged offender, doubt is cast over whether sexual intercourse was consensual. Participants describe themselves reacting sceptically to reports once they hear that the complainant knew the culprit. All false allegation scenarios that were described by participants were acquaintance, date or partner rapes. According to participants, consent is the central tenet of all investigations and in these scenarios the alleged culprit will often agree that sexual intercourse took place, but will deny that she did not consent. The following extracts illustrate this.

PV(0 yrs) 11: “If she says they were doing a line [dating] or whatever, consent is dodgy then in your own mind, it may be dubious”.

Int: What would be a poor witness?

PV(0 yrs) 11: “I suppose if they knew the culprit doesn’t help, consent is a big thing there”.

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PV(0 yrs) 2: “If it is a stranger rape definitely, you know and if you can get a suspect for it, nobody's going to make up something about somebody they don't know”.

PV(0 yrs) 1: “I'd find out first of all does she know him, you have to be very careful when someone says 'yeah, it was him' and how you approach them as well. That is an awful thing to be a victim of [false allegation], if someone has made a malicious complaint”.

Pre(15 yrs) 1: “it would be [false complaint] somebody they knew”.

Pre(15 yrs) 2: “It's [false complaint] invariably somebody they know, complete emotional cock-up, you know?”.

3) Consensual sexual activity
Related to the above category, this analysis found that consensual sexual activity occurring before the alleged assault casts serious doubt on the injured party's assertion that she did not consent to full sex. Inherent in this category is the idea that women did something to cause the rape or were to blame for what happened.

PV(0 yrs) 2: “It happened at a disco, it wasn’t a stranger rape it was a fella she knew, she thought she was going for a kiss, turned into a rape [member was highly dubious about this report at first and was still not convinced after hearing story].

PV(0 yrs) 3: “For men it's a case of maybe there were circumstances [that led him to believe she consented to full sexual intercourse], 'c'mon she took her clothes off in fairness like', lads would probably give the benefit of the doubt [to the culprit], maybe women won't”.

PV(0 yrs) 2: “I think it was just a case [that was dubious] because it kinda came out in the statement she was having oral sex with one of the lads and then the other fella he wanted a bit then”.

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Post (5 yrs) 8: "I was of the opinion that she was claiming that the man had performed oral sex on her against her will and it was my belief that if this was the case, she could have got away or injured him in some way".

Probationer members were particularly adamant that any form of knowledge between the complainant and the alleged culprit meant that serious doubts would be raised concerning the veracity of her complaint and whether or not she consented.

5.2.3.2.3 Less common veracity cues

Other less frequently mentioned veracity cues include the timing of the report, previous allegation, promiscuity, and family background. With respect to the timing of the report, doubt was raised if the complainant did not report the crime immediately. Furthermore, if she did not mention the crime to the first person she spoke with, this was considered by a small number of members to be an indication of false report. Previous allegation, promiscuity (including evidence that the victim worked in prostitution) and family background are cues that are often triggered by information provided by third parties (colleagues). The investigator seeks out information regarding the victim's previous reporting behaviour, sexual life and/or family background. This information, often provided by other police members, is employed by investigative decision makers when making credibility judgements. The following extracts will illustrate all of these points.

Post (5 yrs) 9: "Like some people, in fairness, come in here and say 'I was raped two days ago' and like they're, and not saying like that it didn't happen but. And then there are some that come in after a few hours and totally distraught and come in now 'cos they went home and told their friend and friend says 'don't let him get away with this'. They usually make the report for somebody else, so it's just the way they report it".

PV(0 yrs) 6: "Obviously the longer it's left the proofs aren't as strong, but I would ask her, say it was three days, 'why didn't you report it? Is there a reason for why you didn't report it?' And I think that would be the first thing I would ask, unless they were too upset".

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A number of participants mentioned that if it is known or discovered that the complainant made a similar previous rape allegation, then doubt is cast over her complaint.

PV(0 yrs) 10: said the following, when describing a false allegation scenario: “She had actually consented and this girl [15 years old] had actually, the whole family had a whole kinda history of, they are well known to the health board and to the Garda and she had actually made a previous allegation as well”. [report categorised as a false complaint by participant]

PV(0 yrs) 8: “She was from [Garda] district, so we called in and the Gards there and they came over and said they recognised her, that she was giving a different name as well, that it wasn’t the same, that they knew her family as well and she has a history of going in and making these complaints like and they end up being false”.

Post (5 yrs) 1: “She was brought up hysterical, was brought up from [Station name], up here to me and within two hours we had decided that she had made three reports of rape, because a report of rape is so serious most people will remember anybody who has made the report, which is very lucky, because we could ring the local station and say ‘have you heard of this one?’, and they’ll say ‘oh yeah, she has made three reports in here’, and a lot of them [false reports] are like that”.

A small number of participants also expressed that they would be suspicious of an allegation coming from a person with a promiscuous sexual background. Suspected or known ‘promiscuity’ was also found to be a veracity triggering factor in veracity assessments.

PV(0 yrs) 11: “It may be dubious or whatever like, but maybe she’s just getting him back or sleeping around”.

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PV(0 yrs) 7: “I think generally the person knows who the person is, you know? Like the girl that came for the first one I think, she had a name about town anyway, that’s what I heard, so it was a bit iffy but am.”

PV(0 yrs) 8, describes an allegation perceived to be dubious [and alludes that the complainant was working in prostitution].

Int: Was she working in prostitution?

PV(0 yrs) 8: “They thought she might have been, they weren’t sure”.

A small number of the probationer group, refer to the family background of the complainant, as a cue to assessing the truth of an allegation. This trigger has much in common with the previously described ‘physical appearance’ and ‘social class’ categories. Investigators visually examine the complainant and make judgements at to the ‘kind’ of person she is, [how she looks, how she expresses herself, how she speaks, how she reacts, where she comes from]. Investigators also seek this information from other members of the police who have more experience or who operate in the victim’s locality. While probationer members tend to directly mention the complainant’s family background as an indicator of truth, several participants (n = 7) consider this to be an important part of the investigation in general.

Small numbers of participants mentioned triggers that were not common to the rest of the participants. These included two members who said they would look sceptically at an allegation of rape if it was made by a woman working in prostitution (note that more members, particularly from group two mentioned that all reports, even those from women working in prostitution ought to be investigated fully).

It is interesting that decision makers supplement their intuitive impressions, (based on verbal and story based cues), with third party information in order to build a comprehensive ‘picture’ and credibility assessment of the complainant. Earlier, the concept of a ‘Transactive Memory System’ (Wegner, 1987; Hollingshead, 1988) was mentioned in an effort to explain how the expertise and experience of one colleague
becomes shared (and internalised) among others and how decision makers seek important information from other police officers. There is clearly a division of cognitive labour involved in the decision making task when information is sought, processed and evaluated from another police officer who possesses information deemed important to the task. In the police context the transactive memory system appears to operate both formally and informally. It operates formally in the sense that information is actively sought by making contact with the relevant person and informally in the sense that information is supplied by relevant people (through conversation mainly) even though it may not have been sought by the decision maker. The following comment from a probationer participant is interesting in this light:

PV(O yrs) 8: "As well as that, between the unit anyway, like people who have been there a long time, chances are they have some dealings with them [complainant] like and they generally know if it's someone who is being legitimate or not like, if they have come across them before".

5) Characteristics specific to the alleged culprit

All in all, very few participants mentioned the alleged culprit as an important facet of their overall goal of establishing the veracity of a complaint. Four participants, (two from the probationer group; one from each of other two groups), mentioned that if the alleged offender has a previous conviction for rape, then they would be likely to believe that the assault took place. One probationer participant mentioned that if the alleged offender behaves like somebody who is nervous, this would impact on a veracity assessment. Another mentioned that uncertainty as to the veracity of the complaint would also occur if they perceived the alleged offender to be a nice guy, the kind of guy who would not commit a rape. The most consistent finding was a distinct lack of focus throughout all of the transcripts on the alleged culprit. This was particularly evident in relation to veracity categories. When the alleged offender was mentioned, it was generally in terms of having to search for the culprit in stranger rape scenarios (n = 13). The majority of members who mentioned the importance of searching for a culprit also mentioned the importance of gathering evidence. No gender or group differences emerged in this category. The lack of references toward
the alleged culprit is likely to have been exacerbated by the fact that those who take a statement from a complainant, often have very little to do with the interview of the offender or indeed the rest of the investigation. These members still make veracity judgements and feed these judgements onto other investigating members. The main veracity focus on the offender in this study, is in terms of how he responds to what the complainant alleges. If the alleged culprit says that the complainant consented to sexual intercourse, the investigation re-establishes its focus on the complainant to examine whether she consented. The range of cues just described, provide the basis and mechanisms for investigators to assess the veracity of her story. The culprit’s story did not appear to be as important or crucial as the complainant’s story for the respondents in this study. Even though legally a man can be charged with rape if it can be proven that he was ‘reckless’ as to whether the victim consented, ‘recklessness’ was mentioned by only six of the participants in this study. Only two participants mentioned the recklessness clause directly. This was surprising considering that alcohol consumption was a key feature of veracity assessments and it highlights the victim-centred nature of investigative decision making in rape cases.

It is clear that police officers have described how intuitive judgments play a fundamental part in making credibility assessments. It is also clear that these police officers do not conjure up exhaustive lists including every possible instance and characteristic of a rape complainant (as traditional theory prescribes). The following extract summarises this:

Post(5 yrs) 8: “.you are dealing with people on a daily basis and you just know when they’re lying to you or hiding something or not being up-front”.

5.3 Discussion and Conclusion

A key new finding of this research is that it clearly elaborates and explains how attitudes, beliefs, stereotypes and general social knowledge are related to investigative goals, which in turn are related to veracity judgements. Attribution and attitude
research outlined in Chapter 2 was criticised for failing to comprehensively explain and validly describe how these processes operate within a working environment and to elaborate the antecedents of judgements of blame. This research has successfully managed to delineate a mechanism that outlines how social knowledge is related to veracity judgements (and the construction of the case-specific decision frame) via role and goal definition in the investigation of rape. This mechanism is supported by data that strongly suggested that Garda knowledge structures (in the form of schemata, attitudes etc.) are not merely cognitive but also motivational. They not only provide a basis for what the police attend to, but also a basis for anticipating the future and specifying and directing their role in it. Police officers provided a tightly constructed rationale for why they believed women make so many false rape reports and why it was their role to decide if the allegation is genuine\(^{32}\). The extent to which beliefs and stereotypes (e.g. in level of false reports and women who make false allegations and stories likely to be true/untrue) intricately inform and are informed by investigative goals and the extent to which this process appears to be 'automatic' was an important and informative finding. The link between beliefs, motivations and behaviour will become clearer when the next part of the model 'investigative stages' is described and explained. Chapter 6 includes a sophisticated explanation and discussion of this process. Chapter 8 discusses the implications of these linkages for attrition.

In addition to highlighting the critical importance of decision goals in defining the case-specific decision frame, the current research has further clarified the general nature of investigative decisions. It is clear that decision making did not entail one, unitary explicit (or implicit) veracity goal, but instead was expressed as a series of nested decisions, dependent on the characteristics of the case. This is a truly dynamic representation of investigative decision making, where for example, some participants described (at the beginning of the case) being primarily concerned with determining the truth of the complaint, but also being concerned with obtaining proofs in the form of forensic evidence, and also making sure the complainant's welfare was attended to. The next section of the model will further embellish this finding, by demonstrating that nested decisions are also a behavioural feature of the entire investigative process (as opposed to decision priorities identifiable at the beginning of an investigation)

\(^{32}\) Or why not very many reports of rape are false
where one decision leads to a series of more decisions with varying priority levels. In this way, this research demonstrates that decision making in rape investigations is not just about deciding on proof or truth or welfare for example, but on a series of decisions with variable importance, dictated by the characteristics of the case and the Evaluative Knowledge Structure of the decision maker. This makes decision making a decidedly complex process to map, yet more representative of the dynamic, multi-level nature of decision making in real-life working environments.

Another new contribution of this research is the way veracity judgements are inextricably linked to social processes and indeed, constrained by them. A criticism of traditional approaches to decision making and naturalistic models, was their individualistic focus and their failure to address the relative importance of social processes and social context to decision making. The methodology of this research successfully facilitated the construction of a naturalistic decision making model that elucidated the impact of social factors on the decision process. The research provides a sophisticated exploration and explanation of the extent to which rape investigative decision making is a decidedly social process and on many different levels. The Evaluative Knowledge Structure, which plays a fundamental role in the construction of the case-specific decision frame, is embedded within the occupational (group) context, organisational context and social context.

The findings relating to the decision frame, documented many ways in which the component parts of the Evaluative Knowledge Structure (beliefs, investigative decision goals, event schemata, role schemata, etc.) are socially defined and operationalised. Many decision making models allude to the need to consider social context, but do not provide evidence for this. The following figure illustrates how the Evaluative Knowledge Structure and decision frame is embedded within the immediate work environment (occupational context), the organisational context and social context in general. The illustration provides examples of text outlining these constraints. The effect of social context on the investigative decision frame is presently discussed.
Societal constraints

"Guys might see it a different way then..." "she was too calm, not what I expected"

Organisational Constraints

Team and group behaviour

Beliefs
Schema
Goals
Judgement
Decision frame

"You hear from others that you have to be wary"
"We will talk about it amongst ourselves"
"You are asked for your opinion early on"
"She told me what she thought"
"you have to talk to the sergeant in charge"
"you don't want to mess up"
"my unit... they look for a female"
"there are people you can go to for help"
"it depends on the station you work in..."

"She was the type of person... that's what you'd expect"
"She was mentally unstable"

If that was me, I wouldn't be like that. "If it was a middle-class person, you would tend to believe them..."

Figure 5.1 An illustration of the contextual layers within which the Evaluative Knowledge Structure and Decision Frame located.
Firstly, section 5.3.2.2 demonstrated that probationers often described their beliefs in the level of false rape using examples of ‘real-life’ cases they had heard from their colleagues. The extent to which participants talked to one another about their experiences of rape cases was a pervasive finding. This was also true for some of the older participants. Findings strongly suggested that group and team interaction and discussion led to a shared set of beliefs, which functioned to align investigative decision frames, among other things. This phenomenon was reinforced by the belief that older and/or more experienced Gardaí were considered to be more reliable, important and respected sources of information and learning for less experienced Gardaí. Again, this finding was pervasive across all groups of participants and underlines how the hierarchical organisational context may play a role in sustaining this relationship. The organisational context is conducive to this type of on-the-job learning, sharing of information and alignment of ideas. It can be suggested that conversational information derived from police interactions with one another, function like ‘building blocks’ and are used to construct, interpret and understand social reality in the context of rape (see: Augustinos & Walker 1995; Stryker & Statham, 1985).

Secondly, it was not just beliefs and schema that were affected by social psychological group processes, but also veracity decision goals. Findings suggested this in two different ways. In the first instance participants described that they learn from others (colleagues) that they need to be wary of rape complainants. The effect of this communication partly informed investigative goals to establish the truth of rape cases. In addition, it was further suggested that veracity decision goals were affected by investigators not wanting to appear silly or stupid or gullible in front of their colleagues. Primary decision goals were affected by social comparative factors and participants were motivated to detect deception as they did not want to ‘loose face’ in front of others. Investigative decision goals did not appear to be informed by justice considerations or considerations of fairness, but instead, by not wanting to ‘mess up’ or ‘get bitten’ again. This is yet another example of how social context affects investigative decision making in a fundamental way. This is a significant contribution to current theorising on decision making as it suggests that even in work environments where there exist ‘strict’ formal standard operating procedures, social factors operate
to override policies (in the social psychological sense) and direct and constrain the pre-investigative decision frame and more crucially, the case specific decision frame.

Thirdly, veracity judgements themselves were affected by the opinions of others, both formally and informally. Findings demonstrated that often, investigators sought the impressions of their colleagues regarding the credibility of the complainant or were presented with impressions about the same. This information led to referral bias, whereby the investigator took on board this information, which led them to form a priori hypotheses and opinions biased toward the opinion of their colleagues and information that would support this. These descriptions provided by participants, lead to the suggestion that the occupational environment of the Gardai is characterised by high levels of group cohesion and task interdependency. This finding is consistent with work that has examined the effects of prior information and decision making (Greuel, 1996; Nisbett & Ross, 1980; Winkel & Koppelaar, 1991). Referral bias has been researched using different conceptual labels. For example, referral bias is discussed in the literature as the ‘primacy effect’, whereby the first piece of information received by a decision maker exerts a stronger effect on judgements than any subsequent piece of information received. While the methodology of the current study does not permit a quantitative analysis of the extent to which prior credibility information affects eventual decisions, it can be strongly suggested that this kind of information does have some influence (particularly as participants described that they value and seek the opinions of their colleagues and attempt to reach consensus).

Winkel & Koppelaar (1991) stated that while further study is needed, referral bias may not only reflect differences in interpretation of victim-reported information but also may involve different strategies in information gathering. This study provides conclusive evidence (that is more ecologically valid than laboratory work) that strongly suggests that referral bias affects investigative behaviour and information processing strategies, which serve to underline the role of team and group processes in decision making. This point will become more clear after Chapter 6.

Fourthly, veracity judgements were further affected and constrained by societal context. Findings suggested that not all beliefs with respect to rape and gender violence were informed through occupational socialisation processes. It is highly probable, that some of the beliefs and schema described by participants will have been
learned before they became members of An Garda Síochána. Occupational socialisation experiences may challenge/modify or further reinforce these beliefs. A limitation of the present research is that it is difficult to conclusively determine the relative extent to which societal and/or occupational factors inform beliefs and veracity judgements. A different type of methodology and focus would be required in order to answer this question. This research provides evidence that suggests occupational context directly affects beliefs, goals and judgement. The findings also strongly support the contention that societal influences are important with respect to rape beliefs and credibility judgements. It will be recalled that probationer participants described using their ‘gut instinct’ or ‘female instinct’ or ‘sixth sense’ when making veracity judgements. All participants described basing veracity judgements on their implicit theories of how people should behave after being raped, or when lying, or when telling the truth, or the effects of alcohol on sexual behaviour, or ‘believable’ sexual relations etc. Some participants also described comparing complainants’ behaviour with how they themselves would behave – suggesting that factors other than occupational ones affect beliefs and veracity judgement. Furthermore, when making veracity judgements participants described employing many veracity triggers (e.g. working class stereotypes, promiscuity, emotional affect). It is unlikely that all of these cues, particularly for the probationer group are a product of the occupational environment and occupational interaction. Many of these implicit theories that were ‘automatically’ activated, e.g. working class women are more likely to lie or women who have been raped should be hysterical, are beliefs supported and shared by the society in which we live. A few participants also alluded to the fact that they felt male and female police officers would judge complainants in different ways. This is further support for the contention that general socialisation factors (e.g. gender socialisation) affect beliefs and veracity judgements.

This research has demonstrated in detail how the investigative decision frame is inherently tied to occupational, organisational and social context, which both affects and constrains shared social knowledge, primary decision goals and veracity judgements. The next part of the model will develop and embellish these points as it becomes clear that a) the Evaluative Knowledge Structure continues to play an integral role in decision making; b) Social factors continue to affect the investigative
process through the Evaluative Knowledge Structure and also directly. These are discussed in the next chapter.

Finally, this research has identified a detailed representation of key beliefs, schema, stereotypes, goals, veracity cues used in the investigation of rape. It has also explained the interrelationships between these knowledge structures and in so doing provides a comprehensive account of how and why investigative decision makers assess a rape complaint in the way they do. Even more importantly, this research has delineated how differences in assessment are related to motivational aspects of case-specific decision frames (e.g. truth or proof seeking). Considering that the methodology employed in this research did not impose a priori categories, the ecological validity and credibility of the findings lend support to conclusions drawn. Chapter 6 discusses these conclusions in light of the remaining parts of the model and Chapter 8 examines their applied significance.

The next chapter will examine the third and fourth section of the naturalistic decision making model, that deals with investigative stages. This will elaborate the content and information processing strategies that occur after the case has been framed.
Chapter 6

A Naturalistic Decision Making Model of Police Investigations of Rape: Part 2

6.0 Introduction

This chapter will deal with aspects of the formal investigative process and elaborate how the decision making process is embedded within the case-specific decision frame. Idiosyncratic methods of dealing with complaints will become apparent. Some members focus on taking victim statements exclusively, while others give details of initial report strategies, forensic evidence or court preparations. In total, all members provide in-depth descriptions of their methods for taking a statement of complaint from an injured party. Many members emphasise the importance of a statement and how it provides a basis from which an investigation develops. Parts of the decision making process are inextricably linked to, and dependent upon, the case-specific decision frame and whether this is characterised by certainty or uncertainty. The extent to which social context and social psychological processes affect the investigative process will be delineated. This section aims to describe the ways in which the formal procedural investigative stages differentially manifest themselves in terms of procedure, function and outcome within different decision frames.

6.1 Investigative stages

The categories that emerged from this analysis describing the investigative stages of rape are numerous. To make interpretation manageable they were arranged into five distinct mega-sets representing the investigative stages as described by participants. The first set deals with procedural steps involved in the investigation. These steps are illustrated below.
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'take initial report and decide what to do next'

↓

'if psychiatric then help the person'

↓

'go to Sexual Assault Unit for medical'

↓

'arrange/take statement'

↓

'get forensic evidence'

↓

'check family background'

↓

'statement gathering'

↓

'arrest offender if reasonable grounds'

↓

'tell injured party outcome of DPP decision'

↓

'prepare injured party for court'

Figure 6.1 An example of the main investigative procedures described by participants

Categories in this set were arranged chronologically. Hence, 'take initial report and decide what to do next', was one of the first to be grouped within this set. Other
categories include: ‘arrange for statement’; ‘if psychiatric then help the person’; ‘go to Sexual Assault Unit for medical’; ‘get forensic evidence’; ‘check family background’; ‘statement gathering’; ‘arrest offender if reasonable grounds’; ‘prepare injured party for court’; ‘tell injured party outcome of DPP decision’. Participants mentioned different procedural combinations of the process and in different order. In many respects, standard formal investigative operating procedures are embedded within the context of the investigator’s decision frame, i.e. whether the case-specific decision frame is characterised by certainty or uncertainty. The main thrust of this section will explore how procedural aspects of the investigation are subject to change depending on the investigator's decision frame.

The second set organises a range of categories associated with one procedure - taking the statement of complaint from the injured party. These categories span many aspects of this job, such as: ‘statement most important’, to ‘get help with statement’, to categories that examine statement taking techniques, and categories outlining what participants perceive the function of the statement to be. This section will address these findings with respect to statement taking technique/function and how the statement is employed as a central decision making tool by investigators.

The third set is comprised of a group of categories that elaborate various elements of participants’ victim centred attitudes and approach. Categories include, ‘putting the injured party at ease’, ‘finding a private room’ to take the statement, ‘keeping in contact’ with the complainant, and being ‘sympathetic’, to name but a few. Some of these have already been discussed and play an important role with respect to the Evaluative Knowledge Structure. It was found, however, that the procedural aspects of these categories are not directly related to the decision making process and are perceived by participants as more of a procedural responsibility33, something secondary to the task at hand.

The final set deals with operational aspects of the investigation and organises categories that deal with deployment and policy issues e.g. who becomes involved in

33 Some participants mentioned that they experience conflict between the needs of their job (determine truth) and their duty (be sensitive to needs of victim).
a case, who investigates it, who delegates and who take responsibility. This mega-set has already been discussed in section 5.2.1.5. Once more, many operational aspects of the investigation are affected by case-specific decision frames and judgements of how ‘serious’ the allegation is. The next section will explain in more detail what decision frames of certainty and uncertainty mean. From here, the differential effects of decision frames on the timing of the investigation, the function of the statement, police behaviour during statement, and tactical strategies to reduce uncertainty will be explored.

6.1.1 Conditions of certainty and uncertainty

It is already clear that judgements leading to negative credibility assessments result in the investigator feeling uncertain as to the veracity of the report. Participants described scenarios where, after meeting the complainant, they felt sure that something was amiss and as a result they expressed their primary case-specific decision goal to be the detection of deception. ‘Uncertainty’ tended to be broadly defined by participants and it resulted in the investigator being motivated to delineate the truths of the case. Appendix 2.1 outlined formal investigative standard operating procedures, which demonstrated that it is formal policy for Gardai to accept rape complaints as true from the beginning of an investigation. The following extracts describe case-specific decision frames of uncertainty and accompanying ‘informal\(^{34}\) decision making goals. What is particularly interesting about these extracts is that they make a direct link between social judgements that result in doubts about the veracity of the allegation and investigative goals and behaviour.

PV(0 yrs) 1: "In your own mind it may be dubious... you’d have to go about it another way then, perhaps that you take her statement say and you take other statements then like, you may take a statement from a friend of hers who said that she was going to get her. you know?"

Post(5 yrs) 10: "Well I think it would be up to the Gard investigating it to get to the back of everything and see if she is going to say, well this is what happened. It’s all to

\(^{34}\) ‘Informal’ as not endorsed or advocated as official police practice, yet endorsed and acknowledged informally by Gardaí.
get to her own truthfulness. If she is saying something that doesn’t quite add up, hopefully you’ll know that and will have to have a chat and try to get the truth out of them.”

Pre(15 yrs) 6: “You can tell a lot of cases initially whether it is [genuine], you make up your mind, or you think this looks fairly genuine and you’d be dealing with it that way, whereas if you saw something and hmmm.”

PV(0 yrs) 11: “You must always remember the information you are getting off someone is like a story you know? It’s not going to be told exactly the way it happened, even if a person makes an allegation of rape and it’s a genuine allegation, what she’s telling you mightn’t be the truth at the same time, so I don’t think you can ever know really”.

In contrast, participants also described scenarios where automatic social judgements (veracity judgements) led to feelings of certainty, where the participant knew or felt sure that the person making the complaint was telling the truth. Feelings of certainty are more clearly defined and participants tended to express feeling confident in their assessments. In decision frames characterised by certainty, it was clear that the investigation was primarily concerned with covering all formal aspects of the investigation as quickly as possible and the expectation was that the case could/would go to court. The decision maker in this decision frame is motivated to delineate the proofs of the case. In these circumstances the investigative process was more likely to adhere to formal standard operating procedures for the investigation of rape.

PV(0 yrs) 7: “it depends on the person, some people you know for a fact they are genuine and other people are iffy and once you hear the stories of the other people you know..” “You know if it’s serious enough, get it over and done with and send it up to the DPP”.
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Pre(15 yrs) 6: “initial contact you get an impression if they look genuine, generally look very upset, am, physical appearance, clothes, certain things would point to it. I’d be happy going to a thing and making up my mind initially if it was genuine. I think I’d be able to make it out. I would be very happy in genuine cases, I would yeah”.

Post(5 yrs) 10: “If they seem to be genuine enough, if they [Gardai] are taking it all as genuine, they [cases] will be followed through”
“I’d say if the Gards believe it [complaint], it will go all the way to court, you know?”.

PV(0 yrs) 3: “But if when it comes down to it, if they are dealing with a person who is genuine, and trying to report this, I think they would deal with it professionally, and treat them as best they could, well most of them anyway. I mean you can tell if a person is, she would be in shock....”

The emphasis in this decision frame is on establishing the proofs of the case quickly and getting it to court. The next section will elaborate in more detail the ways in which investigative decision frames differentially affect the processing of the case both behaviourally and cognitively.

6.1.2 Investigative stages and conditions of certainty/uncertainty
A researcher-based category was created during the analysis, as examples emerged of various instances where a Garda’s initial impressions (veracity judgement) affected subsequent aspects of the investigative process. The way in which divergences in the decision frame affected this process is the subject of this section. Some of these differences are generic and concern overall differences in investigative focus and procedures, e.g. timing, veracity orientation. Other differences concern specific functional changes in addition to strategic information processing and information gathering techniques.

(A) Uncertainty and temporal effects
This present discussion has already described instances that demonstrated that initial credibility judgements lead to different investigative priorities. In the main this concerned a lack of urgency and immediacy with complaints where the investigator
suspected the case was false. Cases that were perceived to be genuine and credible were described as being acted upon more quickly. These patterns are evident in the following examples:

Post(5 yrs) 7: “I think drink has a lot to do with it [leading to false reports]. On both sides. Prostitution could be another big factor”.

Int: Why do you think that?
Post(5 yrs) 7: “Because I’ve seen a lot of them complaining, whether they are false or not”.

Int: Are they acted on as promptly?
Post(5 yrs) 7: “Not as promptly I’d say, not as a genuine rape case. They would be different, wouldn’t be up in the same priority”.... “I’d say they would be treated the same, go through the same steps, but I wouldn’t say as important, as quick”.

The above participant explains that complaints from women working in prostitution are not treated as quickly as genuine rape cases, suggesting two things: complaints of rapes from women working in prostitution lack credibility and cases that lack credibility are not acted upon as promptly as credible ones. This has direct implications for the quality of evidence, both forensic and narrative, as time is recognised as a crucial factor at the early stages of an investigation.

Post(5 yrs) 9: “Okay, when you meet a person first of all, if it’s an incident where she comes in and if she’s pretty drunk that is hard. You mightn’t necessarily interview her straight away anyway but ah, you know there is something more to it. You know well, that the person, you know by the way she reports it and when she reports it”. [That it is not likely to be genuine].

Pre(15 yrs) 3: “Well if it’s a boyfriend situation it is often treated a bit differently, you know? Because boyfriends and girlfriends, it’s a different scenario, you know? Whereas if it is a stranger it is taken a bit more seriously”.

Pre(15 yrs) 4: “If somebody did appear drunk, I think it is a factor whether you would react immediately or deal with it, well, maybe come back in the morning or whatever. But you are leaving yourself open obviously [to censure]. If you say ‘come back in the
morning’ and you have a genuine case of rape, well, why wasn’t it dealt with? The person did present themselves and you wouldn’t have a leg to stand on...you would certainly send them for a medical, even if you were unwilling to take a statement there and then. Oh yeah.”

The above extract demonstrates a point made previously\textsuperscript{35}; that investigative behaviour is constrained by external factors. In the above instance these include consideration of how participants deem their colleagues would react to the same behaviour and consideration of what participants are obliged to do legally. For example, there appeared to be much flexibility in terms of how much discretion participants had over when to arrange a statement. The above description highlights that discretionary decisions are affected by how the behaviour will be seen by others – in this case by supervisors and superiors. This point reinforces the way in which investigative decisions and behaviour are moderated by socio-contextual features of rape investigation.

Pre(15 yrs) 5, describes a case that was perceived to be a genuine complaint and hence a serious report. She says the following: “We took their time, it was a serious case so you can’t rush a statement”.

Findings suggest that different case specific decision frames result in different police response and reactions. Temporal constraints and an emphasis on speed characterise complaints perceived to be genuine, whereas police response is more casual and prone to delay with cases perceived to be dubious and, therefore, less ‘serious’.

(B) Taking the statement of complaint

Some of the above extracts of text demonstrate the importance attached to taking a statement from a complainant and discrepancies over when members think it is appropriate to do so. This section will examine in more detail the way participants

\textsuperscript{35} The previous point described how primary investigative decision goals were determined, in part, by participants not wanting to appear silly or embarrassed in front of their colleagues. This would happen if they believed a complainant and it later transpired to be untrue.
perceive this aspect of their work, how it relates to their investigative goals and what strategies they employ to elicit information from the complainant.

**B.1) Attitude toward taking the statement of complaint**

All 34 participants mentioned that the statement from the complainant is a crucial part of the investigation of rape. Without a statement of complaint, participants agreed, 'their hands are tied'. The statement of complaint is also widely mentioned as forming one of the most important pieces of evidence in the case, particularly if other forms of evidence are lacking.

Post(5 yrs) 9: "what I'd be doing is getting the statement from her, that would be the main thing for me".

PV(0 yrs) 1: "I would be most cautious about taking the statement because I know it is the most important".

Pre(15 yrs) 1: "there are little areas that could be elaborated on in a statement that would be of great benefit to an investigation".

When participants discussed taking the statement of complaint from the complainant, two main categories emerged: Some participants perceived the victim statement as a useful tool in making veracity decisions and deciding on the recommendation of a case. Other participants simply mentioned the statement as the most important part of the investigative process and did not elaborate on its function. This section will examine the functional aspects of statement taking that deal with making veracity judgements.

**B.2) Uncertainty and the function of the statement of complaint**

It was found that the process of taking a statement of rape is a conduit, not only making decisions but also, for testing the validity of previous judgements. This aspect of statement taking is directly related to the decision frame of the investigation. For example, factors such as the appearance of the complainant, whether injury is apparent, what type of area she comes from, the type of rape she is reporting, whether
she has reported before, whether she is drunk or has taken drugs create a veracity impression and the statement is subsequently employed to test and verify veracity hypotheses. Noticeably, it is mainly the younger probationer sample that directly mention this function. For example, if the complainant is able to give a lot of detail, the member taking the statement will interpret this as an indication that she could not have made up so detailed a story.

A related function to this is to cover all aspects of consent and to get to the bottom of how consent was denied etc. This is verbalised by participants saying that they have to find out how the complainant expressed her lack of consent, (i.e. did she resist, scream, shout), to consent being one of the points that has to be legally covered for the investigation file and for court. There was widespread acknowledgement among participants, especially in the Post sample (n = 5) that a good statement is one where the issue of ‘consent’ is described and outlined clearly and in full. This category is related to the need to establish if a crime has really occurred but it is also related to the demands and constraints of the law. There was awareness among some participants that the statement will be used as evidence in a court of law. This justified their emphasis on the need to clarify, and give sufficient weight to, consent because it is a point of law.

PV(O yrs) 1: “I’ve seen statements for rapes that were six or seven pages and you nearly couldn’t make up such an intricate story in the sense that you couldn’t unless you had a vivid imagination, you couldn’t go into the most minor details”.

PV(0 yrs) 10 describes that Gardaí who are successful at detecting deception have a particular statement taking technique that allows them to be so:

“I think experience is a major factor, also the types of questions that they use like, are they one of those people that use closed type questions or do they know how to go about something like open-ended questions or a good way of getting information out of people”.

Post(5 yrs) 4: “You have informed your opinion of her based on the statement”.

“I need to establish, to decide, if see, if there is a criminal offence or not.....To find out if a crime has been committed, I have to find out did this person not consent to
sexual intercourse, did they say 'no', verbally or by their actions. ...I have to find out exactly what happened. Was something done, was it an attempt or was it penetration against her will, did she say 'no'. If she did, how did she do so. When it was all over, what did she do? Did she tell somebody, did she not tell".

PV(0 yrs) 9 says when considering the issue of consent that he would examine: "the demeanour of them at the time, were both parties drunk. Stuff like that, but it depends upon the situation too, where they met".

Using the statement of complaint as a vehicle for veracity judgements will be further documented in the next section.

B.3) Uncertainty and testing veracity hypotheses
Participants described using a number of methods while taking the statement to reach veracity decisions. The behaviour of the complainant is observed throughout the interview and behaviour is evaluated according to the case-specific decision frame of the investigator. Testing methods vary from sending in different interviewers and comparing notes, to testing complainants’ reactions to various questions or suggestions about the veracity of their story, confronting the complainant with the investigators’ doubts and observing her reaction. Participants also described trying to confirm whether the story elicited at different times and with different people are consistent, they may attempt to ‘trip her up’, employ repeat questions (question asked twice at different times), and use directive questions such as ‘how did you know it was that time?’ The following are a number of extracts that illustrate the above points. It is important to remember that these strategies were described by participants when talking about rape scenarios where they perceived the woman to be lying or not telling the truth. The participant was motivated to detect deception.

PV(0 yrs) 1: “I think it would be easier to spot a liar than someone a person who is telling the truth. You could trip, you have to test them with questioning. I know it’s not a nice thing to do, but you have to test their story like, so when you’re writing notes and whatever it’s very hard to tell a lie, a long lie because you know you won’t have that good a memory, you’ll be writing a statement that is six or seven pages long and they’re telling lies, you can pick up lies...”
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Pre(15 yrs) 1: “If somebody comes in that we haven’t seen before and reports a rape and we have to discover whether it’s true or not, we begin to elicit quite a bit of information from her and the only way you can trip her up or not trip her up but to confirm her story is to go back and see if it matches what you have written down in your notes and it’s just a matter, am, to confirm your story all the time”.

Post(5 yrs) 1: “Say a boyfriend, girlfriend situation, they will think they haven’t given consent [the complainant], you or I may read it and say ‘ahh’, [she did give consent] but what they have in their head is, but a lot of the time I will say ‘from where I see it there was consent’ and they would say ‘no’, and I would say ‘well I’m just telling you how I see it’.

“I think you are better off [being frank with complainants], there’s no point. I wouldn’t be harsh but I would be frank...I’ll say ‘well, from where I’m sitting, it looks like, are you sure that happened?’ and we clarify, we’d have to clarify it, ‘cos if we don’t it will never be clarified’.

Post(5 yrs) 8: “Well you’d have an idea, an inclination or a gut feeling that something happened this girl or this isn’t right. The case that [Garda name] spoke to you about – that girl, when we interviewed her, I’d say it was about six hours I was interviewing her for and she never got upset once. I was surprised by her reaction because the account she gave us was very sordid, particularly horrible like but she had no emotion and the only emotion she showed was when we got a bit tough on her. We wanted to iron out a few things, we were I suppose horrible, not that we were horrible, but we just put some questions to her and she got upset ‘cos she thought the Gards didn’t believe her. That was the only emotion she showed which was very unusual”. [This case was later found to be genuine and the Gardaí recommended prosecuting the alleged offender for rape].

When these categories were analysed further it was found that the two older groups provided more examples of interview methods to elicit more detailed responses in an interview setting. The older groups appear to have a more sophisticated understanding and detailed knowledge of the ways in which information is best elicited from complainants. This is consistent with the findings of decision making research that
demonstrates that expert decision makers (e.g. professional chess players) with more experience have a greater repertoire of information and can recall more complex sets of manoeuvres from which to use. In comparison, the probationer group gave fewer examples of techniques and fewer examples of scenarios where these apply.

C) Uncertainty and checking family background
Checking the complainant’s family background has been touched upon earlier. It was found that when investigators are unsure about the credibility of a complainant, they check with colleagues, friends and neighbours of the complainant to find out ‘what kind of person she is’.

Int: At what point do you make your mind up regarding the case?
PV(0 yrs) 10: “When you have all your statements of evidence together. Like you would have got to know your victim from speaking to them over several, so ask around the station, say the community Gard, do they know anything about this person and you’d have to find as much of their background as you can”.

D) Uncertainty and testing reaction at crime scene
Another participant described how he often purposefully tests the complainant’s reaction when bringing her to the scene of the crime:

Pre(15 yrs) 2: “Sometimes I’ll bring the victim with me back to the scene and it is a great way ‘cos you have the person there and if somebody is presented with the place where a horror has been committed upon them, I know it’s a bit bad but you are watching their reaction, do they recoil, are they blasé. It’s the same way as if you’re going off to buy a house. You go in you look at the house, you look at the environment, you look at where the bus or the shops are and the pubs and then you make your decision”.

E) Uncertainty and deciding to arrest offender
A small number of participants mentioned that if they got the impression that a complaint was dubious, they would be reticent to arrest the alleged offender. A Garda
can arrest an alleged culprit if she or he has reasonable ground to do so and can bring an individual in for questioning if they feel a crime has been committed.

PV(0 yrs) 3: “It depends on well if you can get corroboration of different facts, then if you have enough evidence and then I suppose ask the Sergeant and see if you can arrest the person and bring them in and section 4 them and interview them”.
PV(0 yrs) 3: “If you thought it was very sceptical there would be no arrests or anything they would wait for all the forensics, they would wait for everything”.

Int: I understand that is a very complex decision to make but can you explain to me how it is made?
P(0 yrs) 1: “her statement, her initial statement, the first few lines out of her mouth would be enough you know? Enough to bring him in anyway on suspicion. I mean the criminal law Act there, the 1997 one, if you think there has been a crime committed you can arrest, you don’t have to have the specifics of the crime, so away you go and all the time you’re just covering making sure you have the law, the power, without the power of the law you can’t do anything”.

An interesting remark in the above extract is, ‘if you think there has been a crime committed you can arrest’. If an investigator is uncertain that a crime has been committed, it is, therefore, more likely that the alleged offender will not be arrested.

PV(0 yrs) 10: “We were satisfied that he was [the culprit], so we made the decision ourselves...once you have your statement of complaint and she described him very well and that would be reasonable grounds”.

F) Uncertainty and recording crime
An extremely critical aspect of crime reporting is the official recording of the crime (these records are what forms official Garda crime statistics). The recording process has been described in the Appendix 2.1. Differing reactions were given by participants with respect to when a crime report (known as a C1) is completed and whose responsibility it is to complete it. It was generally thought that the officer who takes the statement from the complainant would also be responsible for the crime report. It was clear, however, that procedure differs from station to station and district
to district. There was a discernible amount of hesitation and uncertainty when responding to these questions. Some participants specified that a Cl would be filled out “initially”, a small number said “straight away”, and some said at the end of the investigation. Participants, however, described rape scenarios where no formal crime report was completed. A number of participants mentioned the new improved police recording system (PULSE) and expressed concern at how that would work with respect to recording rape.

P(0 yrs) 1: “...I’ve seen in practice there’s a few I’ve not only seen but heard within the station. Like you’d hear this woman came in last night and gave a false allegation”.

Int: And how far does that go then?

P(0 yrs) 1: “It goes right up to arresting him a lot of the time, bringing him on, going through the whole...”

Int: So you’d fill in a Cl and there’d be...

P(0 yrs) 1: “There was no Cl for that, there wouldn’t be any crime report for that, no”.

PV(0 yrs) 9: “You wouldn’t fill a Cl in straight away for a rape”.

Findings clearly demonstrate that the function of and motivation to perform rape investigative procedures varies according to the case-specific decision frame. Emphasis shifts differentially and behaviour is altered and directed toward different investigative goals. In the case of uncertainty the decision maker is motivated to seek and delineate the truths of the case. This is accomplished in various ways that have

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36 The new police computerised recording system requires that Gardaí enter all crime report forms, now called PC10 into the system before the end of their shift. It was noted in Chapter 2 that the most recent crime statistics for rape relating to 2001 show a sizeable increase from the previous year. 2001 was the first year that the new system had been introduced into the majority of police stations across the country. It is likely that this recording system has directly affected the recording of rape cases by the Gardaí.
just been outlined. In conditions of certainty the decision maker is motivated to seek and delineate the proofs of the case. In the latter condition, standard operating procedures of rape investigations, as formally taught in training, are, in the main, adhered to.

These categories were compared across groups of participants to see if any patterns emerged from the analysis with respect to gender, primary decision goals, overall differences in how members frame the situation, but no patterns emerged. The small number of members with an explicitly victim centred approach to the investigation of rape, provided examples of how their initial impressions affected the investigative process. These findings will be discussed in more detail in the discussion.

The next section will elaborate more specifically, on the main information processing strategy used during the investigative stages in order to reach a decision. Findings that describe how meaning is constructed and information interpreted will be outlined. The findings have much in common with information processing techniques previously discussed with respect to narrative models of decision making (Chapter 3).

6.1.3 Constructing a ‘commonsense’ story

A pervasive facet of writing rape statements, according to participants, is the need for detail, and as much of it as possible. The amount of detail in a statement is used as an evaluative criterion in that the more detail provided, the more likely it is for the allegation to be true. Participants were able to describe the kinds of detail that they would require in order to be satisfied with the quality of the statement. Participants described different rapes scenarios (real and hypothetical event schemata) where the kind of information they sought varied depending on the ‘type’ of complaint/complainant. Participants, therefore, have mental models or event schemata of what constitutes a ‘good’ statement or a ‘good’ story for different types of rape complaints. In general, participants described the importance of providing detail with respect to: the person, the lead up to the assault, step-by-step details of what happened, the sexual act itself, focusing on consent, levels of resistance demonstrated, what happened after the assault, who she first met, who she first told, background information on the person and her family. Detail was an intrinsic ingredient in the
development of a commonsense story of what happened. The investigator starts to construct a story based on the detail provided by the complainant and the beliefs and expectations of the investigator. The construction of a mental model of the rape is the main evaluative strategy, described by all participants, that is central to decision making. A statement is evaluated positively, if there is a clear, full, plausible story underlying it. Factors that confound story construction and the collection of detail include memory problems, complainant apprehension, incoherency, being drunk or having being drunk and being drug addicted.

_Post(5 yrs) 3: “The way I take a statement. I go, where they were, where they met, first contact, who they were with, where they went then, did they leave to go, did anyone see them leave. Then where they went, from start to finish you build a picture then you know, down to the act, how it happened, where it happened, what he said, what they said, what happened first. I just go step by step by step and then at the end who was the first person they told. The clothes they were wearing, description of the culprit, just take it from the start”._

It was found that when participants described the kinds of details that are considered important for a statement, they tended to list the items chronologically, in episodic format, like a story. This technique was apparent in two large related yet distinct categories that emerged from the analysis. These were extracts of text that described the chronological way in which elements of the story are elicited from the complainant. The other category contains extracts of text that describe in detail how a positively evaluated statement is one where a clear, commonsense story or picture emerges. Information is elicited from the complainant in such a way that a story contains as few gaps as possible. Story construction begins even before a statement is taken, when an initial report is received and the investigator assesses the complainant. The function of constructing a story is so the investigator can ‘make sense’ of what happened and evaluate the story accordingly. The following extracts of text highlight this.

_Pre (15 yrs) 7: “Ask them to tell me what happened. Go through it all first and get it in order in my own head first, ‘cos it can be very difficult to get information from people. Their story can be very hazy”._
Post(5 yrs) 6 says that a good statement is: "basically, if it made sense and it was kind of, everything was flowing from the start to the end, no time lapses are missed out on".

Post (5 yrs) 8 says that taking a rape statement is "not like a burglary or where you're taking a statement off somebody who had a handbag robbed. A good statement is one that by reading it you can see what happened, write it down in stages".

PV(0 yrs) 8: "Well there wouldn't really be an order, 'cos you'd be telling it like a story". In response to the question, 'what makes a good witness in your opinion'? PV(0 yrs)8 replied: "Someone that tells a story and everything is there".

These extracts demonstrate that participants build a detailed mental model of the rape event in order to make sense of the complaint. Participants attempt to construct a story with as few 'gaps' as possible. Gaps in the story are seen as problematic and when they arise the participant will hypothesise the likely explanation for the gaps based on her expectations. Participants describe how they constantly evaluate the story as it is being updated with new information. Stories are evaluated by 'seeing if it makes sense', or 'fits in' with the participant's pre-existing expectations. These expectations are described with respect to what the decision maker thinks is probable in terms of the person telling the story (use of stereotypes), if the story is believable with respect to how they think they would act in the same situation (self-other comparisons based on self knowledge), if the story is believable in terms of how people behave in general (implicit theories of human behaviour and human sexual behaviour), or in terms of how rape happens (rape scripts or event schemata for rape). We have already seen (in section 6.1.2) that when the story does not 'fit in' or 'make sense' the decision maker modifies the way information is collected and changes investigative tactics in order to get at the real story. Decision making strategies will be discussed in greater detail in section 6.2 (final deliberative stage). The following two quotes are presented to illustrate the above points.
Chapter 6

Pre(15 yrs) 9: “trying to tease it out. Every detail she is aware of, just try and get it down in writing. ...you can go back if it doesn’t add up..... But it’s just from reading situations, reading a person in their mind you know”.

Pre(15 yrs) 8 mentions the need for a story that fits together and “sometimes you kinda know when you are writing it down if there are little gaps or loopholes, like you are not going to go from kissing and petting to full-on rape. There would have to be some kind of talk or lead up or someone would have to take off your clothes or...”

Other procedural aspects of the investigation also contribute to the construction of a story (and deciding on the truth of a complaint). In the main, these concern the kinds of evidence that investigators have found that give weight to various elements of the story. These will now be discussed.

6.1.4 Evidence evaluation and story construction

One of the main investigative tasks is to try to find information that will corroborate the allegation made by the complainant. Finding corroborative evidence that supports the veracity of a story means that the decision maker will believe/feel certain that the story is true. The strongest type of evidence is that which can be presented in a court of law as proof for some element of the case, e.g. forensic evidence or evidence from eye witnesses. Participants perceive this kind of evidence as a powerful indication (often incontestable) of truth. Where this evidence is absent, doubt continues to be cast over the allegation and this has consequences for the final deliberative stage of the investigation. Participants described how collecting forensic evidence was a very important aspect of the investigation. Participants collected forensic evidence by: 1) arranging for a forensic medical examination of the complainant (if appropriate), 2) arranging for the scene to be preserved (if appropriate) and 3) Preserving the complainant’s clothes (if appropriate). Participants further sought quasi-legal evidence in an attempt to accurately construct and corroborate the story. For example, it has already been outlined that investigators may want to find out if and how the complainant resisted to the assault. This type of information (that does not concern a point of law) is thought to provide indirect evidence and support for the validity of a story. The following extracts are illustrative of how certain kinds of information help
to construct and give weight to the complainant’s story and how this feeds into the recommendation decision.

Post(5 yrs) 10: “Well firstly you have to say whether they are credible or not. I don’t mean to keep going back to whether you believe them or not, in most cases that wouldn’t come into it. You wouldn’t be doubting it ever happened. Just whatever complaint they made or said happened. If it can be corroborated in any way. If somebody else did see them, you know little things like that. Like they do have some sort of corroboration. I know you do have cases where it is one word against the other”.

Post (5 yrs) 7: “her friend had come in at the same time and they all verified her story and it was all there. Her story was true, it’s just she showed no emotion”. [Complainant not believed at first]

Pre (15 yrs) 2 mentioned that it is the forensic medical results that indicate to him whether the allegation is true or not. “it’s like, doubting Thomas, putting his hands on the wounds, you can see her report and you see there is trauma here, trauma there you know. You feel ‘yeah’, like the body doesn’t lie, the body doesn’t lie”.

Pre (15 yrs) 4, says she thinks you would have to weigh up all information. “If there was no forensic evidence that would have a big bearing on the case”.

“You would need something there to lead you to think that this [information] goes with it or leads you to believe the crime did happen”.

Having good evidence makes a strong case for court. When interpreting evidence and information, participants appear to be also thinking ahead as to what is likely to happen to the case if there is/is not evidence. Good forensic evidence not only reduces uncertainty in the mind of the decision maker but it also makes them feel certain that the case will be evaluated positively from a legal perspective with respect to the DPP’s office and the courts.
Pre(15 yrs) 6: "you need something else, something independent to make somebody make up their mind, you know? Evidence from somebody else or a piece of forensic evidence. If you didn't have something good to go on the DPP won't run with it".

Pre(15 yrs) 8 described an example of a case she dealt with where "the facts stood for themselves" and she and the Sergeant agreed on a classification for the crime. She says that even if a statement is not so great forensic evidence will back it up (or not).

Pre (15 yrs) 5 described an example of a case where corroboration was sought on all aspects of the complainant's story. In the example described, the investigator looked for specific information that she considered indicative of 'truth'. The investigator wanted to know whether the complainant told anybody about the offence after it happened. She was also looking for matching forensic corroboration. She attempted to match the story to the evidence (both legal and quasi-legal) in order to evaluate the allegation: "get the detail on what went on, who they told after, 'I went straight to so and so'. If you don't go straight to someone, it's dubious certainly. If you have these things to match, from the descriptions of what they told me. From bruises on their body obviously, and the fact that they went straight to their Mam after, their Mam is sitting here now, all these things. It's not one thing, it's a picture. Fits in. Obviously I don't decide then.... I will follow up with my own people, 'okay what do you think here?' I've loads of people I can call upon, any detectives that might be on the investigation, Sergeant in my unit".

6.1.5 Reframing

As an investigation proceeds, the decision maker is engaged in a constant, iterative reasoning process, where new information is evaluated and re-evaluated on the basis of all information processed thus far. Participants described scenarios where the investigative decision frame switched during the investigation – usually on the basis of new information. Some of these scenarios have already been presented. Reframing was particularly evident in cases characterised by conditions of uncertainty, where an initial veracity judgement left the decision maker doubtful that the allegation was true. The decision maker's goal was to delineate the truths of the case and reduce uncertainty. If the decision maker succeeded in reducing uncertainty then the decision frame switched. For example, a decision maker remains doubtful and uncertain with
respect to the veracity of a rape report. A forensic medical examination was completed on the victim. The results from the forensic laboratory confirm that sexual intercourse did take place with the alleged culprit. The alleged culprit had denied this all along. In this scenario reframing occurs, whereby the initial decision frame of uncertainty is replaced by a decision frame of certainty. The decision maker is left with one differentiated story and corroborative evidence to substantiate it. The decision maker now believes the complainant, is motivated to further delineate the proofs of the case and recommends a prosecution to the DPP (recommendation decisions are discussed in section 6.2). This finding is consistent with the work of Klein's (1993) Recognition Primed Decision Making Model where decision makers develop a new alternative if they find the one they currently hold to be unacceptable. Lipshitz (1994) also found that decision makers in ‘no-win choice problems’ (problems where two alternatives were either both negative or equally positive and negative) tended to frame a new alternative. The following extracts of text describe the re-framing process.

PV(0 yrs) 8: “I think you have an initial opinion and then it changes, it changes as it goes along. I don't know if you can make up your mind at the start like ‘cos there is so many, you have your first impression and then it either changes or, but I think it definitely develops over the, when you are hearing different sides of the story like, it changes”.

A probationer participant gave an example of a case that she had dealt with. Initially from looking at the girl, whom she visited in hospital, she thought “dodgy, dodgy, but just a very strong girl, she wasn't the type I was expecting”, she later told her Sergeant after taking her statement that she didn't think the allegation was true and for a number of reasons was sceptical about the credibility of the girl. As the investigation progressed the Garda became more and more convinced, (i.e. uncertainty was reduced) that the allegation was true because the girl was able to repeat a very complex story on numerous occasions over a period of time. The girl convinced the Garda that her story was true and managed to successfully bridge the ‘credibility gap’. The decision frame of the Garda switched and she eventually believed the girl. A number of scenarios similar to this were described by participants (see section 6.1.2 (part 3)).
This section has demonstrated how investigators attempt to elicit a complete and sufficiently detailed account of the offence from the complainant. There are particular kinds of information that the investigator is interested in delineating, and the importance of this information can vary depending on the characteristics of the case. From the complainant's account, a story is constructed whereby the investigator builds a mental model of the rape and tries to "get it in order in my own head" (Pre (15 yrs) 7). Any 'gaps' in the complainant's story are seen as problematic and investigators attempt to fill these gaps by imagining what they consider to be the most likely explanation. Decision makers evaluate this story using a number of strategies. They evaluate the story on the basis of what they expect of the person telling it and the people involved. They evaluate it on the basis of what they themselves would do in the situation. They evaluate the story on the basis of their own implicit theories of human behaviour, including sexual behaviour. Finally, they evaluate the story by comparing it to stored event schemata of rape scenarios. Social knowledge in the form of schemata, stereotypes, attitudes etc. were described fully by participants and were generally a product of past experiences, both direct and anecdotal37. This section also described how the search for corroborative evidence either gives weight to or detracts from the story generated. Hard evidence (in the form of forensic information or eye witness accounts) provides incontrovertible proof that the story is true. Other kinds of evidence are also employed, such as quasi-legal evidence that provide indirect support for elements of the story, e.g. degree of resistance. The very beginning of section 6.1.2 examined how decision frames characterised by certainty or uncertainty affected how investigators perceived their role and investigative goals and how these, in turn, affected why and how information was collected and the method of eliciting information from the complainant. It is clear that the decision maker plays an active role in interpreting information provided by the complainant and by other sources, in constructing a mental model of the rape and in evaluating the story constructed. The social interactive nature of the investigative process was also outlined (e.g. referral bias, uncertainty reducing strategies). The case-specific decision frame plays a direct

37 It is entirely plausible that rape event schemata were also partly affected by schemata acquired before participants became members of the Gardaí. Unfortunately, the design of this study does not permit the relative extent of this influence to be gauged.
role guiding and directing this process. Decision frames can switch during the investigation, particularly when decision makers succeed in reducing uncertainty. The final section of this chapter will present the findings of the ‘final deliberative stage’ of the decision making model. This stage, like the previous two, is embedded within different case-specific decision frames, which will be described. Decision making strategies employed after the investigation is over will be outlined. The way in which colleagues and group processes affect this decision will also be discussed.

6.2 Final Deliberative Stage

This section will present the findings of the final stage of the decision making model that occurs once the allegation has been investigated in full. At this point the investigating officer is required to complete the investigation file and make a prosecution recommendation to the prosecuting authorities. This recommendation will be reviewed by the district Superintendent and forwarded to state solicitor and then the Office of the Director of Public Prosecutions. Once this stage has been reached, all necessary investigative information will have been amassed, including the statement(s) from the complainant, the alleged culprit and any other witnesses. The information processing strategies involved in the final stage of the investigation are an extension of those previously discussed. An interesting finding to emerge from the analysis was that once again, the frame of the investigative decision has direct implications for the final deliberative stage; once again demonstrating the powerful role of the evaluative knowledge structure in investigative decision making. When participants felt ‘certain’ that the complaint was genuine, there was likely to be only one differentiated story to consider when making a recommendation. In decision frames characterised by uncertainty, it was more likely that there were two or more undifferentiated alternative stories that the decision maker had to consider in order to reach a decision. The processing involved in each of these conditions is the subject of the next and final section. Firstly, the role of identifying corroborative information will be discussed. Following from this is a discussion of a more involved range of information processing strategies, specific to decision frames of uncertainty. These strategies have previously characterised aspects of information processing and
evidence evaluation during the investigative stages but they will be described in more
detail in this section. From here, the relationship between uncertainty and decision
outcome will be elaborated in terms of how doubt translates into negative prosecution
decisions. Finally, this section will examine how decision making is shared by others
and how decision makers talk to their colleagues about the case and how this affects
outcome.

6.2.1 Corroboration
Irrespective of the investigative decision frame, corroboration is the most preferred
method employed by participants in arriving at a recommendation decision. Corroboration has already been discussed in section 6.1.4 with respect to how
participants search for corroborative evidence [particularly forensic evidence] during
the investigation to ‘back up’ elements of the complainant’s story. It was
demonstrated how corroboration is employed as a central aspect of delineating the
proofs of a case and seeking and delineating the truths of a case. It was shown that the
investigative decision frame often affects how decision makers go about seeking
corroboration. This section follows from these conclusions and elaborates how
corroboration is formally evaluated at the end of the investigation. It was evident from
section 6.1.4, among others, that decision makers’ minds are often made up and their
eye early impressions have been consolidated into decisions by the time the investigation
has reached the final stages: “you would have formed your opinion of her based on
the statement” (Post (5 yrs) 4). In these cases, reaching a recommendation is a mere
formality, as investigators have already made up their mind. Participants did,
however, describe how corroboration is assessed during the final investigative stage
and how the prescriptions of the law affected final decisions.

Participants described assessing the level of corroboration for all aspects of the
complainant’s story but more specifically assessing corroboration with respect to the
legal proofs of the case, mainly consent. Forensic evidence often provided the only
evidence here, as rape is rarely a crime witnessed by others. The concern with the
legal proofs of the case was matched with an awareness that the case has to represent
a prima facie case in order to recommend a prosecution (although participants did not
use this language they did talk about the requirements of the DPP and demands of
court). As previously mentioned, participants did not seem to be concerned with whether the culprit was criminally ‘reckless’ as to whether the complainant consented.

In conditions of uncertainty, it is highly unlikely for there to be any ‘hard’ evidential corroborative proofs to the case. This is why in investigations where the decision making frame is characterised by uncertainty, the decision-maker is left at the end of the investigation with competing undifferentiated alternative stories. These stories are undifferentiated because ‘hard’ corroborative evidence is unavailable/could not be found. Many rape cases fall automatically into this category but depending on the investigative decision frame, ‘soft’ evidence (both quasi-legal and extra-legal\textsuperscript{38}) can play a more important role in these cases. In conditions of certainty, however, participants described stories that were differentiated for one or all, of three reasons: 1) The decision maker has evidence to legally prove the proofs of the case. 2) The decision maker knows the complainant (and hence believes her). 3) The decision maker believes one person’s story to be more truthful than the other (generally for personal reasons).

Therefore, many participants expressed that they were primarily assessing the level of corroborative evidence to see if it justified a prosecution. Evidence was seen to be of primary importance. As described, it was also considered to be the most direct way or most potent indicator of the truth of an allegation. It is interesting, however, to note that deciding if an allegation is true or not is often an integral part of deciding if a prosecution will be recommended or not. The following extracts are illustrative of the above points.

Post(5 yrs) 3: "cooperation of other witnesses, at the end of the day there is very little you can recommend other than if you knew them or one of them came across as telling the truth and one of them didn't. Corroboration evidence moreso than just on statements, you know whose story would be corroborated the most. If the girl's story

\textsuperscript{38} Extra-legal criteria refer to factors that are separate from the incident and relate to the lifestyle, background and 'reputation' of the complainant.
is corroborated by anybody she spoke to and then if the forensic evidence showed she was badly raped”.

Post(5 yrs) 10: “If you believe the person was raped, the Garda believes it, you have to go with it. And let him make his own defence. He’s obviously going to make a defence and there is going to be a counter claim with most things, any assault”.

Post(5 yrs) 4: “corroboration, rare that they [DPP] will go with an injured party statement”.

PV(0 yrs) 1: “I don’t think any one piece of evidence will get you a conviction on any of them, I think it’s a mixture of them all. Okay, forensic evidence is fairly undeniable and if you have it like semen samples from her matching him or there is other forensic evidence linking him to her, it’s undeniable but then you’ve got her only saying it was forced, so then her statement would come into play, but you’d definitely won half the battle if you could prove he was with her and something did happen and then it’s bruising, generally rapes are not too pleasant like and there’d be bruising and that kind of stuff. One piece of evidence is not going to get a conviction”.

Post(5 yrs) 10: “Just cover all angles, the evidence, the law. What you need for the prosecution itself. That the person is credible and that they have the knowledge they say they have”.

Under conditions of certainty, making a recommendation is more straightforward as the investigator will already have an opinion about the truths and the strength of the case. This appears to be derived from corroborative elements of the case, a belief that one story is true and the other untrue or a belief that the allegation is true because the investigator knows the complainant\(^{39}\). Participants tend to distinguish between

\(^{39}\) It is possible for the investigator to be ‘certain’ that the allegation is wholly false and to recommend that the complainant be prosecuted for wasting police time. None of the participants in this sample had any direct experience of this scenario. This is not surprising as these prosecutions are very rare. A few participants described anecdotally a case they had heard of. In these cases, the investigator would have
'hard\textsuperscript{40}', irrefutable evidence and 'soft', quasi-legal/extra-legal evidence. Hard evidence evokes and maintains feelings of certainty and makes the decision makers' job of recommending a prosecution more direct and less complicated. In conditions of uncertainty where no 'hard' evidence exists, decision makers tended to reach their decision by relying to a large extent on the content of their Evaluative Knowledge Structure. It is in this scenario that cases are more likely to result in attrition, i.e. the Garda will recommend no prosecution and/or outline the reasons for their uncertainty. These processes, including social impression formation have been described previously. Participants perceived a clear distinction between deciding upon a recommendation in cases where there was one differentiated alternative story and in cases where there were two or more undifferentiated alternative stories. Final decision making strategies in the latter scenario are the subject of the next section.

6.2.2 Undifferentiated Alternative Stories
This section builds upon the findings discussed in section 6.1.3, whereby decision makers build detailed story models of the rape. This section will elaborate how recommendation decisions are reached in cases where no corroborative evidence is available, i.e. how story models are used as the basis for information evaluation. A number of cognitive strategies were identified from the data. Participants describe how they use their own implicit theories of human behaviour to make sense and evaluate the stories constructed. In this way participants see if the story told 'fits in' with their own presumptions, theories and hypotheses. These assumptions drive the interpretation of information and the conclusions reached. In addition, participants describe how they 'weigh up' stories, again on the basis of what seems likely according to the decision maker. Another important strategy is to predict the likely outcome of the case, in terms of what the prosecuting authorities are likely to think and how the case would 'go down' in court (in terms of how the witness would withstand the trial and how a jury would view the case). Before these strategies are

\textsuperscript{40} The term hard evidence was generally used by participants to describe forensic evidence. One probationer participant, however, did respond that she considered hard evidence to mean forensic evidence and the statement from the alleged culprit.
discussed, it is important to reiterate that this section is inextricably linked to evaluations of how ‘good’ statements/stories are perceived to be. A good story is one that is clear, definite, covers the legal proofs required for consent, and fits together logically and temporally. As described earlier, a good story is one where the complainant does not trigger any false report suspicions.

Extracts of text will be presented to illustrate the various information processing and decision making strategies participants described when making recommendation decisions. These will be presented in the following order: 1) See if it fits in or makes sense; 2) Weigh up stories; 3) Imagine and predict what is likely to happen (DPP and court). What will be clear from these extracts is that right up to the final decision, the decision maker’s Evaluative Knowledge Structure plays an integral role in the final outcome.

1) See if it fits in or makes sense

Participants describe assessing the elements of the case with respect to whether it ‘fits in’ or ‘makes sense’ when compared to what they would expect according to their own theories and event schemata for rape. Participants described assumptive based reasoning strategies where the story constructed was compared, on different levels to their own implicit theories of how people behave and react in given situations. Some participants also described comparing stories and elements of stories to what they would expect of themselves in a similar situation.

PV(0 yrs) 8: “see if it fits in”.

Pre(15 yrs) 6: “calm, well this is unusual. Something unusual that you wouldn’t expect. If you got someone very calm and very cool and was just giving you the, or the story they are telling you is pretty unbelievable you know? You try and put x and y together and say that doesn’t really fit”.

Post(5 yrs) 9: “Even if it’s one word against the other, like she’s been a good injured party, after telling the whole story, it’s your own instincts as well. You can fine-tune it. You have to listen to what she’s saying. Well I try and picture the whole thing, think of everything and see if it makes sense”.

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These extracts are examples of assumptive based reasoning where decision makers employ implicit ‘commonsense’ theories of what is expected. This is a very common method described by participants for cases where no corroborative evidence has been found and the decision maker is uncertain about the veracity of the allegation.

PV(0 yrs) 12: “You put yourself in her position, I think seventeen [years old] if that happened to me I’d be freaking, but then I had to stand back and say this girl is in complete shock, she was made go over the story five or six times to different people and the more she was going over it the more I was going, this is happening, this is true”.

This participant explained how self-comparisons and expectations based on their own implicit understanding of how people ought to behave and react, played a crucial role in informing impressions and decisions. This participant was eventually swayed (in her final decision) through the consistent and constant reiteration of the story by the complainant.

2) Weigh up alternative stories
Participants also described trying to ‘weigh up’ different stories in terms of their strengths and weaknesses. This strategy is also based on commonsense assumptions of strength/weakness, and truth/lies, but it involves a comparison across alternate stories constructed during the investigation. In this way it is a little more complicated than ‘seeing if it fits in’.

Post(5 yrs) 3: “weighing up situations before making decisions, so basically a lot of cop on [commonsense], you know? As well as that I think intuition can come into it an awful lot. You learn as the years go on what to look for, what not to look for”.

Post (5 yrs) 2: “well it’s easy [to determine truth] for her, once you see the statement and you think well, she couldn’t have made this up, it is impossible. And then him [alleged culprit], his own attitude. I mean if he is very confident and more confident, normally”.

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PV(0 yrs)12 mentioned that when finished taking the statement one’s... “mind then goes back over their appearance, their background history, the report itself, the person they are accusing, his background or her background, and that I think it’s after that that basically your own human factor comes into it, ‘who’s telling the truth there?’.

This is a good example to illustrate how initial social impression formation has direct consequences for the final deliberative stage – if the investigation succeeds in getting this far.

Pre (15 yrs) 7: “I suppose when we gather all the evidence, as I say there is always two sides to every story and you have to get a statement from the other party involved”.... “so it’s something you discuss with other people and you weigh up the evidence and you make your decision on that then”.

These strategies involve ‘weighing up’ competing stories and comparing the ‘reasonableness’ of one story, (what they say and who they are), against the alternative story. The active construction of story models over time during the investigation is a fundamental component of all of these decision making strategies, as is being able to draw on event schemata and scripts for rape scenarios. Judgements are based on all of the deception cues outlined earlier. Physical reactions of the complainant, her appearance, body language, the opinions of colleagues, etc. are all critical triggers in defining the case specific decision frame and in constructing story models.

C) Predictive forecasting of outcome
The following extracts describe a commonly held event schema among participants - that the likelihood of the DPP recommending ‘no prosecution’ in conditions of uncertainty is high. Participants concur that the future looks bleak for cases where no ‘hard’ evidence is available. Participants also describe the difficulties of court for women and cases in general, and more specifically for cases that are not strong. The following extracts outline this.
Post(5 yrs) 4: "...corroboration, rare that they [DPP] will go on only an injured party statement".

Pre(15 yrs) 6: "you need something else, something independent to make somebody make up their mind, you know? Evidence from somebody else or a piece of forensic evidence. If you didn't have something good to go on the DPP won't run with it".

Post(5 yrs) 6: "I don't really know if there is one thing that is more important than the rest. I suppose I was going to say her statement but going back to the house party example earlier, where you don't really have any forensic evidence there because the guy wasn't denying that sex took place, he was saying there was consent, she was saying there wasn't. So, therefore, you don't really have any forensic evidence as such and all you have you, there is no witnesses, so all you really have as far as I can see is her statement and I don't know if that is enough".

Participants also considered and predicted likely outcomes of the case in court. Some participants mentioned this as a factor they would have to consider when writing their report and recommendation. A good witness for court is described as a witness who is telling the truth, who is strong (but not too strong), who is clear, able and who will get a little emotional.

PV(O yrs) 7: "I think it's hard for a person who has been raped to go up in the stand and tell the story and then 'cos they know in the back of their mind that this person could walk free, you know so it's hard. I think you would have to have really good evidence and stuff, 'cos otherwise I think people do get away with it".

PV(O yrs) 13: "if they're telling the truth, they will be the best witness, if you are lying you will be caught out [in court]". "They're [barristers] going to discredit them [victims] anyway"

Int: If you thought she was going to be a poor witness, would that be important?
Pre(15 yrs) 1: "Yeah, I would mention that [in the recommendation]".

Int: What makes a good witness?
Post (5 yrs) 4: “A sober one, Remember clearly. Not afraid to say what happened”.

“That lady I was telling you about ...she was in her thirties, she was able to tell her story very clearly, she had good vocabulary, had a good education I'd imagine. The person who can verbalise it well and then a strong person for court. A strong individual who can tell their story and hold their own, can be tough at the same time”.

This section has served to outline that under conditions of uncertainty the decision maker evaluates competing stories by comparing them to what he/she expects is likely in the context and by weighing up the pros and cons of the stories. In addition to these strategies, it has been found that decision makers consider what the outcome of the case is likely to be. Outcome is considered in terms of how the prosecuting authorities will view the case and how the case is likely to succeed at trial. Uncertainty is associated with undifferentiated alternative stories. Participants believed that these complaints were unlikely to result in a positive prosecution recommendation from the Gardai, nor from the prosecuting authority. The expectation for these cases defined by uncertainty was that a prosecution would be unsafe, unwarranted and unlikely. This had a direct effect on final decisions made.

6.2.3 Uncertainty and uncertain recommendations

This study found that if participants were uncertain about a case when writing the recommendation, they remained uncertain and outlined the reasons for their uncertainty. One participant explained that they would outline the problems and let the prosecution decision rest with the DPP’s office. Decision frames of uncertainty led to recommendations of uncertainty. Participants described rape scenarios where they felt there were problems with the case and these problems formed the main argument of the recommendation. Participants explained that if they are unsure about the veracity of an allegation, they are obliged to mention this in a recommendation and it tends to inform a recommendation of no prosecution. The following extracts illustrate these points.

PV(0 yrs) 5: said her own opinion came into the file at the end. “I can give my own recommendation on files and that is where my own opinion can come in and what I
think and I'd give reasons for my opinion, like my own gut feeling or whatever, you just know from their body language....I put everything into the file”.

PV(0 yrs) 5: “I would write the whole recommendation from every bit of evidence that I had, from the way the people were with me and the whole thing...It’s up to the judge and jury after I have my job done”.

Post(5 yrs) 8 gives an example of a recommendation she made outlining inconsistencies in a complainant’s statement: “the recommendation was that there were inconsistencies in the injured party’s story ‘cos I didn’t go to the Rotunda [hospital] with the injured party, another female member went and when they go to the Rotunda the doctor there interviews them, just to get a general background to the case so she knows what she is looking for, so they send a report to me and on it they give the background as given to them. There was differences...then when she is interviewed by me, her story changes”.

Int: Were they big differences?
Post(5 yrs) 8: “She never mentioned oral sex in the Rotunda which would be a major thing for forensic evidence and she never mentioned that, which we thought was very strange, maybe she just forgot”.

Int: When you are writing recommendations, what aim do you have in mind?
PV(0 yrs) 7: “I suppose if the person is guilty I’d be looking for to do them for rape am, I’d be wanting to get at the truth of whatever the allegation is, yeah”.

Later on in the interview, the same participant explains: “You see if I don’t think it’s rape, I’ll put that down then that I don’t think anything happened and I send that up to the Sergeant. The Sergeant looks at it then and he’ll look at all the statements and then he makes up his mind, if he says I agree with the Gard or else he’ll say I don’t agree and he’ll go up to the Super and the Super will have a look at it and you see it goes up”.

The next section aims to examine the role of the group and group cognition in rape investigative decision making.
6.2.4 Group Cognition and Decision Making

Previously, this chapter outlined how social knowledge is shared by participants and how beliefs, stereotypes and event schemata are learned from colleagues speaking with one another. Referral bias (how the opinions of others affect the investigator's expectations and impressions) demonstrated how talking about a case affected the way information was interpreted. Post(5 yrs)8: "other Gards had met her before I met her and they said to me 'you know she's wrecked?, She looks absolutely knackered', so you would have an opinion before you even go in". Investigative decision goals were also affected by social context and social evaluation. The concept of a Transactive Memory System was used to describe how participants employed information derived from other people within the organisation to make decisions. Investigators sought information from other Gardaí whom they knew to have knowledge that would help with their enquiries. Younger participants especially, were aware of where and who to go to for information if it is needed.

This section will elaborate on the role that groups play, not just in helping to construct a decision frame (as previously described) but also with constructing mental models of the rape and reaching consensus to decisions. Participants described numerous ways in which investigators discussed the case with their colleagues and often described the decision making process as a team or group process, although there was some variation in this. These variations tended to concern whether Gardaí described the recommendation decision as an individual one (yet acknowledging the opinions and/or help of others) or as a team decision (including the help and/or opinion of others). A number of categories emerged from this analysis that collectively shed light on the role of other people, (colleagues/superiors) during the investigation and during the final deliberative stage, in reaching decisions. These categories concern the role of informally talking about the case with one's colleagues or formally talking about the case with one's working partner/superiors, the role of a Transactive Memory System in seeking advice and, finally, the effect of achieving consensus and confidence in one's decision. All of these social phenomena work collectively to fine-tune the investigator's decision frame, to clarify the direction of the investigation, thereby building the confidence of the decision maker. These categories are the topic of this section.
6.2.4.1 Role of informal and formal group discussion

Previous sections demonstrated that rape cases are often discussed between unit members and advice is often sought from colleagues. It is not surprising, therefore, that most members asserted that they would talk about the case with their partner and/or colleagues and that while they reach a decision themselves, (as to the veracity of the report and the concomitant recommendation), it is often agreed upon with their colleagues working on their unit and by their more senior ranking supervisors. Participants described that consensus is reached after talking about a case to their immediate colleagues, their partner or team (if more than one chief person is involved) and they also explained how they discuss the case with their superiors (i.e. Sergeant and/or Superintendent). It will be recalled that participants described detection of deception techniques that involved the help of other personnel. Sometimes participants described sending their colleagues in to talk to the complainant and subsequently comparing notes. It appears that veracity decisions are not made alone and that many conversations are had in order to clarify the decision frame, full perceived ‘gaps’, and reduce uncertainty. Participants described entering into discussion spontaneously and early on in the investigation with their colleagues. Two participants described that discussing cases helped them to unwind after a traumatic and difficult statement. Participants described the hierarchical nature of their working environment and how this constrains their behaviour, informs their responsibilities and procedural tasks. The following extracts are presented to give the reader a clear sense of the role of discussion in guiding interpretation and reaching conclusions.

Post(5 yrs) 7: “It wouldn't be support it would be kind of debate, what do you think of this? Discussing possible alternatives. If we lose this way we can go another way”.

Int: Would you be asked for your opinion early on?

Pre(15 yrs) 4: “Oh very early on, literally after coming back from the hospital and it's 'well, what do you think'”

PV(0 yrs) 10: “well if you are the investigation member in charge, obviously you would have the last say but you would have to take everybody else’s opinion into account as well”.

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Pre(15 yrs) 6: “Oh yeah, you’d talk away to your D.S. [Detective Sergeant] and your DI [Detective Inspector] and you talk to the other lads, so it would be a group process. I have no doubt that there are individuals out there who will do it their own way but in general guys will talk about it and discuss it and ‘what do you think?’ that sort of thing. It’s only natural, you want to get consensus, especially people who have experience around the job”.

Two participants mentioned that talking to colleagues about the case helps them to de-stress and deal with the trauma after listening to highly emotive stories.

Pre(15 yrs) 4: “the thing is they [colleagues] are wondering what happened and you are going to fill them in but I always reckon that is half of you venting out how traumatised you are after taking a statement, ‘cos it takes a lot out of you. You know you come out as if you’ve nearly been raped, it’s the impact on you and when you are coming out and talking about your colleagues, it is releasing all that for you. And then you can go home and leave it at work but if you come out and have nobody to talk to after, which would have happened.”

Pre(15 yrs) 7: “you know some of the things you hear, and it’s not just necessarily in rape cases but someone’s been assaulted, it’s very traumatic, even to listen to. We all have feelings and emotions but it’s great to share it with somebody else and be able to talk about it”.

A number of participants mentioned how the hierarchical structure of the organisation has inbuilt constraints dictating supervisory relations. Formal conversations with a partner or supervisor were mentioned as helping to clarify the direction and outcome of the investigation. If an allegation is dealt with primarily by one individual (as is often the case with acquaintance, ‘less serious’ rapes), the case and its related issues will generally be discussed formally with a supervisor/station Sergeant. Generally, the Garda and the senior member (Sergeant usually) will agree a plan of action at the beginning of a case and review the Garda’s findings during and/or at the end of the investigation.
Post(5 yrs) 2: “It is more or less a group decision from the start. You would not come in, take a statement and not tell anyone, because you have to tell your hierarchy because the seriousness of it and also to protect yourself”.

Post(5 yrs) 8: “Before I submit my file, I would go through the channels of the supervisory ranks and we would discuss it and generally your supervisor would be working on it with you”.

Pre(15 yrs) 8: “The Sergeant being more in contact with the Super like you’d have to keep in touch like if you had a prisoner or arrested. That would be different, you have to consult and make your own, form an opinion, your section form. You have to talk to the Sergeant in charge but basically along the investigation it would be a team thing and the Sergeant would be keeping in contact with the Super and Inspector”.

It is clear that the aim of talking about cases informally to one’s colleagues serves to: a) satisfy the curiosity of colleagues, b) get others opinion (formally and informally) of the case and reach some consensus on what has happened and c) to facilitate a debriefing session after taking a difficult statement. Discussing the case with one’s supervisor mainly serves to ensure that the correct procedure is adhered to and that the decisions made are correct/appropriate. It can be suggested from the data, that decision makers construct stories to begin with, narrate these stories to colleagues, discuss elements of the story with said colleagues, in doing so they seek to clarify the opinion of colleagues and reach a consensus about the ‘truth’ of the story. Furthermore, they seek their supervisor’s opinion and check that their dealings with the case and recommendations are appropriate. Talking to colleagues about a case and listening to the stories of colleagues are likely to clarify the investigator’s decision frame and focus the direction of the investigation. The next section will specifically examine how inexperienced participants rely on the knowledge of more experienced Gardai to go about their work, construct a decision frame and prioritise investigative tasks. This will involve a brief discussion of the role of the Transactive Memory System.
6.2.4.2 Seeking advice and the Transactive Memory System

A large category to emerge from the analysis and one that involved very clear group differences, was the extent to which younger participants rely on the advice, expertise and experience of older colleagues to do their work. Young, inexperienced participants described how they consult with and take advice from older, more experienced Gardai. Some described targeting particular individuals whom they knew to possess specific skills and/or knowledge with respect to the task. Only one participant from the younger sample did not mention ‘seeking advice’ from an older colleague in their entire interview. Most of the probationers explained that they would seek help to clarify ‘where to go next’ and to ‘see what has to be done’.

PV(0 yrs) 3: “if you get something that you are not sure of there is always people and places to go who can help and once you do it once, you learn and then you can do it better next time”.

PV(0 yrs) 7: “I would take it [rape case] on myself but I would definitely get help from the other members, you know?”.

PV(0 yrs) 9: “With a serious allegation like rape you want to talk to somebody who knows what they are talking about. You’d kinda be getting advice from different areas. I suppose you know it’s more or less the same formula that you go through with a rape case if the allegation is not withdrawn”.

PV(0 yrs) 13: “I’m supposed to do everything right and there is pressure on you, you don’t want to basically ‘fuck up’ and you know the lads [male Gardai] get as much training as us [female Gardai], it depends on how good your Sergeant is, whether he will go through everything with you and when somebody will sit down and help you go through the file”.

A clear mechanism for learning, embedded within the organisational hierarchical structure, is the process of learning from the experience, beliefs and behaviour of longer serving and/or more experienced Gardai. There is pressure to do things correctly and not make mistakes. Younger Gardai are, therefore, more keen to ask for
help, seek advice, listen to experienced others, take on board their advice and learn from them.

Participants from the longer serving groups mention that they would seek the advice of their more senior ranking colleagues, usually of Superintendent rank. They mention this more in the context of getting a second opinion, rather than seeking an answer to a set of questions. A small number of longer serving participants (n = 6), relatively inexperienced in dealing with rape, mentioned how they would seek help from colleagues with experience (similar to the probationer sample).

Post(5 yrs) 1 described how she would get her Sergeant to check her work: “I have a lot of experience of taking statements especially. What we would do is we would go to the other member or a Sergeant. We have a particularly good one that I can go to, I would usually get a detective to read through it. You become very involved in it when you are taking it. They might go up and they might be able to see the five points and they can just read it through and say ‘that’s grand’ or they’ll say you know ‘where’s the time?’”.

Post(5 yrs) 3: “In the investigation of it I think an awful lot of it is experience and the people I would work with I would be most junior, so I would be relying on their experience in dealing with things a lot”.

The above comments highlight the extent to which decision makers rely on advice from colleagues/superiors and incorporate this into their work and investigative strategy. The probationer sample demonstrated how they sought clarification on protocol and procedures from senior members. The above extracts serve to further demonstrate how the organisational Transactive Memory System operates. Decision makers are able to identify sources of information that will provide them with the necessary information in order to build a more complete representation of what the investigation entails (or what the ‘story’ is). The Transactive Memory System in this respect, serves to maintain the status quo of current investigative practice by iteratively teaching the same investigative procedure in a top-down fashion, over time and generations. The process of seeking advice and identifying sources of information serves to align investigative operational and procedural expectations. The next section
will demonstrate that the Transactive Memory System also serves to align the investigative decision frame, through all investigative stages.

### 6.2.4.3 Group consensus and confidence

Participants described that it was their expectation and experience that discussion of rape cases led to group consensus with respect to the agreed ‘truth’ of the case, (in terms of what happened and what should be done). Reaching a consensus and shared understanding of the ‘story’ appears to be a function and an expected outcome of talking about the story. This often applied to the actual recommendation noted on a file and sent to the prosecuting authority. Many participants believed there to be considerable agreement between what different people (involved or not in the investigation) thought about it. Senior and junior colleagues and investigative teams tend to concur with one another’s impressions, suggestions and final recommendations. Participants explained that they expect agreement and consensus on recommendation directions. Participants also expect a strong correlation between their recommendation on a case and the prosecuting authority’s recommendation. This has important implications for the process of attrition and is further discussed in the section 6.3.

Int: Is there ever a disparity (between your opinion and your colleagues’?)

Post(5 yrs) 1: “Very, very rarely”.

Post(5 yrs) 2: “We would usually conform, like you look at all the statements and the Sergeant will look at them as well and you just discuss the situation and finally you would go and write your report and the Sergeant the vast majority of times would be confirmation, a backup, like he might add an extra recommendation but it’s generally [the same]”.

PV(O yrs) 3: “Well like he’ll [Sergeant/Superintendent] go with what you think. If you believe he [culprit] did it and you have stuff to back it up a bit, he will go with what I’d say”.

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The investigating officer plays the central role in decision making in investigations of rape. It is the investigating officer’s opinion that counts most, in terms of writing a recommendation and informing others of their impressions and thoughts. There is a perception that colleagues and superiors will listen to the investigating officer’s account and generally agree with it and endorse it. Reaching a consensus that is supported by supervisors is likely to be connected to the investigator’s implicit feelings of confidence with respect to investigating rape cases. It is interesting that irrespective of the younger Garda’s need for tutoring, help and advice they remained very confident in their ability to reach a judgement as to the veracity of a report and they rely on ‘instinct’ as their main strategy to do this. It is

41 This study found that the majority of all participants expressed being very confident in their ability to carry out a rape investigation and to make veracity judgements. Levels of confidence were expressed by participants using ‘fuzzy’ logic. For example they tended to say that they would have ‘no problem’ carrying out an investigation or they would feel ‘very confident’ determining the veracity of a report. Along with this participants were asked if they would be able to ascribe a numerical value (between one and ten) to represent the degree to which they felt able to do the job. The majority of participants rated their confidence levels at seven or over, for both tasks. Participants felt confident making veracity judgements, irrespective of their levels of task experience, number of years service, rank or gender. Some probationers did qualify their response by adding that they knew they would have access to advice from more senior colleagues and this made them feel sure that they would have ‘no problem’
possible that expressions of high levels of confidence were affected by social desirability factors; however, a small number of participants (generally who had less experience) did admit that they would feel less confident. This suggests that participants were able to express being less confident and less comfortable about doing this work.

Participants were asked what they thought about the level of agreement/disagreement between Garda recommendations and the direction of the DPP. In response, it appears that most of the participants believe that there is a considerable amount of consensus between what the police recommend and what the DPP directs. This finding suggests that the Garda recommendation has a considerable effect on DPP decisions and hence, on the rate of attrition.

Post(5 yrs) 11: "They seem to go with what you say. From my own experience of files sent off, they seem to agree with what I say, with my recommendation, say no prosecution, that there is not enough evidence there".

Post(5 yrs) 3: "I generally think that the DPP will go along with whatever is in your file, you know? Generally agree with the recommendations".

Pre(15 yrs) 1: "Our judgement will be based on the evidence available, so similar to the DPP and if the evidence is not there, we’d recommend that".

PV(0 yrs) 1: "generally speaking they’d [DPP] be on the same wavelength".

carrying out an investigation. They did not say the same for making veracity judgments. Participants appeared to feel that intuitive ability was enough to make these judgements. Many participants, however, described that experience helped them to make veracity judgements. Experience was also described as making the decision maker less gullible and allowing them to identify patterns of behaviour. Once again this is an example showing that behaviour is affected by how the Garda thinks others/colleagues will evaluate the behaviour. There was a notable difference in the groups from which the latter category emerged. Compared to the other two groups, the Post group (n=7) were far more likely to mention that experience allowed them to identify patterns and make a judgement as to the truth of the allegation. The probationer group, however, were more likely to suggest that experience meant that they were less inclined to believe outright a victims allegation from the start.
The above finding is supported by many comments from participants who believe that the DPP is looking for a "safe prosecution", 'a strong statement', 'strong evidence', 'a tight case with proofs', 'evidence' – and a concomitant belief that this is what the police are looking for when writing a recommendation. There are, however, a small number of participants that described cases they personally dealt with where their recommendation was not supported by the DPP and participants that explained how the DPP's decision could be different and they do not always concur (n = 4).

6.3 Summary and general discussion

The findings in this study have made several important and new contributions to the theoretical literature on decision making and investigative decision making in particular. The different and detailed ways in which decision making is shown to be a social process furthers out understanding of decision making theory and other related literature, in an insightful, important and useful manner. These include an acknowledgment of the integral relationship between social knowledge and action. The importance of shared beliefs in directing and contributing substantially to decisions was a key finding and one that directly questions the validity of theories that suggest decision making is a result of a weighting of preferences based on a priori choices, or purely an issue of matching the 'story' to predefined categories. In addition this model further suggested that the agency of the decision maker throughout the investigative process played a large part in determining the final outcome. This point is relatively ignored or by-passed in current decision making models. Another finding that was new and missing from popular decision models – both prescriptive and descriptive, is the issue of context and the role of social psychological processes throughout investigative decision making. Without proper recognition and understanding of the effects of context and its constraints, the decision making process would be only partly understood and its complexity overly simplified. The model developed in this study is thoroughly embedded within layers of context that become influential at differing points of the process. Data illustrating the different ways in which investigative decision making is a social process is an
important finding. This model manages to explain in detail the antecedents and process of attrition in rape cases. It does this by simultaneously explaining and outlining how reports of rape are diagnosed and what defines the investigative decision frame. In addition to this, the model also explains how information is processed, how the investigation is conducted and the ‘story’ constructed. The model also explains how the eventual decision is reached and gives some description of how the decision is implemented (tell the complainant about the DPP decision and prepare the injured party for court, for example). The extensive coverage of the decision process that is explained and addressed in this model, results in a clear and detailed representation of the attrition process developed. This study has also resulted in some interesting methodological implications and suggestions and these are outlined toward the end of the discussion. Finally, the reflexive nature of the analytic process will be highlighted in terms of its effect on the model constructed. The above points will now be discussed in more detail.

6.3.1 Social knowledge and action

The link between participants’ beliefs, goals and judgements was made clear in the last chapter (five). The ‘robustness’ of this link was reinforced and elaborated when the rest of the decision making model was examined. These parts of the model further highlight how social knowledge and social judgements affect investigative behaviour and investigative decisions.

Social knowledge, in all its forms, was found to directly affect investigative goals and investigative behaviour on motivational and behavioural levels. Judgements leading to uncertainty, focused attention toward impression consistent and hypothesis consistent information. In this decision frame, the investigators’ attitudes and judgements motivated them to establish the truth of the case. Uncertainty further affected what information was attended to and how information was evaluated. Social knowledge and social judgements also led to decision frame specific responses and reactions (i.e. behaviours were described that were specific to certain or uncertain decision frames). The decision making model developed, comprehensively explains the rationale and evidence for these relationships and depicts a truly social psychological decision making process.
This is a significant and applicable research finding and it provides an important explanation that successfully links the findings of attrition and attribution research described in Chapter 2. Attrition studies concluded that cases involving complaints made against an individual known to the person, where there was no physical signs of injury or where there was consensual sexual activity beforehand were more likely to be no-crimed by the police (Harris & Grace, 1992; Lees & Gregory, 1996; Smith, 1989). Attribution research has shown that subjects tended to attribute more blame to the victim if she is was drinking alcohol, if it was a date rape scenario, if she was not distressed. Blame was further attributed to her if she was dressed provocatively, if there were no signs of violence, if she did not physically resist or if her 'respectability' was questionable (Cahoon & Edmonds, 1989; Calhoon, Selby, Cann, & Keller, 1978; Jones & Aronson, 1973; Lerner, 1974; Smith et. al., 1976). The naturalistic model developed in this study explains the antecedents of veracity judgements (and contextualises them in the social and occupational context), explains how individual differences in veracity judgements arise and further explains how these judgements affect the investigative process and eventual recommendation decisions. The link between social knowledge and investigative behaviour and decision making will now be discussed in more detail.

The enigmatic relationship between attitudes and behaviour has a long history in social psychology and one that has been the subject of much contention (Ajzen & Fishbein ,1980; Wicker, 1969). It is remarkable that the methodology employed in this research has produced many examples delineating the circumstances and extent to which attitudes, beliefs and goals are directly related to behaviour and decision making, in a real-life, highly consequential work environments. It was demonstrated that when case-specific decision frames were characterised by uncertainty, participants described a series of tactics or strategies aimed at reducing uncertainty. These included: searching for specific information, hypothesis testing, confronting the complainant, arranging for colleagues to test/check the complainant’s story for example. The findings in this study demonstrated that the police form an early impression and stick to this (anchoring) judgement until new information is searched for and/or received. Early impressions define the case-specific decision frame and lead to expectations that are often confirmed.
Expectations that resulted from social judgements led to confirmatory decision making behaviours. Clear links were found between investigative decision frames and investigating/interviewing strategies ("if you thought it was dubious you’d have to go about it a different way then"). It will be remembered that this study found that credibility judgements led to differing investigative goals that prioritised different kinds of information. This information served to either confirm hypotheses or reduce uncertainty. The investigative process then continued iteratively whereby further information was sought and evaluated. Participants described employing different interview strategies that were designed to elicit different kinds of information depending on the investigator's hypotheses. This study found a clear and demonstrable link between investigators' decision frame and investigative behaviour. The findings of this study are supported by work of Winkel & Koppelaar (1991), who demonstrated, (in the same set of experiments described in Chapter 5), that interviewers (participants) who believed the number of false reports to be high asked significantly more questions than their counterparts (about the rape in order to make a judgement). Winkel & Koppelaar (1991) also found that interviewers who received prior information about the reliability of the complainant asked different questions of her. These behavioural effects are consistent with the findings of this research. This study further develops these findings, however, by explaining why and how behavioural and cognitive effects occur, revealing the meanings Gardai attach to the investigative process and their behaviour and outlining the social/occupational context that informs and supports this process. It further explains the links between beliefs and behaviour and investigative procedures right throughout the investigative process (not just when asking questions) and extends this to prosecution decisions.

The most significant 'attitude-behaviour' link, in terms of its substantive impact, was between social knowledge, story construction and final prosecution decisions. The social construction\textsuperscript{42} of story structures or mental models of the rape was well described by all participants. The ways in which stories were constructed chronologically and evaluated both during and after construction, were described. Stories were the key structural features of the final recommendation stage. Stories

\textsuperscript{42} Stories were constructed on the basis of shared beliefs, information derived from the occupational context and others and from self-other social and behavioural comparisons.
were evaluated using a number of often complimentary decision making strategies. For example, participants 'matched' the story narrated by the complainant with perceived 'likely' stories, given the information at hand. This involved the decision maker assessing if the story constructed matched, represented or was similar to what the decision maker expected in the situation. The decision maker relied on the content of their schematic representations of rape scenarios in addition to other information employed when evaluating the story (corroborative evidence\textsuperscript{43}, implicit theories, information from other sources, stereotypes etc.). Examples were presented that described decision makers matching aspects of the story with their own beliefs, theories and expectations. Participants also described strategies such as "seeing if it (story) fits in" or "seeing if it makes sense". Additionally, Gardaí used assumptive based reasoning throughout the investigation in order to reach a decision. Participants particularly described using this strategy when 'gaps' appeared in the complainant's story and the decision maker filled the gaps by adding what they thought was the most likely explanation.

Constructed stories formed the basis for final recommendation decisions. It was clear that any reservations participants had with respect to the credibility of the complaint and her story formed part of the final recommendation. Participants described that it was their responsibility to outline the 'problems' of the case or to outline the proofs (or lack of) of the case. Participants described how they outlined in the recommendation whether they thought the complainant was credible and if not, the reasons why. Participants described that this would include their initial impressions of the case and complainant. The model developed in this research enables the final decision (action) to be traced back up through the investigative process, to the decision frame and early veracity judgements. These judgements can also be traced to a complex and interrelated, socially defined set of knowledge structures thus making the 'attitude – behaviour' links in investigative decision making transparent. This finding has substantive and interesting implications for training and development policies within An Garda Síochána and will be discussed in Chapter 8.

\textsuperscript{43} This refers to legal, quasi-legal and extra legal evidence – as perceived and evaluated by the investigator.
6.3.2 Individual agency in decision making

A related finding to the above discussion is the extent to which decision makers actively construct a representation of the rape and play an active, purposive role in decision making. Decision making models tend to overlook the degree of agency that decision makers have when processing information and choosing strategies and actions. This study found that the decision maker determines the course of the interview, what questions should be asked, how they should be phrased and with what tone of voice. They choose whether 'to get a bit tough' or empathise or to confront the complaint. All of these actions have a considerable effect on the investigative process and the story constructed. One of the main differences between Pennington & Hastie's (1986) Story Model of jury decisions, and the contextual naturalistic model of police investigative decisions is the agency that investigators have in constructing a mental model of the rape. Rather than imposing a narrative structure on trial information (as jurors are thought to do (Pennington and Hastie, 1986)) the police actively seek information relating to the case, accept and reject information as they deem fit, determine what information is sought and the way in which information is sought from the complainant and the alleged culprit. Pennington and Hastie (1986) demonstrated that the order in which information is presented to jurors has a major influence on the judgements that they reach. This study demonstrates that investigators determine the order of information themselves and more importantly the relative weight that is ascribed to this information. The model further explains how and why certain kinds of information are sought and how information is evaluated in the way it is. While the construction of a story appears to be paramount in both contexts, in police decision making the investigator has considerably more agency and responsibility in determining what this story will be and ultimately what story is presented in court. This finding is supported by the work of McConville, Sanders & Leng (1991) who explained that facts are not elicited in police interviews but are 'created' (p. 65). They argue, “that police construct evidence (and sometimes more than evidence). The police have, at a most fundamental level, the ability to select facts, to reject facts, to not seek facts, to evaluate facts and to generate facts. Facts, in this sense, are not objective entities which exist independently of the social actors but are created by them” (p. 56). McConville et. al. (1991) describe police interviews as "social encounters fashioned to confirm and legitimate a police narrative" (p. 14). The
naturalistic model provides an explanation of how the police actively construct a story and the main factors that affect its construction.

Within the boundaries of the occupational, legal and social context, decision makers have considerable agency in directing the investigative process and ultimately deciding the outcome. Related research on discretion and police behaviour has recognised individual agency in this context. From the findings of this study, it would appear that the most powerful effect of police discretion in rape investigations lies in the primary decision goal and whether this is stated explicitly or implicitly. The model demonstrates that explicit veracity decision goals lead to more weight being ascribed to veracity judgements than implicit decision goals. These goals play a crucial role in determining the case-specific decision frame and, hence, the macro-level aims of the investigation. The differential effect of certain and uncertain decision frames on the investigation and on the final deliberative stage cannot be underestimated. Explicit and implicit primary investigative decision goals are yet another example of the motivational aspects of knowledge structures and how the investigator plays an active role in judging a complainant and constructing a mental model of the rape. 6.3.3

6.3.3 Social processes and social context in investigative decision making

One of the key findings of this study, partly elaborated in the discussion of chapter 5, is the interactive, group level, context specific nature of decision making in rape investigations. Chapter 5 elaborated and illustrated (figure 5.2) how decision makers' investigative decision frame is embedded within the working context, the organisational context and societal context. The findings of the latter parts of the model (investigative stages and final deliberative stage), embellish, expand and develop our understanding about the effects and constraints of context and social factors on investigative decision making. The figure presented in Chapter 5 (figure 5.2) has been modified to account for these additions. One of the key new additions to the modified illustration (figure 6.2) is the effect of the legal context on investigative decisions taken throughout the investigation and more importantly when making the final recommendation to the DPP. Without due consideration of the contextual constraints and social nature of rape investigations, the decision making process would be only partly understood. Figure 6.2 links decision makers with their colleagues, superiors, community and also with social, legal and criminal policies and
contexts. This figure illustrates the layers of context that impact and constrain investigative decision making. These layers will now be discussed in turn.
"Guys might see it a different way then..." "she was too calm, not what I expected"

All the time you're just covering making sure you have the law, the power...

"I take care of the case myself" "the 'banner' always gets it" "we will talk about it amongst ourselves"

"You are asked for your opinion early on" "We would agree"

"you have to talk to the sergeant in charge" "there are people you can go to for help" "it depends on the station you work in...

If you have enough evidence...arrest the person"

"She had a name about town anyway"

"She was mentally unstable"

Figure 6.2 An illustration of the contextual layers within which the naturalistic model is located.
6.3.3.1 Occupational and organisational context

Chapter 5 outlined the extent to which colleagues and the investigative team, affected veracity judgements and decision making process. This manifested itself in examples of referral bias, learning from others, sharing beliefs and attitudes, decision frame alignment. During the investigation it was further found that decision makers rely on the impressions/opinions and information of their colleagues to a significant extent (particularly if they do not have much experience themselves). Additionally, decision makers also rely on the organisational hierarchy and structure, in terms of approving their work, prescribing procedures, seeking help and advice and general assistance. The term ‘Transactive Memory System’ was employed as it provided a helpful and accurate explanatory tool for understanding how participants’ relied upon each other to embellish and help construct a story or a representation of the rape (and/or the complainant, her family, the accused etc). Participants described knowing people to contact and who to ask if they needed help or further information to help clarify a problem and/or reduce uncertainty (generally detective staff or longer serving members/supervisors).

The importance of talking and communication within the occupational environment was reinforced by the degree to which participants perceived themselves, their beliefs and investigative decisions as similar to and shared by their colleagues. This was an important finding. Participants described that they would rarely disagree with one another and would almost always reach a consensus as to the legitimacy of a complaint and the content of the final recommendation. They also suggested that if there were a disagreement, their own opinion would be the most important, thereby suggesting that they ultimately rely on their own impressions, gut feelings etc.

These findings emphasise the interactive nature of the investigative process (and how the opinions of others matter) and the extent to which the immediate environment is cohesive, interdependent and trusting. Participants perceived the working context as providing a shared cognitive resource which appeared to function to maintain a strong sense of group cohesion, high group identification levels (in that participants perceive themselves as being part of and close to the people they work with), and high degrees of self-reported confidence. The hierarchical nature of police organisations in particular, may help to facilitate this phenomenon, as does the ‘tutoring’ aspect of
work experience. All participants agreed that their most important learning and training occurred ‘in the field’ where they learn from more senior members. Anticipation of other’s opinions (colleagues) was also related to the primary decision goal. As previously described, some participants described that making veracity judgements and being wary toward rape complainants was an attempt to prevent appearing foolish or gullible in front of their colleagues. They did not want to be embarrassed in front of their colleagues for believing a complaint, which was subsequently ‘deemed’ to be false. This pattern was also found in relation to the legal system.

3.3.3.2 Societal context
Participants description of the investigative process and the final deliberative stage provided further evidence that suggested that societal influences play a critical role in evaluating stories and reaching decisions. As discussed (chapter 5) social knowledge transmitted and learned independently of the police through general socialisation processes, was thought to play an important role in assessing rape complaints. This was once more evident during the investigation when participants described comparing and constructing in depth stories of rape and filling the gaps with their own ‘commonsense’ theories. Not all of the theories could possibly be transmitted exclusively in the occupational context either formally or informally. In addition to this, Gardai described obtaining and relying upon information from other people close to the complainant/important to the investigation and using this information to arrive at decisions. The opinions of others can have a powerful effect on how a case is evaluated. For example, a few participants described hearing that the complainant was promiscuous or ‘had a name about town’. Other participants described hearing from people that the complainant was an attention seeker, or had emotional problems or was a known liar or psychiatrically ill. This information was employed to confirm/disconfirm the decision makers’ initial hypotheses regarding the case. Although it is difficult to surmise the relative extent to which societal pressures or context affects social knowledge and decisions in rape investigations, it can be concluded that its role is not insubstantial. It would be interesting for a future study to examine the relative effect of these factors. Chapter 7 describes how plans were made
to incorporate a partial test of the relative effects of these influences on rape beliefs in a quantitative study.

6.3.3.3 Legal context

When participants described how they proceed with the investigation and how they make the final prosecution recommendation, the effect of the legal and criminal justice context was increasingly evident in behaviour and decisions. This manifested itself in two main ways. Firstly in terms of procedure, some participants described that at times they bore in mind formally prescribed investigative procedures or they could be in trouble for making mistakes. Some participants described that because the stakes were high, they needed to ‘cover’ themselves and ensure that a statement was taken, for example. The probationer sample in particular mentioned not wanting to make mistakes or be seen or taken for a fool. The seriousness of the situation and participants’ responsibilities as Gardaí tended to be mentioned more when describing the end of the investigative process and behaviour was sometimes modified in acknowledgement of this (e.g. you would have to make sure you covered every angle). Secondly, the legal context of rape investigative decision making was particularly apparent in the final deliberative stage, where many categories emerged from the analysis describing how the investigator had to be aware of the following: legal proofs required to establish a prima facie case; consent; and how the DPP and courts would judge the case. The final aspects of the investigative process and decision making involved many examples of predictive forecasting, whereby outcomes and decisions were constrained by the decision maker’s hypotheses and impressions of the DPP’s legal judgement.

Participants described the role of the DPP and its relationship to their eventual decision. It was apparent that final Garda recommendations were made with the perceived requirements of the DPP and their likely response firmly in mind. Participants perceived their role and that of the DPP to be very similar, if not the same. Participants also described a high level of agreement between their decision and the DPPs direction. They perceived the DPP as looking for a ‘strong’ case with hard proofs, thereby suggesting that ‘weaker’ cases will be dropped by the DPP. The high degree of perceived consensus between what participants recommend and what the DPP direct, in addition to participants describing that they forecast/imagine the likely
outcome of the case (DPPs direction and court outcome) suggests that the legal system plays a critical role in the final decision. Participants concern with veracity and credibility throughout the process and their concomitant view that the DPP will only ‘go’ with a ‘strong’ case combine to motivate participants to critically outline credibility judgements and to outline an agreeable recommendation that the DPP will support. In terms of court, some participants mentioned the importance of the complainant as a ‘witness’ for court. For example, some participants mentioned that if they felt the complainant was not a suitable witness for court, they would have to outline this in their recommendation. A good witness for court was judged to be a credible person, who is telling the truth clearly, and concisely, who is strong but not too strong and who shows emotion but does not overreact. The eventual decision that investigators reached and their rationale for this decision was embedded within the legal context where ‘hard’ evidence remained paramount and the truth of the allegation needed to be clarified.

From an information processing point of view and in terms of the central components of decision making, it is clear that social knowledge, what others think, what others think of you, what people in the community think, what your supervisors think, what the DPP and the courts think, what jurors will think, all play a significant role in the formation of opinions, the interpretation of information, in behaviour and in making decisions. By identifying and recognising the importance of others and the hierarchical structure of policing, the model enables a clear understanding of how the decision maker is linked to other individuals within the organisation and how this affects diagnostic strategies and decision outcomes.

6.3.4 Information processing and attrition

This study has resulted in a sophisticated, multi-dimensional model that incorporates an explanation of the structural nature of investigative decision making (beliefs, schema, goals, stories etc.) and the process of making judgements and decisions. These findings will presently be discussed with respect to investigative decision making and attrition.

In order to comprehensively explain attrition, it is necessary to combine a discussion of the structure (how information is expressed, e.g. schema, stories, causal
expressions, etc.), content (types of beliefs/knowledge) and process (how the parts of the model interlink) of decision making. Once the process of decision making is embellished with the kinds of beliefs expressed (content), the attrition process becomes clear, easier to understand and easier to identify vulnerable sites in the investigation, where attrition is more likely to happen.

Firstly, the Evaluative Knowledge Structure and the role of social knowledge in contributing to an understanding of decision making and attrition will be discussed. Secondly, the way in which information is processed will be discussed in relation to the cognitive mechanisms underlying decision making and its effect on the attrition process. Finally, investigative behaviour and making a recommendation decision will be discussed with respect to its direct effects on attrition (negative prosecution recommendations) in rape investigations.

6.3.4.1 Structure

The role of various forms of social knowledge has been elaborated on numerous occasions. Briefly, what was clear from these findings, was that decision makers relied on knowledge in the form of schemata, attitudes and stereotypes to plan for, perceive and process social information about people and events. Decision makers used these mental structures to select and process incoming information from the social environment, as suggested by Social Schema Theory (Taylor & Crocker, 1981). It was clear that participants were able to spontaneously describe their role in rape investigations. They had a clear understanding of the kinds of rape complaints that they receive and the relationships between the attributes that define these cases. Gardaí were able to describe graphically examples of rape complaints and to hypothesise what they thought would happen with a case and their place in it.

It was outlined that Garda knowledge structures were not merely cognitive in nature but also motivational. They provided a basis for what the police attended to, and also a basis for anticipating the future and specifying and directing their role in it. Role schemata were employed when the investigator had to take a statement of complaint from an injured party. Beliefs affected how the investigator constructed a mental model of the rape, both cognitively and behaviourally. Event schemata were also employed when the investigator evaluated the story.
The construction of story structures were described many times, in terms of how investigators build a story by starting at the beginning and going through the entire sequence chronologically, to the end. They did this by employing existing event schemata to test or corroborate their hypotheses. Story structures were a fundamental component of the final recommendation decision.

6.3.4.2 Content

This study has fully explored the types of beliefs held with respect to rape and its investigation. More importantly, this study has uncovered the complex interrelationships between beliefs, investigative procedures and decisions leading to attrition. This study found a pervasive belief that many reports of rape reported to the Gardaí are false. This was related to a clearly defined belief that Gardaí ought to be wary of reports of rape for fear of the allegation being false. These were related to primary investigative decision goals characterised by explicit and implicit statements indicating that Gardaí needed to uncover the truth of an allegation. This represents a critical point in the investigative process where the onus of proof can be placed directly on the complainant and in these instances the complaint is more vulnerable to attrition at a later point. It was recognised that cases defined from decision frames of uncertainty can result in attrition for reasons specific to the complainant or the complaint. It was also recognised from this work that the police play an active role in deciding the credibility of the complainant, how the complaint is dealt with, complainant treated and the outcome of the case. By identifying the whole gamut of beliefs and attitudes held by participants, this research is able to report on differences in participants’ decision frames, where these differences lie and how these differences relate to motivational aspects of case-specific decision frames, and attrition outcome. This study can conclude that participants who expressed implicit veracity decision goals were likely to attribute less weight to veracity judgements and cases in this decision frame were more likely to result in positive Garda recommendations.

It is clear that due to the negative nature of beliefs held by police officers in this sample (suspicion; wariness; disillusionment) that the investigative process was almost entirely focused on the issue of ‘consent’. In these scenarios the investigative focus was almost entirely on the complainant and the onus was on her to bridge the ‘credibility gap’. Many schemata depicting false rape reports related the reasons why
women make false rape allegations, their motivations, the situation and the outcome of such a report. One of the most commonly shared schema was that women make false rape accusations against their boyfriends and husbands because they have had some argument and she wants to 'get back at them' and get revenge. Another shared schema was that women who are in relationships (married, co-habiting, dating) and who have had an extra-relational affair will report rape to the police in order to ensure that their relationship stays intact and/or out of fear of becoming pregnant by another man. These schemata have been mentioned in previous discursive (Lees, 1996) and empirical research (Kanin, 1994) findings. They give rise to a clearly negative police affect and disposition. Numerous stereotypes emerged from the analysis, e.g. acquaintance rapes are of dubious validity; working class women are incredible witnesses; women working in prostitution lie about rape; nervousness is indicative of lying behaviour, women who have been genuinely raped should be hysterical when reporting the assault. These beliefs play a clear role in the attrition process.

The validity of these beliefs is, however, dubious, and many of them are defined as 'myth' in rape literature. For example, the widespread belief that many women make false rape complaints has been the subject of much comment and analysis (Adshead, 1996; Lees 1996; MacLean, 1979; Williamson, 1996) and findings concede that this is not the case and where women do make false allegations of rape, it is due to "alleviate understandable conditions of personal and social distress" (Kanin, 1994, p. 88).

Participants in this study believed that men needed to be protected from women who make false rape reports, (women who are seeking revenge or who are in fear of pregnancy), and that rape allegation was easily made. It was more common for participants to mention extra legal cues than legal cues (proofs for court) to deception detection in this study. Participants also expressed contradictory beliefs that resulted in 'biased' judgements and attrition. On the one hand participants explained that a greater proportion of sexual crime is committed by an individual known to the victim. On the other hand, the majority of participants explained that they make automatic negative credibility judgements when they hear that the allegation is being made against an individual known to the victim. Participants expressed that complainants should be upset when making the report (helps to bridge the credibility gap) yet should be strong, clear and coherent in court. A prevailing myth about rape is that genuine victims react hysterically. Victimological research into post-traumatic distress
has found that women react in a number of ways, displaying a wide range of often contradictory emotions (Burgess & Holmstrom, 1974; Burgess & Hazelwood, 1995). The Gardaí, however, tended to make judgements and decisions based on ‘invalid’ behavioural cues. The view was expressed that working class women are more likely to make false rape allegations, and they are perceived as less credible witnesses (identifiable by the way they dress, their jewellery, the way they speak). A small number of other behavioural veracity cues were mentioned, such as ‘nervous’ behaviour or ‘calm’ behaviour. This is yet another example of how invalid cues result in biased judgements that can have unfavourable (or favourable depending on the circumstances) for the complainant. Psychological research ion lie detection has ruled out these variables as valid cues to deception detection. Research on subjective methods of lie detection has demonstrated how ineffectual and oftentimes blatantly wrong these cues are. For example, Vrij (2000) outlined that there exist clear unanimous beliefs among people that cues indicating nervousness are representative of lying behaviour (e.g. Kohnken, 1987; Riggio & Friedman, 1983) Research, however, has proven that this is an invalid and unreliable cue to deception detection and cannot discriminate between truthful and false communicators (Vrij & Semin, 1996). Beliefs in rape myths, negative rape beliefs, and behavioural expectations play a very important part in understanding how attrition occurs in certain cases and not in others.

6.3.4.3 Understanding attrition

Descriptions of how the Gardaí conduct investigations and construct rape stories also helped to enlighten the attrition process. It was evident that information processing strategies, in addition to the content of decision makers’ beliefs, could lead to possible errors of judgement, as not all situational and dispositional permutations were considered. The data strongly suggested that beliefs held by participants, fostered preconceptions that heightened the availability (and recall) of certain types of information that affected the way social stimuli were interpreted and evaluated. Errors of judgement or mistakes are likely to happen in this context because reports of rape triggered highly salient information with respect to false reporting, that resulted in a decision making process biased (cognitively and behaviourally) toward the detection of deception. One can see how cognitive inflexibility can lead to partially informed judgments, as false report categorisations and decision goals have a disproportionate
influence on the decision making process. Hence, retrieval biases may lead to error, as can the prior beliefs and values of the perceiver lead to bias.

Expecting that a person will engage in a particular activity led to hypotheses to test behaviourally whether this was so. This often led to ‘expectation-confirmation’ biases as the decision makers searched for information that confirmed their hypotheses. It is interesting to note that participants who did not share the same cognitive knowledge structures did not have the same expectations and did not engage in the same investigative behaviours or make the same inferences. The small number of Gardaí who stated that they try to keep their ‘biases’ in check may be more flexible and willing to consider alternative scenarios as just as likely. It is suggested that these information processing ‘biases’ affected how the Gardaí constructed and evaluated a story and also played an integral role in determining the eventual recommendation decision and whether the case resulted in attrition. Complainants that were judged to be unreliable, tended to result in decision frames characterised by uncertainty and the investigator was then motivated to establish the truths of the case. As described, the investigator often sought information that accorded or verified their ideas/hypotheses and did not attempt to falsify their hypotheses. One outcome of expectation confirmation biases in decision frames of uncertainty is that the case is more likely to be negatively evaluated by the Garda. Negatively evaluated cases are proposed to be more likely to result in attrition (negative DPP directions). For example, previous research has delineated the extent to which a person’s attributional biases and inferential shortcomings are not likely to be corrected, (even in the face of logical and empirical challenges, see: Anderson et. al. 1980), but are compounded by subsequent experience and deliberations. Moston (1991) explained, “if the interviewer starts with the assumption that the suspect is lying then the behaviour of the suspect is likely to be interpreted as lacking credibility, regardless of whether or not the person is being truthful or deceptive” (p. 111).

These findings are consistent with research examining confirmatory strategies used by interviewers that suggests that people tend to confirm their hypotheses, both

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44 A lot of this research has been conducted using participants who have to interview a person (confederate) and are asked to verify if this person is an extravert or an introvert.
cognitively and behaviourally (see: Skov & Sherman, 1986; Snyder & Gangstead, 1981; Snyder & Swann, 1978; Snyder, Tanke & Berscheid, 1977). These effects have also been called self-fulfilling prophesies. Darley & Gross (1983) (cited in Winkel & Koppelaar, 1991; p. 224) noted that "perceiver’s behaviours toward the individual for whom they hold an expectancy channel the course of the interaction such that expectancy confirming behaviours are elicited from the other individual" (p. 20). This is very similar to what participants described in the present study as ‘testing the victim’ or ‘test her reactions’. In addition to behavioural confirmation effects are cognitive confirmatory effects. Darley & Gross 1983 (cited in Winkel & Koppelaar, 1991; p. 224) define this as “expectancy confirmation effects that occur in the absence of any interaction between the perceiver and the target person. In these cases perceivers simply selectively interpret, attribute or recall aspects of the target person’s actions in ways that are consistent with their expectation” (p.20). Once again, this definition provides a clear description of what participants described in the present study. The findings of this naturalistic study would suggest that participants were striving to confirm their hypotheses, as their impressions were found to play a formative role in defining the decision frame. Participants described their behaviour in hypothesis-testing terms e.g. “there’s something not right then and you’d have to test her to see if she’s lying”.

Expectation confirmation effects and their links to attrition were further evidenced in the perceived relationship between victim-precipitated withdrawal and false reports of rape. Participants expressed the belief that people who make false allegations subsequently withdraw their complaints. Scenarios were described where a complaint was judged to be false and the complainant withdrew their allegation and this action served to confirm the decision maker’s initial impressions and the case was categorised as another example of a false report. The operational aspects of this phenomenon can be further explained with the help of Tversky & Kahneman’s (1982) illusory correlation (discussed in Chapter 3). An illusory correlation is where the decision maker associates two events as co-occurring. This leads to an interesting ‘bias’ where subjects tend to overestimate the frequency with which two events co-occur, called the illusory correlation. It is suggested that this expectation confirmation bias serves to increase the investigators confidence in their judgement abilities, increase beliefs in false reports of rape, reinforce the focus on the complainant
throughout the investigation and increase negative veracity judgements and evaluations.

This discussion highlights the association between beliefs, information processing, erroneous judgements and negative evaluations prompting attrition. The next section addresses the eventual behavioural attrition link.

6.3.4.4 Investigative behaviour and attrition outcome

Investigative behaviour and procedures were found to be directly related to attrition. In addition to behavioural and cognitive confirmatory biases, it was strongly suggested that Garda recommendations directly affected official attrition levels by systematically outlining their reservations regarding the credibility of a complainant or by failing to officially record or pursue a complaint in the belief that it is very unlikely to be true (or further pursued by the complainant).

This study also provides clear examples of how biased judgement strategies can lead to biased decisions that have a direct effect on attrition in rape cases. Participants described how they may decide to delay formally recording the complaint until they know for sure that a crime has been committed. Some participants described rape reports where no formal record of the report was taken. In these cases the complainant either withdrew her statement, discontinued to cooperate or never made a formal statement – and no record was made in any of these cases. While it is impossible to estimate the extent to which cases are not officially recorded, this study can conclude that it does happen and that police judgements of credibility are an intrinsic part of the decision to record the case initially.

This study can also conclude that participants included any reservations they had about the credibility of the witness and/or her suitability for court in the final recommendation to the DPP. The final recommendation decision was informed by the story/ies the investigator constructed and the perceived legal constraints of the context (DPP/court response). The investigative decision frame accounts for and explains why the Gardaí made prosecution recommendations not to prosecute the alleged culprit. It was described that in decision frames characterised by certainty, making a recommendation was relatively straightforward, as the investigator had made up their
mind about the truth of the case. However, in decision frames of uncertainty investigators tended to rely more so on their own theories of what was most likely to have happened. In these scenarios, unless doubt could be sufficiently reduced, the decision maker outlined their problems with the case and even if they reluctantly decided to recommend a prosecution for the alleged offence, they informed the prosecutor of their reservations. This evidence provides the most direct behavioural link between police decision making and attrition.

It is suggested that the Garda recommendation will have a significant bearing on how the DPP interprets the case and whether this office recommends a prosecution. This hypothesis is supported by research (e.g. Kelly, 1999). Furthermore, the participants in this study perceived there to a strong correlation between their recommendation and the direction from the DPP. It is highly probable that Garda prosecution recommendations affect ‘official’ attrition levels in rape cases.

6.3.5 Methodological Considerations

It is important to consider a few methodological issues. The first of these involves the extent to which the data employed in this study is a valid representation of real life police decision making. The second issue concerns the extent to which this model is transferable to rape investigations involving child complainants and male complainants. The third relates to the ability of the methodology employed to answer the research questions set and to examine the effect of the researcher on final model developed.

6.3.5.1 Validity of data

It not possible to obtain data on police decision making by another method (e.g. case study, direct observation), and given the nature of the research questions, interviews were the only feasible option. Chapter 3 outlined that retrospective verbal accounts are thought to produce reliable descriptions of peoples’ experiences of making decisions at work. There were a number of drawbacks, however, with the specificity of conclusions that can be made from this data. The method cannot, for example, enable systematic differentiation of the various decision strategies that may or may not be unique to specific rape scenarios (quasi-experimental research designs could
achieve this). The method employed for this study enabled a general description of information processing strategies used. While this research questions the use and validity of quasi-experimental approaches, the question still remains as to whether a similar decision making model would have resulted using different data (e.g. case study, observation methods, real interview data). For example it would be very interesting to analyse taped recordings of Garda conversations during the lead-up to the final recommendation decision for different rape cases. It would also be interesting to analyse recordings of rape statements along with Garda interviews relating to specific cases, to assess the relative extent to which different findings overlap with the findings of this work. This type of data would enable a test of the model and clarification of its component parts. Until such data is made available by the Gardai, it is difficult to see how the model can be verified using different research data and analytic methods. It can be concluded however that the current data produced and analysis was sufficiently transparent and robust (as described in the method section) for rich descriptions of the investigative process to result from this data.

6.3.5.2 Transferability of findings

The second methodological consideration concerns the transferability of the research findings. Whilst the model developed is faithful to the everyday reality described by participants in this research (the model has been precisely and rigorously verified with the sample data), the sample is by no means comprehensive (as is typical for qualitative research). The interpretations within the model are broad, account well for diversity within the sample, and should be abstract enough and include sufficient variation to make the processes described transferable to rape investigations in general (as experienced and described by police officers of Garda rank).

The underlying assumptions of this research, (in terms of real-life decision making) such as the interactive nature of work decisions, the iterative and context specific characteristics of decision making, the importance of social knowledge and group process, all transferable to real-life occupational decisions. It would be interesting to examine the extent to which the investigative decision frame (identified in this research) is transferable to police officers of Sergeant rank (and above and police officers in other jurisdictions (for rape investigations). It is premature to suggest that the findings are transferable to all police officers and settings in other jurisdictions.
While much of the literature from other countries and categories developed in this analysis have much in common, the peculiar training received by Irish police officers and the culture specific to policing in Ireland, may mean that there are certain elements of the model specific to this context and are culturally bound. It would be fascinating to sample officers from different jurisdictions (and of different rank) to develop the model further. One truly innovative aspect of qualitative grounded theory, as Glaser and Strauss (1967) pointed out, is that the theory cannot be discounted. More evidence and testing will never destroy a grounded theory only modify it. An examination of the way in which sampling from other jurisdictions would modify the model would make an interesting piece of future research. Of course, it is important to state clearly that the formulation of interpretations from the model developed and expectations for behaviour based on the model cannot hold in all cases. Results from qualitative research cannot specify definitively when certain principles will or will not hold and exceptions to the pattern can always occur. With this in mind, it is key to judge results and the model in terms of their applicability rather than their transferability. Does the model make sense to the user group. Do the participants identify with the results. Will the findings make sense to the reader and will the reader adopt the model and the formulations therein to their own context and ideas on the topic. The feedback from this work, so far, suggests that it does.

6.3.5.3 Reliability of findings

Finally, as with all qualitative analysis, the connection between the researcher and the data/analysis is tangible and constant. The method section and Chapter 3 identified the issues surrounding the reflexive nature of this work and strategies employed to address this. Findings are always culturally bound and the subjectivity of the researcher is part of the research context. From this point of view, it has to be stated that this interpretation of the data is but one of many possible interpretations or constructions. While it is important to recognise this, it ought not be perceived as a flaw or something that diminishes the credibility and transferability of the findings. The construction and interpretation presented in Chapter 5 and six is still subjected to the same procedures of quality control. These have already been described (e.g. seeing if others recognise identify with the findings, making the process explicit, addressing preconceptions and monitoring changes in the researcher and researched to name but a few).
Chapter 6

It is clear that the methodology and analytic method chosen to answer the research questions have successfully fulfilled these aims. It is important to note that although this study replicated a number of the categories found to be significant in attrition and attribution research, it employed a totally different methodological approach. This research did not impose any a priori categorisations on participants. All of the findings in this study emerged from a thorough analysis of participants’ descriptions of rape cases that they had dealt with or heard of, and in response to questions on decision making. Knowing the content of the investigator’s Evaluative Knowledge Structure and the interrelationships between its component parts, helps to understand why and how investigators make intuitive veracity judgements in the first place and how these affect investigative procedures and outcome. This study represents the first of its kind that explicitly and systematically models the relationship and interconnections between the content of investigators’ beliefs, goals and schemata and their intentions, judgements and decisions. In this way, the links between beliefs and decisions and attrition are clearer. This research supports the initial assumptions made about decision making: it is a dynamic, interactive, context specific phenomenon. The findings of this research challenge existing naturalistic models of decision making, in that they do not fully represent the layers and iterative nature of real-life decision making and in particular do not address or emphasise the social psychological elements of the process. Moreover, this research demonstrates the importance of the purposive role of the decision maker and the direct ramifications of the effects of social knowledge in defining and ‘steering’ the entire investigative process.

The next chapter (seven) will introduce the next empirical piece of research that aims to: validate certain constructs in the Evaluative Knowledge Structure (namely negative rape beliefs and decision goal); clarify what factors are predictive of beliefs and decision goals; and further develop these findings by testing the nature and extent to which context plays a part in defining the pre-investigative decision frame.
Chapter 7

A quantitative path analysis of the interrelationship between veracity orientated investigative goals, negative rape beliefs, occupational culture variables and rape investigative experience.

7.0 Introduction and research questions

The previous empirical chapter outlined a robust naturalistic decision making model delineating how investigators make key decisions in rape investigations. This model demonstrated how beliefs and schematic knowledge are transmitted within the organisation, how investigative motivations and behaviours are learned, and how police organisational culture functions to prescribe investigative goals. A number of patterns were found in this analysis with respect to differences in the content of participants' schematic knowledge, particularly with respect to their motivational properties.

The first study found that some participants had negative beliefs toward rape and certain kinds of women who make complaints of rape (examples of text include: “most complaints of rape are false”; “working class women would do it” – make false reports of rape). It was also found that many of the participants expressed explicitly that their main investigative goal (primary decision goal) was to determine the veracity of rape allegations.

It will be recalled that beliefs, investigative goals and behaviour of the small number of implicit veracity seeking participants was more in line with standard formal operating procedures of rape investigations. Gardaí are instructed in training that they are required to accept the veracity of the complainant’s story from the beginning of
They are also taught about the effects of Rape Trauma Syndrome and rape myths. No pattern could be identified from the first study, isolating specific characteristics associated with participants who more closely align their beliefs, investigative goals and behaviour with standard formal operating procedures. While the group were mostly female, there were also males identified. They represented Gardaí with detective duties, regular ‘beat’ duties and community-related duties, although they all had experience of dealing with rape. The participants were mainly from the group with five years service, although the younger probationer sample was also represented. None was from the longest serving group as these participants tended to state explicit veracity seeking goals at all times. The patterns and findings did not unequivocally suggest that gender, rape experience, length of tenure or rape attitudes account for differences in beliefs or investigative motivations and goals. Sex differences will be an interesting factor to explore further. There is a lot of research delineating the circumstances where sex is related to rape beliefs and veracity judgements/attributions of blame (e.g. see: Holcomb, Holcomb, Sondag & Williams, 1991; Malamuth & Check, 1981; Ward, 1998). Societal factors are also thought to account for these patterns (Shotland & Goodstein, 1983).

Chapter three outlined research that demonstrated that there are different police subcultures, for example the difference between ‘cop-culture’ and ‘management-culture’, or the difference between rural and city officers (Manning, 1977; Holdaway, 1983; Reiner, 1992). It was suggested that police officer’s values and behaviours were ultimately shaped by the unique area they police (Punch, 1979). An American study by Jermier, Slocum, Fry & Gaines (1991) provided some interesting insights for the present study in relation to how aspects of culture may affect beliefs and operational style.

These authors were interested in comparing and contrasting police official culture with its subculture(s). “Organizational subcultures comprise individuals with similar beliefs who practice similar methods of organising and doing things” (p. 177). These subcultures may emerge as a result of personal characteristics of employees (e.g.
gender), or positional characteristics (e.g. speciality) or task exigencies (e.g. technical demands).

On the basis of previous research, Jermier et al. (1991) hypothesised that differences in organisational subcultures would be associated with variables such as gender, education, organisational tenure, physical danger, rank, occupational role, shift, organisational commitment and work performance. They designed a questionnaire to measure these variables and used cluster analysis to profile subcultures quantitatively. A five factor cluster solution was identified. Their results were interesting with respect to the research questions underlying this study. Underlying all subcultures were differences in how police interacted and related to one another. This was interesting and an important observation in terms of the interest of this work – to attempt to delineate what characteristics of the immediate environment and how one internalises them affects what one things and does (beliefs and goals).

Jermier at al’s (1991) findings identified the kinds of occupational variables that made unique contributions to differential policing approaches. In particular, variables such as commitment, group cohesion, task speciality, rank and education were able to account for differences in police subcultures. Jermier et. al (1991) found that the most unique variance was attributable to organisational commitment. This construct has received widespread attention in organisational research (Cohen, 1996) and it has been used to predict performance and productivity levels, turnover, absenteeism, motivation and stress (Allen & Meyer 1990; Bozeman & Perrewe, 2001; Mathieu & Zajac, 1990). Meyer & Allen (1987) point out that the most prevalent approach to studying organisational commitment is one where commitment is considered an affective or emotional attachment to the organisation whereby highly committed employees identify with and are involved in and enjoy membership to the organisation, (p. 2). Mowday, Steers & Porter (1979) defined organisational commitment as ‘the relative strength of an individual’s identification with and involvement in a particular organisation’ (p. 604).

Metcalfe & Dick (2000) point out that over the past 20 years there have been relatively few studies of organisational commitment in the police, and they attribute this mainly to access problems (p. 812). These authors suggest that organisation
identification can be an important motivator since individuals who closely identify themselves with their employers goals and values are more likely to take on a diverse range of challenging work activities and are thus motivated to direct their efforts towards organisational objectives (see: Siegal & Sisaye, 1997). This proposition is supported by research that has examined self-categorisation (Turner, Hogg, Oakes, Reicher & Wetherell, 1987) and social identity (Tajfel & Turner, 1986). It is argued that seeing oneself as a member of the group (e.g. police⁴⁶) provides a basis for the perceptual, attitudinal and behaviour effects of group membership and the more members conceive of themselves as a member of the group, the more the individuals attitudes and behaviours are governed by group membership (Turner et. al., 1987). Organisational identification reflects "the perception of oneness with or belongingness to an organisation where the individual defines him or herself in terms of the organisation(s) in which he or she is a member (Ashforth & Mael, 1989 p. 104, cited in Van Knippenberg et. al., 2002, p. 234).

It is hypothesised that independent variables such as sex, length of tenure, experience, may directly affect belief and veracity orientation variables. It is also hypothesised that occupational culture variables may moderate the relationship between ones own beliefs and the extent to which these are dependent upon the perceived beliefs of others.

The present study, therefore, is aimed to clarify the interrelationship of some of the component parts of the Evaluative Knowledge Structure and in particular to examine some correlations and the interrelations between these constructs.

More specifically, a quantitative study is required in order to:

- Quantitatively explore the extent to which the Gardaí agree with negative rape beliefs and the extent to which they are motivated to establish the truth of rape

⁴⁶ As outlined in chapter two, personnel in An Garda Síochána call themselves 'members', not officers or Garda. On numerous occasions over the course of this research many Gardaí asked me if I was a 'member'. It is very clear from the language employed to describe themselves that they categorise themselves as part of a group – as a 'member' of the Guards.
allegations. This study is interested in assessing how widespread these beliefs and investigative goals are.

- Test the relative contribution of social-demographic variables, belief variables (one's own and perceived beliefs of colleagues) and occupational culture variables to predicting veracity orientation.

The following is an illustration of the path diagram (figure 7.1) that indicates the interrelationships between variables hypothesised to make a significant contribution to the prediction of:

- **7.0.1** Veracity orientation (Explicit) (blue lines)
- **7.0.2** Self-reported rape beliefs (Own rape beliefs 1 & 2) (red lines and interaction circles)
- **7.0.3** Perceived societal rape beliefs (societal 1 & 2) and perceived colleague rape beliefs (colleague 1 & 2) paths (black and green lines respectively)

Figure 7.1 Path diagram illustrating the hypothesised predictor variables for a) Veracity Orientation (blue lines); b) Own Rape Beliefs (red lines and interaction circles); c) Societal Rape Beliefs (black lines) and d) Colleague Rape Beliefs (green lines).
7.0.1 Veracity Orientation Paths

The hypothesised paths (predictor variables) leading to veracity orientation were, own rape beliefs, sex and rape investigative experience. The rationale behind these hypotheses are described in the next section.

A key finding in the first study was the relationship between aspects of social knowledge and the investigators' primary decision goal. Social knowledge, (in the form of beliefs about women who make reports of rape, beliefs in high levels of false reports) was related to the investigators' primary decision goal. A pattern emerged in study one that suggested that participants more concerned with explicit veracity oriented investigative goals had beliefs that substantiated these aims. This study was designed to test if rape beliefs (as operationalised here) are predictive of investigative goals (whether they are more or less explicit) in a larger sample of Gardaí.

In addition to one's own beliefs, sex and levels of rape investigative experience were also hypothesised to predict veracity orientation. The first study tentatively suggested that the valence of some female participants' investigative goals were qualitatively different from more common explicit responses. This led to the hypothesis that gender may significantly predict veracity orientation. Rape investigative experience levels were also hypothesised to contribute significantly to veracity orientation. Participants who had a lot of experience of rape cases (both anecdotal and real) provided many experiential descriptions and scenarios that supported their investigative attitudes, that were in the main veracity-centred. Due to the small sample size of study one, firm conclusions with respect to the relationships between sex and rape experience and veracity orientation were precluded. A quantitative methodology was required in order to test these hypotheses.
7.0.2 Own Rape Belief Paths

Variables hypothesised to predict self-reported rape beliefs were perceived societal negative rape beliefs, perceived colleague rape beliefs, an interaction between perceived colleague rape beliefs and occupational culture variables (affective commitment, level of communication and level of organisational latitude for mistakes or ‘risk’) sex and rape investigative experience. The rationale behind these hypotheses is described in the next paragraph.

Study one revealed very clearly the social nature of participants' beliefs and behaviour. There was a high degree of similarity between many participants' beliefs and what they perceived the beliefs of their colleagues to be. Many participants in study one also expressed that there was consensus and much accord between their own opinions and decisions and those of their colleagues. It will be recalled that participants described how they talked to each other about rape cases and how they sought and employed advice from their colleagues. The findings of study one led to the hypothesis that perceived beliefs of one's colleagues will directly predict one's own beliefs toward rape. In addition to perceived colleague beliefs, it was further thought that societal beliefs would also affect participant's own beliefs. Study one was unable to clarify the relative importance of one's working environment and the general societal context in affecting participants' beliefs. This quantitative study enabled a direct test of this.

Related to the above findings, is the hypothesis that occupational cultural variables will also play an indirect role in explaining differences in one's own beliefs. It is hypothesised that occupational culture variables may moderate the relationship between what participants perceive their colleagues beliefs to be and their own beliefs. For example, study one identified a considerable amount of openness of communication among participants and how this informs the content of the evaluative knowledge structure. Participants described the different degrees to which they listened and learned from the opinions of their colleagues and superiors and how their colleagues were often curious to hear about rape investigations. They generally tended to perceive this interaction as positive and one that resulted in shared consensus. It was hypothesised that openness of communication and group cohesion would
significantly interact with perceived colleagues’ beliefs to predict participants’ own beliefs.

Study one also suggested that aspects of culture, such as the extent to which participants feel that mistakes are acceptable (or not) will interact with perceived beliefs of colleagues and significantly help predict own rape beliefs. Study one identified how participants were wary of reports of rape because they did not want to appear wrong, naïve, or silly in front of their colleagues or superiors. This led to the suggestion that the extent to which participants felt they could make mistakes (or take risks) and the degree of autonomy will interact with perceived beliefs of others to better predict their own beliefs. In addition to communication, cohesion, latitude for mistakes and autonomy, the extent to which participants identified with the organisation was also hypothesised to interact with perceived colleague beliefs. For example, if one perceives one’s colleagues believe x, x will interact with level of organisational identification, to affect whether one believes x. Participants may resolve their own beliefs and the beliefs of their colleagues depending on their level of affective identification with the organisation.

Sex and level of rape specific investigative experience were also hypothesised to significantly predict rape beliefs. Study one resulted in the suggestion that gender may affect the content of one’s evaluative knowledge structure and that length of experience also may affect beliefs held.

7.0.3 Perceived societal rape beliefs and perceived colleague rape belief paths
Finally, sex was hypothesised to predict perceived societal beliefs, as it was thought that men and women would think differently about how people in general view rape. Sex and levels of rape investigative experience were hypothesised to predict perceived beliefs of one’s colleagues. Again gender, in addition to the amount of experience one has investigating rape, were hypothesised affect one’s perceptions of what other police officers think. Length of tenure was also hypothesised to predict perceived beliefs of one’s colleagues, as study one suggested that the more exposure one has, in terms of years service, the greater the amount of accumulated knowledge about your colleagues beliefs and experiences. It is not thought that length of tenure would affect perceived societal attitudes.
Chapter 7

The next part of this chapter (section 7.1) will outline the method section of this study. This will include a description of the sample, sampling method, questionnaire design, procedure and analytic method.

This will be followed with a full presentation of the results section (7.2), which deals with each of the research questions in turn.

Finally, this chapter ends with a discussion of quantitative findings (section 7.3) in light of how they help to clarify the findings of study one and their implication for organisational decision making in general.

7.1 Method

7.1.1 Respondents
The sample in this study consisted of a random stratified sample of 800 members of An Garda Síochána. Study one found that there is an informal deployment process in operation that automatically mandates female members to deal with reports of sexual assault and rape, where they are available. Garda figures indicate that approximately nine percent of An Garda Síochána consists of female members. Hypotheses in this study require an examination of sex differences and similar cell sizes are a requirement for many inferential statistical calculations. The sample was, therefore, stratified according to sex, to ensure that an adequate sample of female respondents was received in order to enable statistically sound gender comparisons.

As male police officers form the majority group in the Gardaí, it was decided to maintain the relative difference by sampling more men than women. A stratified sample of 500 male police offers of Garda rank and 300 female police officers of Garda rank were randomly sampled from the entire Garda population. Only police officers of Garda rank were sampled (this includes Gardaí working in a detective capacity), as this rank often take statements of complaint from complainants and they also comprised the sample in the first study.
The questionnaire was posted to the entire sample with a covering letter explaining the nature and rationale of the research. While it was stressed to potential respondents that the study constituted an independent piece of research (anonymity was guaranteed and researcher interested in trends only) the covering letter was signed by the head of the Garda Research Unit and questionnaires were also returned to the researcher in care of this unit. Politically and logistically, this was the most efficient and simple method. Potential respondents were also asked to fill in and return the questionnaire irrespective of their level of experience. They were informed that it was their opinions that were of interest. A total of 326 usable questionnaires were returned to the researcher. 154 were from female respondents representing 47% of returned questionnaires and a 51% response rate. 172 questionnaires were from male respondents representing 53% of returned questionnaires and a 35% response rate. The overall response rate was 41%. The following is a breakdown of sample characteristics:

**Age**

The mean age of respondents was 32.9 years, (Standard Deviation (S.D.) = 8.15; maximum = 54 years; minimum = 21 years). This distribution was mildly positively skewed in favour of younger respondents, as expected.

Male respondents in this sample are older than the female respondents as expected, \( t(321) = -7.6; \text{df} = 321; p \sim .000 \); Female mean age is 29.7, (S.D = 6.2) and male mean age is 35.7, (S.D. = 8.6).

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47 The questionnaire including covering letter can be seen in Appendix 7.1.

48 A handful of questionnaires were so incomplete as to preclude research questions to be answered. A small number returned the questionnaire because they felt they did not have enough experience in dealing with rape and hence, felt their responses would be of no use to the research. Four questionnaires failed to reach the addressee and were returned to the unit – these were eliminated from the baseline when computing response rates.
**Length of tenure**

The mean length of tenure for respondents was 10.6 years. The Standard Deviation of this distribution was high (S.D = 8.97) and positively skewed. The range of this distribution was large, from a minimum of .08 years (1 month) to a maximum of 34 years. 40% of the sample has five or less years service. 30% of the sample has 3.5 years service, or less. 10% of the sample has between 25 and 35 years service. This pattern was as expected.

Male participants had longer length of tenure than female participants, as expected; (t (324) = -7.9, p<.000). Men had on average 13.9 years service (S. D. = 9.6) and women had on average 6.9 years service (S.D. 6.3). Age and length of tenure were highly correlated (r=0.97, p<0).

**Role and Duty**

The majority of respondents were engaged in regular ‘beat’ policing duties (66%), which involved working shift hours. Categorisation of the remaining role responses, gave the following breakdown: Detective duties 10%; Administrative duties 5%; Drug Unit duties, 3.1%; Community policing duties, 3.7 %; Traffic, 2.8%; Specialist Bureaus duties (e.g. Garda National Investigative Bureau) 2.7%.

23% (n=76) of the sample had experience of working in a detective capacity. Of these, 34 were women and 42 men.

**Work location**

The majority of respondents worked in city stations, with most of these located in Dublin Metropolitan Regions (DMR) (42%). Following from this the next most frequently cited place of work was ‘large town’ stations (25%) followed by ‘small town’ stations (19%) rural locations (7%), Garda Headquarters (3.1%), Special units (1.8%) and Garda College (.6%).

In terms of gender breakdown and work location, it was found that women outnumber men in Dublin city stations and in Garda HQ. In all of the remaining locations, men were more represented than women.


Education

Only eight respondents reported that they had not completed their leaving certificate examination\(^{49}\). 144 respondents stated that they had a third level qualification other than a degree (e.g. Post-Leaving Certificate; Diploma). Thirteen respondents stated that they had a university degree. Six respondents reported having a postgraduate qualification.

Specialist rape training

The majority of respondents (\(n = 286\) or 91%) did not have any experience of specialist rape training courses. 28 respondents (9%) said that they had done a special rape training course. Of these 28 respondents, the majority of them were female (\(n = 23\) or 82% of total).

7.1.2 Questionnaire Design

In addition to demographic information, respondents had to complete eleven measures totalling 86 questions. Three of these measures were designed to tap different aspects of veracity oriented goals and behaviour. Three measures were designed to tap different aspects of negative rape beliefs. One scale was designed to measure levels of rape investigative experience. Finally, four measures were designed to measure different aspects of occupational culture, ranging from affective commitment to communication style. Where possible, existing scales were employed or revised where appropriate. However, due to the novel set of research questions and respondent pool, there were few applicable or appropriate scales to choose from. A considerable effort was involved in designing and generating items for the measures in this questionnaire. The findings from study one helped with this process, by providing a rich collection of attitudes and expressions from which items could be designed. The next section will deal with item generation and scale construction issues for each measure in the questionnaire.

\(^{49}\) Equivalent to A level examinations in the UK.
Rape Investigative Experience Scale

A self-report measure was designed to assess the level of respondent’s rape-specific investigative experience. On the basis of findings from study one, that incorporated an in-depth rape experience categorisation system, 6 questions were developed. Items ranged from questions about the respondents anecdotal/conversational experience, to full rape investigating experience, to experience of dealing with sexual crimes other than rape. Responses were indicated by ticking one of three boxes, ranging from ‘none’, to ‘some’, to ‘a lot’. Total scores on this scale ranged from 0 to 12. Example questions are: How much experience do you have in being involved with primary aspects of rape investigations? E.g. accompanying an injured party to hospital or taking witness statements?; How much experience do you have of writing prosecution recommendations in rape cases? Full layout of scale items can be seen in question 12 of the questionnaire in Appendix 7.1. Where the term ‘rape experience’ is used in this chapter, it at all times refers to this construct – rape investigative experience.

Investigative Decision measure

This was an open-ended, descriptive measure, designed to assess the extent to which Gardaí mention veracity seeking investigative goals as a primary decision making concern. This measure consisted of asking respondents to recall the last rape allegation they dealt with or heard of at work. With this in mind, they were then asked to describe what the main investigative decision was considered to be. Respondents were free to give whatever answer they choose. In this way, the researcher prescribed no a priori categorisations on the first veracity orientation measure. Respondents were also asked to describe what they thought the second most important investigative decision was and how typical these decisions are with respect to rape investigations in general.

The aim of this measure was twofold. Firstly, it allowed the researcher to examine the extent to which respondents indicated that they were concerned with making veracity oriented investigative decisions in real rape cases without any a priori prompts. These responses were not considered to be indicative of the frequency of these goals nor were they considered to be an objective measure of false rape reporting levels. Rather this question was intended to give some indication of veracity oriented investigative
goals before specific veracity questions were posed later in the questionnaire. This measure appeared before any of the other rape belief or veracity seeking measures. Secondly, this question required respondents to think about rape in the context of their daily work. In this way, the question facilitated respondents to familiarise themselves with their role as Gardaí and investigators and it could be argued that this technique further served to make later responses more ecologically valid. This question can be seen in Appendix 7.1 (question 13 in the questionnaire).

Stereotyped Rape Belief Scales: Personal, colleague, societal
A scale was required to measure negative rape beliefs including popular rape myths. Two other scales were required to measure participants’ perceptions of i) their colleagues rape beliefs and ii) Irish societal rape beliefs. Numerous rape myth and belief scales were consulted and thoroughly examined with a view to using or adapting them for this questionnaire. Rape myths, as described in the literature, combine to trivialise the crime of rape and to create justifications and explanations that support the contention that many of women who “cry rape” are lying (Lees, 1996). For many reasons, this is an extremely difficult construct to measure, not least because of the inherent sensitivities involved in asking questions of this nature and the temptation to give socially desirable responses. The approach to designing a negative rape belief scale for this study involved three main considerations.

Firstly, a thorough review of the literature and existing measures in this area led to the conclusion that most of these scales were dated (many designed in the 1970s and 1980s) and thought to be lacking in sensitivity to the topic. The main scales reviewed were: Rape Awareness Scale, (Schwartz, Williams & Pepitone-Rockwell, 1981); Rape Myth Acceptance Scale (Burt, 1980); Rape Empathy Scale (Deitz, Tiemann Blackwell, Daley & Bently, 1982); Illinois Rape Myth Acceptance Scale (Payne, Lonsway & Fitzgerald, 1999). Many items were dated in the sense that potential respondents in this study are much more politically sensitive to the issues in this area (for example police get training on Rape Trauma Syndrome and are also given talks by agencies such as Rape Crisis on rape myths) and know that it is no longer acceptable to publicly think or to admit to agreeing with obviously sexist statements. For example, the following item in Burt’s (1980) scale: ‘A woman who is stuck-up
and thinks she is too good to talk to the guys on the street deserves to be taught a
lesson’. In the researcher’s opinion, it is highly unlikely that many respondents will
admit to agreeing strongly with this statement, even if they believe it to be true. This
is particularly true of the Gardaí, who through training and the media are socialised to
be aware of the subtle differences between what one can think personally and express
publicly, particularly in questionnaire format. For these reasons items were chosen
and revised where appropriate. All items were designed to overlap with the different
types of beliefs that emerged from study one.

The second consideration was that rape belief questions had to be arranged so that
participants made comparative judgements between societal beliefs, their colleagues’
beliefs and their own beliefs. Participants were, therefore, firstly asked for their
opinion about societal rape beliefs. Theoretically, this had to be followed by a
question asking participants for their opinion about their colleagues’ rape beliefs in
order to force participants to make a comparison between them. The last question
concerned their own rape beliefs and, therefore, ensured that responses involved a
comparison between perceived beliefs of their colleagues and their own beliefs. It was
the intention to seek comparative responses from participants. Questions were
arranged to test the theoretically based hypothesis that rape beliefs of the Gardaí are
informed by the perceived beliefs of their colleagues and it was important to measure
how close participants perceived this relationship to be. It was hypothesised that
societal beliefs could also predict their own rape beliefs, but not to the same extent. It
was important to ensure participants made a comparative assessment in the above
order for these questions to be answered.

Asking questions about societal rape beliefs and colleague rape beliefs was thought to
have another design benefit. The presence of these questions was thought to shift the
focus away from the respondent, in that their answers were contextualised in terms of
the opinions of others as well as themselves. In this way, respondents may have felt
more comfortable and less self-conscious when expressing their opinions.

The third issue considered concerned a pervasive finding from study one. Namely,
that many respondents felt the level of false rape reporting was disproportionately
high. This belief appeared to be intimately related to veracity seeking investigative
goals. Therefore, it was considered important that any measure purporting to assess negative rape beliefs, include a direct measure of belief in levels of false rape reports as well.

Three negative rape belief scales were constructed: An own negative rape belief scale (NRB); colleague negative rape belief scale (CNRB) and a societal negative rape belief scale (SNRB). The same ten items were in each scale. The first seven items were revised from Burt’s (1980) Rape Myth Acceptance Scale and from Schwartz et. al’s (1981) Rape Awareness Scale. Responses to these items are arranged on a five point scale ranging from ‘Strongly Disagree’ to ‘Strongly Agree’. The final three items specifically addressed beliefs and justifications for the level of false rape reporting, and were designed by the researcher on the basis of findings from the first study. Responses to these three items were also arranged on a five point scale, ranging from ‘Never Happens’ to ‘Always Happens’. Examples of these items include the following: “Accusations of rape by prostitutes should be viewed with suspicion”; “Intoxicated women are usually willing to have sexual intercourse”; “Women from working class areas are more likely to make allegations of rape that are unfounded, than are women from other areas”. These items can be seen in box 7.1 below
item 1. "The extent of a woman's resistance should be a factor in determining if a rape has occurred".

item 2. "Intoxicated women are usually willing to have sexual intercourse".

item 3. "Accusations of rape by prostitutes should be viewed with suspicion".

item 4. "A healthy woman can successfully resist a rapist if she really tries".

item 5. "In a U.S. rape case, a judge gave the defendant a light sentence, reasoning in part, that the defendant was simply responding normally to women's suggestive clothing today".

item 6. "Women from working class areas are more likely to make allegations of rape that are unfounded, than are women from other areas".

item 7. "Sexually experienced women are not as emotionally damaged by rape as other women are".

item 8. "Women who make allegations of rape against their boyfriends, husbands or partners are lying".

item 9. "Women invent rape allegations if they fear they are pregnant".

item 10. "Women who report rape are lying because they are angry or want revenge on the accused".

Veracity Oriented Investigative Goal Scale (VOIG)

A quantitative measure was required to assess the level of veracity oriented investigative goals. No published work could be found that purported to measure this construct. Items were generated from the findings of study one and arranged into a forced choice answer format. In total, six pairs of forced choice statements were designed to measure veracity oriented investigative goals. One statement in each of the pairs represented an explicit veracity orientated investigative goal. For most pairs, the other statement represented the opposite or implicit version of the explicit statement. Respondents were asked to choose the statement that they most agreed with or that best reflected their work as a member of An Garda Síochána. Respondents received a score of 1 for each veracity oriented statement they chose. This scale ranged from a minimum score of 0 to a maximum score of 6. Examples of these items include: From the point of view of the police, it is necessary to establish firstly if an allegation of rape is a genuine one VERSUS From the point of view of the police, it is unnecessary to establish firstly if an allegation is a genuine one; ‘Gut feeling’ and ‘police instinct’ are less important investigative skills that members rely upon when
confronted with a complaint of rape VERSUS ‘Gut feeling’ and ‘police instinct’ are crucial investigative skills that members rely upon when confronted with a complaint of rape. This scale can be seen in Appendix 7.1.

Behavioural Interview Style (BIS)
This measure was designed to assess the behavioural aspect of VOIG scale, with respect the perceived function of taking a statement of complaint. The measure was designed to assess the extent to which respondents employed veracity oriented interviewing style when investigating rape\(^{50}\). This descriptive measure was based on the work of Williamson (1993), who examined and identified different police investigative interviewing styles and found these to differ along veracity and sensitivity axes. The BIS consisted of a description of four different interviewing styles. Similarly to the Williamson (1993) study these represented the ‘collusive’ style (co-operative, helpful, paternalistic, aimed at securing confession or getting truth); the ‘counselling’ style (co-operative, unemotional, non-judgemental, aimed at securing evidence); ‘business like’ style (confrontational, brusque, formal, aimed at securing evidence); the ‘dominant’ style (confrontational, impatient, emotional, aimed at securing confession and getting truth). The respondent was asked to choose the first and second most frequently used style\(^{51}\). Responses were subsequently categorised as veracity oriented or not according to the first interviewing style chosen. Examples of question options include: One adopts an interviewing style that is co-operative, non-judgemental, professional, and aimed at securing evidence; One adopts an interviewing style that is matter-of-fact, up-front, to the point, and aimed at getting at the complainant to tell the truth.

\(^{50}\) It will be remembered from the findings of study one, that many participants expressed the view that one of the functions of taking a statement of complainant was to see if the complainant was telling the truth.

\(^{51}\) When piloting this questionnaire, respondents experienced difficulties rank ordering the four options. It was decided that asking respondents to choose their first and second preference might result in less error.
Chapter 7

Affective Commitment Scale

Items from Mowday, Steers, & Porter, (1979) Organizational Commitment Questionnaire (OCQ) and Meyer and Allen’s (1987) Organizational Commitment Scale (OCS) were used to create a 14 item Affective Commitment Scale (ACS) for use in this study. The OCQ is a 15 item questionnaire, purporting to measure two factors: affective commitment and continuity. Eleven items from Mowday et al.’s OCQ (1979) were adapted to suit the organisational context of this study. Other items (questions 2; 7; 9; 15) were omitted, as they were thought be irrelevant to the organisation being researched. For example item seven in the OCQ is worded as follows: “I could just as well be working for a different organisation as long as the type of work was similar”. There is no alternative police force to work for in the Republic of Ireland and this item would be confusing to respondents. The main factor of interest to this study with respect to organisational commitment was ‘affective commitment’, as this is thought to be related to occupational identification processes.

It was decided to add three other questions to the OCQ items. These questions were adapted from Meyer and Allen’s (1987) OCS, developed in 1990. Meyer and Allen (1987) have 8 questions in the 24 item scale that are purported to measure levels of affective commitment. Questions in this scale that overlapped with questions in the OCQ were not considered for inclusion. Questions 2,3 and 8 from Meyer and Allen’s (1987) OCS were added to the scale for the present study as they were thought to directly and succinctly address identification issues within the organisation, above and beyond items in the OCQ. Fourteen items were generated in total for the final version of this scale. Responses to these items were made on a five point scale, ranging from strongly disagree to strongly agree. Examples of some of these items include: I find that my values and the organisation’s values are very similar; I am willing to put in a great deal of effort beyond that normally expected in order to help this organisation be successful; Often I find it difficult to agree with this organisation’s policies on important matters relating to its employees. Items can be seen in Appendix 7.1, question 19 (first 14 questions). A copy of the OCQ and OCS are presented in Appendix 7.2.
**Work Cohesion scale**

The extent to which respondents work cohesively as a team was measured. Six\(^{52}\) items were chosen for this scale that concerned the extent to which individuals worked together at a group level in work, (rather than how the individual relates to work at an organisational level). Some of these items were adapted from Koys and DeCotiis (1991) Organisational Culture questionnaire. This questionnaire has eight sub-scales. One of these sub-scales assessed ‘cohesion’, and three out of five items were chosen for the present questionnaire. All of the items from Koys & Decotiis (1991) scale were worded positively. In order to reduce response bias three other negative items were added. Two of these were adapted from Furnham & Gunter’s Corporate Culture questionnaire (1993). The researcher developed one more. Responses to these items were on a five point scale, ranging from strongly disagree to strongly agree. Examples of questions include the following: Among the people at work there are few close relationships; There is a lot of ‘team spirit’ among members working together; I do not feel like ‘part of the family’ where I work.. These questions are presented in Appendix 7.1.

**Latitude for mistakes**

Error tolerance or organisational latitude for mistakes was measured using four items\(^{53}\). These items were developed by the researcher, as no published scale could be found that contained items suitable for the present purposes. These four items had a five point scale response format, ranging from strongly disagree to strongly agree. Example questions are: Most of the time you can say what you think without it being held against you; My supervisor backs me up and lets me learn from my mistakes.

**Autonomy**

Level of occupational autonomy was measured using nine items (four negative: low autonomy and five positive: high autonomy). The first five of these items in the scale were adapted from Litwin & Stringer's (1968) ‘responsibility’ sub-scale of their

\(^{52}\) When examining the factor structure of measures at a later stage, a seventh item from another scale was added to the cohesion scale. The cohesion scale was ultimately dropped from the analysis due to its covariation with the commitment scale. This is discussed in section 7.2.

\(^{53}\) This was later reduced to two highly correlated items ($r = .5$).
culture questionnaire. Other items were adapted from published scales, e.g. the ‘autonomy orientation’ sub-scale in Furnham & Gunter’s Corporate Culture questionnaire (1993). Two items were developed by the researcher. Responses were made on a five point scale response format, ranging from strongly disagree to strongly agree. Examples of these questions include: You don’t get ahead at work unless you bend the rules and take a chance now and again; It is best to give individuals the freedom to do things their own way; My supervisor likes me to consult him/her before I take any action.

**Communication Style Scale**

The final measure in the questionnaire assessed the extent to which information is shared at work (the extent to which colleagues talk to one another) and the extent to which information is used by respondents as a means of getting their work done. Two items were adapted from Furnham & Gunter’s Corporate Culture questionnaire (1993). All other items were developed by the researcher and primarily informed from the findings of Study 1. The final version of this measure consisted of nine items. Example questions include: By and large, colleagues talk to one another about the members of the public that they come into contact with; Talking to colleagues is an important element of learning how work is done; The grapevine keeps me appropriately informed. Responses were made on a five point scale response format, ranging from strongly disagree to strongly agree.

**Summary**

A four page, double-sided questionnaire was developed and posted to the sample. Along with demographic information, this questionnaire consisted of nine scales measuring different psychological constructs. In addition to this, were two other measures. One question was an open-ended descriptive measure assessing investigative decision aims. Another was a question that enabled the researcher to classify the respondent according to their most frequently used interviewing style.

**Dependent, independent and moderator variables**

The main dependent variables in this study shifted depending on what stage of the path analysis was being tested. The path analysis involved four stages. The dependent
variable in the first stage was societal rape beliefs 1 followed by societal rape beliefs 2 (independent variables: sex and rape investigative experience). The dependent variable in the second stage was colleague rape beliefs 1 followed by colleague rape beliefs 2 (independent variables: sex, investigative experience, length of tenure). In the third part of the path analysis, own rape beliefs 1 was the dependent variable followed by own rape beliefs 2 (independent variables were sex, rape experience, perceived colleague beliefs and perceived societal beliefs). Occupational culture variables, such as communication and commitment were hypothesised to act as moderator variables (see: Baron & Kenny, 1986) as they were expected to interact with perceived colleague beliefs in order to increase the prediction of own beliefs.

It is important to point out that this study was simultaneously exploring, hypothesis testing and test developing in the same data set. It was recognised that the validity of the revised and constructed scales was unknown and, hence, could not be assured. This point will be elaborated in the discussion.

The next section will examine the procedure (both operational and analytic) and will be followed by a presentation of the results.

7.1.3 Procedure

Once the questionnaire was designed, it was piloted on 20 members of An Garda Síochána. Half of these respondents completed the questionnaire in the company of the researcher. The remaining half of the Gardaí completed the questionnaire in their own time and were asked to provide written comments and feedback where necessary. Both oral and written feedback resulted in the fine-tuning of the questionnaire in terms of its content, presentation and length. Ambiguous or inappropriate questions were re-worded or replaced. Amended questions were re-presented to respondents. Some measures and items were omitted completely as many respondents considered the first draft of the questionnaire too long and felt it would affect response rates. Response scales were re-designed more clearly. Responses were checked for internal consistency. It was not possible, for practical reasons and because of the research context, to conduct a full-scale quantitative piloting procedure on a representative sample of Gardaí. There was only one opportunity to survey Garda members;
therefore, considerable attention to detail was paid in order to obviate any problems that may have arisen at a later date.

The questionnaire had to be checked by Garda Research Unit personnel and a proposal specific to the questionnaire re-submitted to research management. A copy of the questionnaire proposal is included in Appendix 7.3. Following a number of meetings with this unit that aimed to clarify the rationale for including certain measures, the final version of the questionnaire was ready for administration.

All of the questionnaires were posted to the respondent’s place of work. A covering letter explained the purpose and aims of the work. Emphasis was placed on the requirement for all personnel to complete the questionnaire, regardless of training, experience or knowledge. Particular effort was made to reassure respondents of the confidentiality of the work and explain that their responses were anonymous, in that they did not have to identify themselves by name. The covering letter also clearly outlined that there were no wrong or right answers and that it was the respondent’s opinions and beliefs that were of interest to the research. They were asked to complete the questionnaire by a specified date and to return it, in the envelope provided, to the researcher, care of the Garda Research Unit. They were informed that the questionnaire took approximately 35-40 minutes to complete.

### 7.2 Results

**Analytic Procedure**

Questionnaire responses were coded and the raw data was entered into a statistical computer package (SPSS, 2000). The main analysis consisted of a series of stepwise regressions (illustrated in a path diagram (section 7.2.2)), as the researcher was primarily interested in developing and testing a subset of independent variables that were useful in predicting the dependent variable. This technique begins with an empty regression equation and independent variables are added one at a time if they meet statistical criteria, but they may be deleted at any step where they no longer contribute significantly to the regression equation. It was important when using this method to
study and monitor the initial message of DV-IV correlations (see: Tabachnick & Fidell, 1996, p. 150). Aspects and implications of this procedure are further described in the results and discussion sections. The stepwise method was further chosen as all stages of the model were of interest to the research questions. This study was not simply interested in predicting veracity orientation; it was further interested in predicting beliefs and perceptions of the beliefs of others. This required a series of separate regression analyses testing four different aspects of the path model.

**Interaction variables**

Interaction variables were created in order to test whether cultural variables acted as moderators. Interaction variables were computed by firstly ‘centering’ each of the variables involved. Centering is achieved by subtracting the mean from each score, in order to create a new scale mean of zero. Centering does not change the meaning of the variable but it is advised when computing interaction variables as it helps to make output more interpretable (Tabachnick & Fidell, 1996). Interaction variables were computed by multiplying centred variables together. For example, colleague belief scale I (centred) was multiplied with commitment (centred) to produce an interaction variable, and so on.

**Moderator Variables**

It was hypothesised that occupational culture variables would moderate the effect of perceived colleagues’ beliefs on one’s own beliefs. Baron & Kenny (1986) defined a moderator variable as one that “affects the direction and/or strength of the relation between an independent or predictor variable and a dependent or a criterion variable” (p. 1174). The statistical analysis measured and tested the differential effect of the independent variable on the dependent variable. This is achieved by multiple regression procedures. For example, if the independent variable denoted as X (e.g. Colleague Beliefs 1) and the moderator (e.g. communication) denoted as Z and the dependent variable (Own Beliefs 1) as Y, then Y is regressed on X, Z, and XZ. Moderator effects are illustrated if there is a significant effect for XZ when X and Z are controlled. It is possible for there to be significant main effects for X and Z separately with the predictor. It is desirable for the moderator to be uncorrelated with both the predictor and the criterion to provide a clearly interpretable interaction term.
Appendix 7.4 contains a detailed account of data screening, scale structure and reliability findings. A summary of these findings is described in the next paragraph, but the reader is advised to consult the appendix for a comprehensive account of these results.

Preliminary analysis consisted of screening the data for outliers and checking the distributional properties of each variable. Descriptive statistics and reliability coefficients of the scales were calculated. Principle components analyses were also calculated to examine the underlying structure of each scale. Two underlying latent components were found in all three of the rape belief measures. Hence, a total of six belief scales were constructed in total. Principle component analyses and reliability analyses led to a re-evaluation of final four occupational measures (Latitude for mistakes; Autonomy, Cohesion and communication style) into three separate scales (Cohesion, Latitude for mistakes and Communication style). Items in these measures were rearranged and/or excluded as a result of an exploratory factor analysis that examined all the items together and suggested a different pattern of factor loadings other than that intended by the researcher. These new scales made theoretical sense upon a second reading of the items. The remaining autonomy items were dropped from further analysis, as they were statistically too complex. The commitment and cohesion scale were significantly and highly correlated, hence, for reasons of redundancy and parsimony the cohesion scale was omitted from further analysis. The final set of occupational culture scales used in the analysis consisted of organisational commitment scale, a latitude for mistakes measure, and a communication style scale. Table 7.1 outlines the item statistics for each measure. This table includes, the number of items in each scale, the mean, standard deviation and reliability indices.
<table>
<thead>
<tr>
<th></th>
<th>Own Rape belief 1</th>
<th>Own Rape belief 2</th>
<th>Colleague rape belief 1</th>
<th>Colleague rape belief 2</th>
<th>Societal rape belief 1</th>
<th>Societal rape belief 2</th>
<th>Veracity orientation investigative goals</th>
<th>Commitment</th>
<th>Latitude for mistakes</th>
<th>Cohesion</th>
<th>Communication</th>
<th>Rape experience</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of items</td>
<td>7</td>
<td>3</td>
<td>7</td>
<td>3</td>
<td>7</td>
<td>3</td>
<td>6</td>
<td>11</td>
<td>2</td>
<td>7</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Mean</td>
<td>12</td>
<td>7.2</td>
<td>15</td>
<td>7.7</td>
<td>18.2</td>
<td>5.3</td>
<td>3.3</td>
<td>40.4</td>
<td>5.6</td>
<td>25.3</td>
<td>19.5</td>
<td>4.6</td>
</tr>
<tr>
<td>Standard deviation</td>
<td>4.0</td>
<td>1.8</td>
<td>4.7</td>
<td>1.7</td>
<td>8.2</td>
<td>1.7</td>
<td>1.5</td>
<td>6.9</td>
<td>1.7</td>
<td>4.7</td>
<td>2.5</td>
<td>2.8</td>
</tr>
<tr>
<td>Reliability</td>
<td>.71</td>
<td>.59</td>
<td>.78</td>
<td>.6</td>
<td>.78</td>
<td>.6</td>
<td>.45</td>
<td>.83</td>
<td>r=0.5*</td>
<td>.79</td>
<td>.62</td>
<td>.86</td>
</tr>
<tr>
<td>Minimum</td>
<td>5</td>
<td>0</td>
<td>7</td>
<td>3</td>
<td>7</td>
<td>3</td>
<td>0</td>
<td>15</td>
<td>2</td>
<td>14</td>
<td>9</td>
<td>0</td>
</tr>
<tr>
<td>Maximum</td>
<td>26</td>
<td>11</td>
<td>29</td>
<td>12</td>
<td>33</td>
<td>12</td>
<td>6</td>
<td>55</td>
<td>10</td>
<td>35</td>
<td>25</td>
<td>12</td>
</tr>
</tbody>
</table>

Table 7.1 Item statistics for the following measures: Rape Belief Scales (societal 1,2; colleague 1,2; own 1,2), Veracity oriented investigative goals, Organisational commitment, Organisational latitude for mistakes, Communication style and Rape investigative experience.
Chapter 7

The findings are described in two parts. Firstly, the findings of the belief and veracity measures are described (section 7.2.1.1 and 7.2.1.2 respectively). This is followed with a table outlining the correlations between all measures (the end of section 7.2.1.2). Finally, the regression results according to each stage of the path diagram (section 7.2.2) are outlined.

7.2.1 Results to the following research questions

- Quantitatively explore the extent to which the Gardaí agree with negative rape beliefs and the degree to which they are motivated to establish the truth in rape investigations (veracity orientation).

This section will present the results of descriptive statistics that provided answers to the above research question. Firstly, descriptive statistics of the rape belief measures are described. This is followed by a presentation of the descriptive statistics for the three explicit measures.

7.2.1.1 Descriptive statistics for negative rape belief measures

The average strength of agreement among respondents for negative rape belief items was relatively low overall. However, there was variance in response to all items. The more agreed upon items according to respondents (those items where the average score was close or higher than the median score) were the three items from the second rape belief scale that addressed false report justifications: items 8 (acquaintance rape and false reports), 9 (pregnancy and false reports) and 10 (revenge and false reports).

With respect to perceived colleague beliefs, the mean levels of agreement for items were low for most of the items. Similar to their own beliefs, the more agreed upon items were those in the second scale concerning false report justifications. These items were: items 8 (acquaintance rape and false reports), 9 (pregnancy and false reports) and 10 (revenge and false reports).
The extent to which respondents perceived people in general to have negative rape beliefs was higher than the other four scales. Eight out of ten items had a mean score of three (neither agree nor disagree). Respondents thought that societal negative rape beliefs were stronger for items 1, 2, 3, 8, and 9. The following table outlines the item mean and standard deviation for all items across all six scales.

<table>
<thead>
<tr>
<th>Item</th>
<th>Own Rape Beliefs</th>
<th>Colleague Rape Beliefs</th>
<th>Societal Rape Beliefs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mean</td>
<td>S.D.</td>
<td>Mean</td>
</tr>
<tr>
<td>Item 1</td>
<td>1.7</td>
<td>1.0</td>
<td>1.7</td>
</tr>
<tr>
<td>Item 2</td>
<td>2.1</td>
<td>1.1</td>
<td>2.1</td>
</tr>
<tr>
<td>Item 3</td>
<td>2.2</td>
<td>1.1</td>
<td>2.2</td>
</tr>
<tr>
<td>Item 4</td>
<td>1.3</td>
<td>.55</td>
<td>1.3</td>
</tr>
<tr>
<td>Item 5</td>
<td>1.5</td>
<td>.76</td>
<td>1.5</td>
</tr>
<tr>
<td>Item 6</td>
<td>2.0</td>
<td>1.1</td>
<td>2.0</td>
</tr>
<tr>
<td>Item 7</td>
<td>1.4</td>
<td>.73</td>
<td>1.4</td>
</tr>
<tr>
<td>Item 8</td>
<td>2.5</td>
<td>.76</td>
<td>2.5</td>
</tr>
<tr>
<td>Item 9</td>
<td>2.5</td>
<td>.85</td>
<td>2.5</td>
</tr>
<tr>
<td>Item 10</td>
<td>2.3</td>
<td>.78</td>
<td>2.3</td>
</tr>
</tbody>
</table>

Table 7.2 Mean, standard deviation for Own Beliefs (1&2), Colleague Beliefs (1 & 2) and Societal (1 & 2) scale.

7.2.1.2 Descriptive statistics for the three veracity measures

**Investigative Decision measure**

A total of 264 respondents attempted to answer this open-ended question. 62 respondents did not. Some of these wrote that the question was not applicable to them. Of the 264 respondents that did answer, their responses to the primary investigative decision were categorised into the following themes.

<table>
<thead>
<tr>
<th>Theme</th>
<th>% (number)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Culprit identification</td>
<td>25.8% (n=68)</td>
</tr>
<tr>
<td>Establishing veracity</td>
<td>23.2% (n=61)</td>
</tr>
<tr>
<td>Preservation of evidence</td>
<td>11.4% (n=30)</td>
</tr>
<tr>
<td>Injured party to hospital</td>
<td>9.8% (n=26)</td>
</tr>
<tr>
<td>Welfare of the injured party</td>
<td>9.8% (n=26)</td>
</tr>
</tbody>
</table>

Table 7.3 Breakdown of responses to Investigative Decision Measure, 1
In total 32% of respondents who answered this question said that either the primary or secondary goal of the investigation was to establish the truth of the injured party's allegation.4

**Behavioural Interview Style (BIS)**  
A total of 308 respondents completed this question. Only 275 of these responses were usable as respondents either did not distinguish between their first and second choices or only indicated one choice (ten participants indicated only one choice). Responses were categorised along the veracity seeking (explicit) and sensitivity dimensions.

Table 6.2 presents the findings for the most preferred interviewing style (first choice) among respondents. Table 6.3 present the findings for the second most preferred interviewing style.

<table>
<thead>
<tr>
<th>Interviewing Style 1</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Explicit co-operative</td>
<td>103</td>
<td>37.5</td>
</tr>
<tr>
<td>Explicit matter-of-fact</td>
<td>18</td>
<td>6.9</td>
</tr>
<tr>
<td>Evidence co-operative</td>
<td>140</td>
<td>50.9</td>
</tr>
<tr>
<td>Evidence matter-of-fact</td>
<td>13</td>
<td>4.7</td>
</tr>
</tbody>
</table>

Table 7.5 Frequency for preferred interviewing style  
(Note: n=274).

4 This figure was calculated by adding up the sixty one respondents who indicated primary veracity oriented decision goals and any of the remaining respondents who indicated secondary veracity orientated decision goals.
Table 7.6 Frequencies for second most preferred interviewing style
(Note: n=274)

<table>
<thead>
<tr>
<th>Interviewing Style 2</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Explicit co-operative</td>
<td>92</td>
<td>33.5</td>
</tr>
<tr>
<td>Explicit matter-of-fact</td>
<td>46</td>
<td>17.1</td>
</tr>
<tr>
<td>Evidence co-operative</td>
<td>102</td>
<td>37</td>
</tr>
<tr>
<td>Evidence matter-of-fact</td>
<td>34</td>
<td>12.4</td>
</tr>
</tbody>
</table>

When a cross-tabulation showing both choices that respondents made (table 7. below) was examined, it was evident that of those 56% who chose evidential aims as their first choice, the majority of them chose veracity aims as their second most frequently used interviewing style (81.4%; n=89+25 = 114). This question demonstrated that the aim of rape interviews for 44% of respondents was to establish the truth of the allegation. For the remaining respondents more concerned with evidence, their second most preferred style was to establish the truth of the allegation.

Furthermore, eighteen participants responded that both of their preferred interviewing styles are veracity oriented and a total of 64 respondents (46 + 18) chose a matter-of-fact interview approach when trying to get the truth.

<table>
<thead>
<tr>
<th>Explicit cooperative</th>
<th>286</th>
</tr>
</thead>
</table>

Table 7.7 Crosstabulated figures for first and second most preferred interview style

Veracity Oriented Investigative Goal Scale (VOIG)

The table below presents the frequencies of statement options chosen by respondents and gives an understanding of the patterning of responses on each question.
Table 7.8 Frequency of Veracity Choices: pair 1, 2 & 3

<table>
<thead>
<tr>
<th></th>
<th>No.</th>
<th>%</th>
<th>No.</th>
<th>%</th>
<th>No.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implicit</td>
<td>128</td>
<td>40</td>
<td>137</td>
<td>42.5</td>
<td>181</td>
<td>56.25</td>
</tr>
<tr>
<td>Explicit</td>
<td>194</td>
<td>60</td>
<td>184</td>
<td>57</td>
<td>136</td>
<td>42.2</td>
</tr>
<tr>
<td>Can't answer</td>
<td>1</td>
<td>.3</td>
<td>5</td>
<td>1.6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>322</td>
<td>100</td>
<td>322</td>
<td>100</td>
<td>322</td>
<td>100</td>
</tr>
</tbody>
</table>

Table 7.9 Frequency of Veracity Choice: pair 4, 5 & 6.

It was found that respondents tended to choose explicit statements more than implicit ones, (Cochran’s Q = 31.75, df = 5, n = 310, p<.000). All three veracity measures indicated a lot of variance in response to the items. Responses on VOIG items, in particular, demonstrated that the majority of respondents chose veracity oriented items. Except for correlational analyses, these items were treated as separate veracity variables, as the reliability and principle components analyses (appendix 7.4) demonstrated that the underlying properties of the scale (when items were summed) were multidimensional and unreliable. The first item of the scale (pair 1) was chosen as the prototype veracity dependent variable for path analyses.

**Correlational Results**

Correlations between all measures are outlined in table 7.10. It was important to bear in mind the initial DV/IV correlations, as correlations play an integral part in statistical regression procedures. It was important to remain cognisant of the relationships between these variables before the analysis and to interpret output with them in mind.
<table>
<thead>
<tr>
<th></th>
<th>SNRB 1</th>
<th>SNRB 2</th>
<th>CNRP 1</th>
<th>CNRB 1</th>
<th>CNRB 2</th>
<th>NRB 1</th>
<th>NRB 2</th>
<th>VOIG</th>
<th>COMMIT</th>
<th>MISTAKES</th>
<th>COHESION</th>
<th>COMMUN</th>
<th>RAPEEXP</th>
<th>TENURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>SNRB 1</td>
<td>0.45**</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SNRB 2</td>
<td>0.67**</td>
<td>0.27**</td>
<td></td>
<td></td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CNRP 1</td>
<td>0.25**</td>
<td>0.50**</td>
<td>0.40**</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>CNRB 2</td>
<td></td>
<td></td>
<td></td>
<td>0.37**</td>
<td>0.16**</td>
<td>0.67**</td>
<td>0.35**</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>NRB 1</td>
<td>0.14*</td>
<td>0.35**</td>
<td>0.32**</td>
<td>0.76**</td>
<td>0.41**</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>NRB 2</td>
<td>0.37**</td>
<td>0.16**</td>
<td>0.67**</td>
<td>0.35**</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>VOIG</td>
<td>0.09</td>
<td>0.44</td>
<td>0.11</td>
<td>0.21**</td>
<td>0.18*</td>
<td>0.23**</td>
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<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>COMMIT</td>
<td>-0.11*</td>
<td>-0.11*</td>
<td>-0.16**</td>
<td>-0.13*</td>
<td>-0.087</td>
<td>-0.13*</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MISTAKES</td>
<td>-0.06</td>
<td>-0.04</td>
<td>-0.029</td>
<td>-0.01</td>
<td>-0.02</td>
<td>0.013</td>
<td>0.01</td>
<td>0.16*</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COHESION</td>
<td>-0.16**</td>
<td>-0.06</td>
<td>-0.24**</td>
<td>-0.14*</td>
<td>-0.13*</td>
<td>-0.13*</td>
<td>0.10</td>
<td>0.50**</td>
<td>0.15**</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COMMUN</td>
<td>-0.002</td>
<td>-0.007</td>
<td>-0.04</td>
<td>-0.04</td>
<td>-0.01</td>
<td>0.02</td>
<td>0.07</td>
<td>0.21**</td>
<td>-0.01</td>
<td>-0.30**</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RAPEEXP</td>
<td>0.13</td>
<td>0.09</td>
<td>0.05</td>
<td>0.14*</td>
<td>0.14*</td>
<td>0.02</td>
<td>0.09</td>
<td>0.06</td>
<td>0.13*</td>
<td>0.02</td>
<td>0.01</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>TENURE</td>
<td>0.02**</td>
<td>0.04</td>
<td>0.16**</td>
<td>0.03</td>
<td>0.13*</td>
<td>0.02</td>
<td>0.04</td>
<td>-0.12*</td>
<td>0.14*</td>
<td>-0.15</td>
<td>-0.14</td>
<td>-0.14</td>
<td>0.10</td>
<td></td>
</tr>
</tbody>
</table>

Table 7.10 Interscale Correlation Matrix for all measures included in questionnaire

** P < 0.01  
* P < 0.05

SNRB 1/2: Societal Negative Rape Beliefs 1/2  
CNRP 1/2: Colleagues' Negative Rape Beliefs 1/2  
NRB 1/2: Own Negative Rape Beliefs 1/2  
VOIG: Veracity Oriented Investigative Goals  
COMMIT: Commitment  
MISTAKES: Latitude for Mistakes  
COHESION: Cohesion  
COMMUN: Communication  
RAPEEXP: Rape Case Experience  
TENURE: Length of Tenure
With respect to the six rape belief scales, it was noted that the highest (and significant) correlations were between perceived colleague rape belief scales (1 & 2) and own beliefs (1 & 2) (r = .67 and .76 respectively, p<.000). This was followed by significant correlations between perceived colleague beliefs (1 & 2) and societal beliefs (1 & 2) (r = .67 & .50 respectively, p<.000). The weaker, yet still significant correlations were between own rape beliefs (1 & 2) and societal rape beliefs (1 & 2) (r = .37 & .35 respectively, p<.000). The correlations between scale 1 & 2 across the three measures were between .40 and .45.

There were weak, yet statistically significant *negative* correlations between commitment, cohesion and negative rape belief scales (societal, colleague and the respondents own).

There was 25% shared variance between level of occupational commitment and level of work cohesion (r = .5, p<.000). The cohesion scale was also significantly positively correlated with communication (r = .3). To avoid overlap, it was decided that the measures of affective commitment and communication represented more diverse constructs (r = .21) for the analysis. For reasons of redundancy and parsimony, the cohesion scale was, therefore, eliminated from the path analyses.

There were significant and positive correlations between the Veracity Oriented Scale$^{55}$ and colleague belief scale 2 (r = .21, p<.01), own rape belief scale 1 (r = .21, p<.01) and own rape belief scale 2 (r = .23, p<.01). There were no significant or even moderately significant correlations between any of the occupational measures and veracity orientation.

There were no gender differences in mean scale scores for any of the occupational measures. There were significant gender differences on societal belief scale 1 (t =

$^{55}$ It is important to bear in mind that there was 55% error in VOIG. Appendix 7.4. outlined the point bi-serial correlations between VOIG items and belief/occupational culture measures. A similar pattern of correlations was found on the belief scales. Correlations were also found between three VOIG items and the rape investigative experience measure. See table 7.12, Appendix 7.4.
3.68, p < .000) and own rape beliefs scale 1 (t = -4.28, p < .00). There was also a significant gender difference on the rape experience scale (t = 7.56, p < .00). The following table presents the mean, S.D., t statistic, degrees of freedom (df) and p value for the above tests. Mean values indicated that women significantly perceived higher levels of agreement with negative rape beliefs among society. Males also agreed with significantly more negative rape beliefs than female respondents. Finally, females had significantly more levels of rape investigative experience than male respondents.

<table>
<thead>
<tr>
<th>Scale</th>
<th>Sex</th>
<th>Mean</th>
<th>S.D.</th>
<th>t</th>
<th>df</th>
<th>p</th>
</tr>
</thead>
<tbody>
<tr>
<td>Societal beliefs</td>
<td>Female</td>
<td>19.4</td>
<td>5.1</td>
<td></td>
<td>318</td>
<td>.000</td>
</tr>
<tr>
<td>Rape beliefs</td>
<td>Male</td>
<td>17.2</td>
<td>5.1</td>
<td>3.68</td>
<td></td>
<td>.000</td>
</tr>
<tr>
<td>Rape Experience</td>
<td>Female</td>
<td>11.0</td>
<td>3.4</td>
<td></td>
<td>312</td>
<td>.000</td>
</tr>
<tr>
<td></td>
<td>Male</td>
<td>12.9</td>
<td>4.3</td>
<td>-4.28</td>
<td></td>
<td>.000</td>
</tr>
<tr>
<td></td>
<td>Female</td>
<td>5.7</td>
<td>2.8</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Male</td>
<td>3.6</td>
<td>2.3</td>
<td>7.56</td>
<td></td>
<td>.000</td>
</tr>
</tbody>
</table>

Table 7.11 Independent t-test results for gender differences
### Table 7.12: Point Bi-serial Correlations

<table>
<thead>
<tr>
<th></th>
<th>Pair 1</th>
<th>Pair 2</th>
<th>Pair 3</th>
<th>Pair 4</th>
<th>Pair 5</th>
<th>Pair 6</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Societal Negative</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rape Beliefs 1</td>
<td>.02</td>
<td>.02</td>
<td>-.01</td>
<td>.06</td>
<td>.11</td>
<td>.1</td>
</tr>
<tr>
<td>Rape Beliefs 2</td>
<td>.01</td>
<td>.03</td>
<td>-.01</td>
<td>-.03</td>
<td>.03</td>
<td>.06</td>
</tr>
<tr>
<td><strong>Colleagues'</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Negative Rape Beliefs 1</td>
<td>-.04</td>
<td>.04</td>
<td>.13*</td>
<td>.03</td>
<td>.13*</td>
<td>.04</td>
</tr>
<tr>
<td>Negative Rape Beliefs 2</td>
<td>.05</td>
<td>.15**</td>
<td>.12*</td>
<td>.03</td>
<td>.17*</td>
<td>.09</td>
</tr>
<tr>
<td><strong>Own Negative Rape</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Beliefs 1</td>
<td>.04</td>
<td>.17**</td>
<td>.15**</td>
<td>.11</td>
<td>.13*</td>
<td>-.01</td>
</tr>
<tr>
<td>Beliefs 2</td>
<td>.07</td>
<td>.14*</td>
<td>.11</td>
<td>.09</td>
<td>.18*</td>
<td>.09</td>
</tr>
<tr>
<td><strong>Commitment</strong></td>
<td>-.01</td>
<td>.07</td>
<td>.03</td>
<td>.09</td>
<td>.06</td>
<td>.03</td>
</tr>
<tr>
<td><strong>Cohesion</strong></td>
<td>-.01</td>
<td>.10</td>
<td>.01</td>
<td>.07</td>
<td>.05</td>
<td>.08</td>
</tr>
<tr>
<td><strong>Latitude for</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mistakes</td>
<td>.02</td>
<td>.05</td>
<td>-.03</td>
<td>.01</td>
<td>-.01</td>
<td>-.04</td>
</tr>
<tr>
<td><strong>Communication</strong></td>
<td>-.01</td>
<td>.01</td>
<td>.01</td>
<td>-.01</td>
<td>.14*</td>
<td>.06</td>
</tr>
<tr>
<td><strong>Rape Case Experience</strong></td>
<td>-.02</td>
<td>.04</td>
<td>-.12*</td>
<td>.03</td>
<td>.15*</td>
<td>.17**</td>
</tr>
</tbody>
</table>

Table 7.12 illustrates the point bi-serial correlations between the veracity scale items and the belief and organisational measures. *p<.05 **p<.01

#### 7.2.2 Stepwise Regression Results, paths 1 - 4.

This section will begin with a presentation of key results for the first stepwise regression path (section 7.2.2.1), aimed at selecting the IVs that can predict the DV, namely the societal rape belief scales (Societal Beliefs 1 & Societal Beliefs 2). This is followed by the second regression path, (section 7.2.2.2) aimed at selecting the IVs that best predict colleagues' rape belief scales (1 & 2). Thirdly, the IVs that best
predict one’s own beliefs (1 & 2) will be outlined in section 7.2.2.3). Finally, the IVs that best predict veracity orientation (question 1) will be outlined in section 7.2.2.4.

To reiterate, this study was interested in separately examining all four stages of the model and not just the relationship between all independent variables and veracity orientation. Dependent variables had to be separately regressed on independent variables in four stages using stepwise statistical regression (two multiple regressions were calculated for each of the first three stages, due to the construction of two belief scales). Stepwise regression enabled the identification of those variables that shared the most significant variance with the DV. In order to check the reliability of the findings a second regression analysis of path 4 was re-run on a sub-sample of the data, to examine the reliability of the findings across two different samples from the same data-set. These findings resulted in the same pattern of findings and are displayed in the final section of Appendix 7.4 (section 9) and further commented upon in the discussion section (7.3).

**Path 1**

The first path involved the regression of societal belief scale 1 (dependent variable) on sex, rape investigative experience and length of tenure (independent variables).
As hypothesised, sex was the only significant predictor of societal beliefs 1 (4% predicted). $R$ was significantly different from zero at the end of this step, $R = .20$, $F(1, 318) = 13.6$, $p<.000$. The findings of the regression are displayed in the table below. This contains the unstandardised regression coefficient $B$, and the intercept, the standardised regression coefficient ($\beta$), the semi-partial correlation ($sr$) and $R$, $R^2$ and adjusted $R^2$ after the only significant IV was entered into the equation (sex). All other regression tables contain these statistics.

<table>
<thead>
<tr>
<th>SNRB1 DV</th>
<th>Beta sig</th>
<th>B</th>
<th>Beta $\beta$</th>
<th>sr</th>
<th>$R^2$</th>
<th>Adjusted $R^2$</th>
<th>R</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex IV</td>
<td>P&lt;.000</td>
<td>-2.1</td>
<td>-.2</td>
<td>-.20</td>
<td>.04</td>
<td>.04</td>
<td>.20</td>
</tr>
</tbody>
</table>

Table 7.13 Stepwise multiple regression coefficients of sex on Societal Negative Rape Belief scale 1.

Societal belief scale 2 (dependent variable) was also regressed on sex, rape investigative experience and length of tenure. None of the independent variables significantly predicated societal beliefs 2.
Path 2

The second path involved the regression of colleague belief scale 1 (dependent variable) on sex, length of tenure and rape investigative experience (independent variables).

Length of tenure and sex, both significantly contributed to the prediction of colleague rape belief scale 1 (3 and 1% respectively). R was significantly different from zero at the end of each step, R = .20, F (2, 310) = 6.3, p<.002. The regression statistics are displayed in the table below.

<table>
<thead>
<tr>
<th>CNRB1 DV</th>
<th>B</th>
<th>Beta β</th>
<th>sig.</th>
<th>sr</th>
<th>R²</th>
<th>Adjusted R²</th>
<th>R</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tenure IV</td>
<td>.11</td>
<td>.21</td>
<td>P&lt;.001</td>
<td></td>
<td>.04</td>
<td>.03</td>
<td>.20</td>
</tr>
<tr>
<td>Sex IV</td>
<td>-2.1</td>
<td>-.13</td>
<td>P&lt;.039</td>
<td>-.117</td>
<td>.04</td>
<td>.03</td>
<td>.20</td>
</tr>
</tbody>
</table>

Table 7.11 Stepwise multiple regression coefficients of Length of Tenure and Sex on Colleague Negative Rape Belief scale 1.

Colleague belief scale 2 was also regressed onto the same set of IVs and, interestingly, rape experience (negative direction) was the only significant predictor of
this set of perceived beliefs (albeit predicting a mere 2% of variance in the DV). R was significantly different from zero after rape experience was entered into the regression equation, \( R = .14, F (1, 316) = 5.93, p<.015 \). The regression statistics are displayed in the table below.

<table>
<thead>
<tr>
<th>CNRB 2 DV</th>
<th>B</th>
<th>Beta β</th>
<th>sig</th>
<th>sr</th>
<th>( R^2 )</th>
<th>Adjusted ( R^2 )</th>
<th>R</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rape Ex IV</td>
<td>0.00</td>
<td>0.14</td>
<td>0.15</td>
<td>0.136</td>
<td>0.02</td>
<td>0.015</td>
<td>0.14</td>
</tr>
</tbody>
</table>

Table 7.12 Stepwise multiple regression coefficients of Rape Specific Experience on Colleague Negative Rape Belief 2

Path 3

The third analysis involved regressing own rape belief scale 1 on all the independent variables (sex, rape experience, length of tenure, societal belief scale 1 & 2, colleague belief scale 1 & 2, cultural variables (commitment, communication, mistakes) and the moderator variables).

Figure 7.4 Illustrating of significant paths leading to own rape belief scales 1 & 2
Five variables significantly contributed to the prediction of rape beliefs 1. Colleague rape beliefs 1 added the greatest amount of prediction to rape beliefs 1 (45%). This was followed by sex, which contributed a further six percent. The interaction between perceived colleague beliefs 1 and communication significantly added a further percent, followed by colleague beliefs 2 and rape investigative experience (negatively). R was significantly different from zero at the end of each step and the final model statistics were, $R = .74$, $F(1, 302) = 4.98$, $p<.026$. The regression statistics for significant IVs are displayed in the table below.

<table>
<thead>
<tr>
<th>NRB1 DV</th>
<th>B</th>
<th>Beta β</th>
<th>sig.</th>
<th>sr</th>
<th>$R^2$</th>
<th>Adjusted $R^2$</th>
<th>R</th>
</tr>
</thead>
<tbody>
<tr>
<td>CNRB IV</td>
<td>.54</td>
<td>.64</td>
<td>P&lt;.000</td>
<td>.65</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sex IV</td>
<td>1.8</td>
<td>.23</td>
<td>P&lt;.000</td>
<td>.30</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CNRB*CS IV</td>
<td>.00</td>
<td>.10</td>
<td>P&lt;.014</td>
<td>.14</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CNRB2 IV</td>
<td>.25</td>
<td>.11</td>
<td>P&lt;.015</td>
<td>.14</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rape Ex IV</td>
<td>-.14</td>
<td>-.10</td>
<td>P&lt;.026</td>
<td>-.13</td>
<td>.54</td>
<td>.54</td>
<td>.74</td>
</tr>
</tbody>
</table>

Table 7.16 Stepwise multiple regression coefficients of Colleague negative rape beliefs 1, Sex, interaction (CNRB1*Communication), Colleague negative rape beliefs 2 and rape specific experience on Own negative rape beliefs 1.

The following table displays the regression statistics when rape belief scale 2 was regressed on the same independent variables as above. Colleague beliefs 2 predicted 56%, rape experience (negatively) predicted 7% and the interaction of colleague beliefs 2 and communication predicted a further 6%.

<table>
<thead>
<tr>
<th>NRB2 DV</th>
<th>B</th>
<th>Beta β</th>
<th>sig.</th>
<th>sr</th>
<th>$R^2$</th>
<th>Adjusted $R^2$</th>
<th>R</th>
</tr>
</thead>
<tbody>
<tr>
<td>CNRB 2 IV</td>
<td>.82</td>
<td>.76</td>
<td>P&lt;.000</td>
<td>.75</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rape Ex IV</td>
<td>.02</td>
<td>-.10</td>
<td>P&lt;.031</td>
<td>-.12</td>
<td>.57</td>
<td>.57</td>
<td>.76</td>
</tr>
<tr>
<td>CNRB2*CS</td>
<td>.00</td>
<td>.10</td>
<td>P&lt;.043</td>
<td>.12</td>
<td>.57</td>
<td>.57</td>
<td>.76</td>
</tr>
</tbody>
</table>

Table 7.17 Stepwise multiple regression coefficients of Colleague negative rape beliefs 2, rape specific experience and interaction (CNRB2*Communication) on Own negative rape beliefs 2.
Path 4
The final analysis involved regressing item five from the Veracity Orientation scale on all the independent variables (sex, rape experience, length of tenure, societal belief scale 1 & 2, colleague belief scale 1 & 2, belief scales 1 & 2, cultural variables (commitment, communication, mistakes) and the interaction variables.

![Diagram of significant paths leading to Veracity Orientation](image)

Figure 7.5 Illustration of the significant paths leading to Veracity Orientation.

Three variables were selected as significantly, albeit very weakly, predicting veracity orientation. These were, own rape beliefs 2, rape experience and communication. Rape beliefs 2 added the greatest amount of prediction to veracity orientation (4%). This was followed by rape experience, which contributed a further 2.5 percent. Communication added a further two percent. Despite the small amount of variance accounted for, R was significantly different from zero at the end of each step and the final model statistics were, $R = .29, F (1, 301) = 6.07, p < .014$. The regression statistics are displayed in the table below.

Please consult Appendix 7.4, section 3.3 that described the rationale for choosing item five as the dependent variable.

---

1 Please consult Appendix 7.4, section 3.3 that described the rationale for choosing item five as the dependent variable.
Table 7.16 Stepwise multiple regression coefficients for own negative rape beliefs 2, rape specific experience and communication style on veracity orientation.

<table>
<thead>
<tr>
<th>Item five DV</th>
<th>B</th>
<th>Beta β</th>
<th>sig.</th>
<th>sr</th>
<th>R²</th>
<th>Adjusted R²</th>
<th>R</th>
</tr>
</thead>
<tbody>
<tr>
<td>NRB 2 IV</td>
<td>.00</td>
<td>.20</td>
<td>P&lt;.000</td>
<td>.20</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rape Ex IV</td>
<td>.00</td>
<td>.15</td>
<td>P&lt;.006</td>
<td>.16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CS IV</td>
<td>.00</td>
<td>.14</td>
<td>P&lt;.014</td>
<td>.14</td>
<td>.083</td>
<td>.074</td>
<td>.29</td>
</tr>
</tbody>
</table>

7.3 Discussion

The results of this study provide some support and validation for the key components of the Evaluative Knowledge Structure and decision frame, i.e. negative rape beliefs, veracity oriented investigative goals and decision frames characterised by uncertainty. In addition to this, the results of this study provide significant support and validation for the social and occupational cultural aspects of beliefs and veracity orientation. It further builds upon the findings of study one by statistically demonstrating (albeit weakly) that level of communication interacts with perceived beliefs of others, to moderate one’s own beliefs. The importance of others in informing one’s beliefs and the significant interaction effect of cultural factors (level of communicating with others) was an important and substantive finding. These results significantly add to the findings of study one by demonstrating that in a larger sample the same patterns were identifiable. There were some methodological issues, especially with summating the items from the Veracity Orientated Investigative Goal measure, which are addressed later in this discussion. These results have implications for understanding pre-investigative decision frames in rape investigations and their relationship to the occupational context and culture.

The discussion of these findings is divided up into four sections. Firstly, results indicating how widespread negative rape beliefs and veracity orientation among the sample, are discussed in view of their support for the naturalistic model developed. This will also touch upon sex and other independent variables that account for
differences between participants' responses. The findings are specifically addressed in light of what they add to our knowledge about investigative decision making and the investigative process. Secondly, this discussion will examine the relationship between perceived societal beliefs, colleague beliefs, occupational culture variables and participants' self-reported beliefs. Thirdly, the variables that significantly (albeit moderately) predicted veracity orientation are discussed. Finally, the limitations of the questionnaire study are discussed in light of future quantitative research examining investigative decision frames.

7.3.1 Beliefs Negative Rape Belief Measures
The first surprising, substantial and interesting finding with respect to societal, colleague and own rape belief measures was that there was an underlying structural difference between items dealing with general negative rape beliefs and items that specifically dealt with justifications for false rape reports. The second interesting finding was gender differences across all six scales. The differential predictive effects of perceived colleague negative rape beliefs, rape investigative experience, gender, interaction variables and occupational culture variables on each of the own belief measures were extremely interesting. Each of these findings is discussed in turn, with respect to their importance to providing a better understanding of rape investigative decision frames.

Principle component analyses confirmed that across all three original rape belief measures, two separate and moderately correlated components emerged. This finding suggested that participants tended to distinguish between more traditional items generally contained within rape myth questionnaires (more generic items, such as sexually experienced women are not as badly damaged by rape) and items generated through the findings of study one that specifically dealt with false rape scenarios and false rape beliefs. These different components were also subsequently found to have different relationships with independent variables (e.g. sex, rape experience), with each other and with the final dependent variable: veracity orientation. For example, sex was predictive of societal negative rape beliefs 1, yet rape investigative experience was predictive of societal beliefs 2. The multi-dimensional nature of rape beliefs is a subject worthy of further investigation, as is delineating the relative
importance of different kinds of rape beliefs. What is clear is that some aspects of rape beliefs have a more significant effect upon and interaction with occupational cultural variables and investigative goals. Certain kinds of rape beliefs are more directly relevant to investigative decisions and play a more central role in the Evaluative Knowledge Structure.

It was also interesting that the items that tended to be agreed with the most (or less disagreed with) described categories previously outlined in study one - items that formed the second component and described justifications for false rape reports. For example, respondents tended to agree the most with items that described false report categorisations (from the likelihood of false reports being made by women reporting acquaintance rape, by women in fear of pregnancy and by women motivated by revenge). Respondents also thought that their colleagues would endorse these categories more so than other items in the scale. The presence of two components and the increased endorsement of false rape justifications, combine to suggest that there is a particular set of rape beliefs that play a more important part in the Evaluative Knowledge Structure and in the definition of a case-specific decision frame. This point is taken up again toward the end of this section.

There were significant gender differences in acceptance of negative rape beliefs. Female Gardai believed in significantly lower levels of rape myth than their male colleagues. (It is worth noting that there were no gender differences in levels of veracity orientation). This finding is consistent with a lot of previous research that has demonstrated lower levels of rape myth acceptance among female subjects than male subjects (see: Holcomb, Holcomb, Sondag & Williams, 1991; Malamuth & Check, 1981; Ward, 1998). The literature in this area provides some suggestions as to why gender difference can be found in rape myth acceptance and oftentimes in attributions of blame and judgements of guilt. The gender of the decision maker or person making attributions of blame has been found to affect judgements of blame and decisions of guilt (Calhoun et. al., 1978; Krahe, 1988; Vrij & Akehurst, 1996). Vrij (1996) found

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57 Some studies, however, have failed to find this relationship e.g. Feldman Summers & Lindner 1976, (others have found the opposite: females are more victim blaming, see: Selby et. al. 1977).
that men tend to attribute more blame to the victim and tend to find victims’ statements less credible. The reasoning behind these findings supposes that men have more traditional attitudes toward women and are more accepting of rape myths—therefore, they attribute more blame to the victim. Shotland & Goodstein (1983) developed a causal model to clarify “whether these differences are due to subjects’ gender identification, their attitudes toward sex roles or their personal experiences as males or females in the culture” (p. 222). As previously outlined, Shotland & Goodstein (1983) concluded that two opposing processes operate in this situation that can account for inconsistencies in research findings on the effects of the observer’s sex. They contend that the greater the perceiver’s degree of egalitarianism about women, the greater is the tendency to perceive the victim as not blameworthy. The other process suggests that because of women’s experiences and socialisation as sexual ‘gate keepers’, that they are more likely to be critical of the victim (keeping attitude toward women constant). Women put themselves in the situation and think of ways how the victimisation could have been avoided. It is possible that similar processes (general attitudes and women’s sexual socialisation) could account for gender differences on belief and veracity orientation items in this study. There were moderate correlations between sex and Negative Rape Beliefs and no correlation between sex and veracity items.

Other processes that are also important to consider when discussing these relationships, is that organisational task characteristics may play a more important role than sex role socialisation. Attitudes toward the ‘job’, rather than attitudes toward women who make rape complaints, may be more related to the occupational environment, where working perspectives map those of longer serving Gardaí and informal operating procedures are developed, shared and maintained or as Worden (1993, p. 207) described, “the longer people work in a particular setting the more their perspectives on work converge toward those of more seasoned employees”. It can be concluded that gender does play an important part in defining certain aspects of the evaluative knowledge structure, but it plays a lesser part in determining motivational aspects of job-specific belief structures as measured by Veracity Orientation, Behavioural Interview Style or Investigative Decision Measure. This could be due to processes similar to those outlined by Shotland & Goodstein or due to task
characteristics of the job and learning that takes place with respect to how to do a job. Further research specifically designed to examine socialisation variables is required to answer these questions.

The strongest relationship among rape belief scales was between own rape beliefs (scale 1) and perceived colleague beliefs (scale 1). Gardaí, therefore, perceive their own beliefs and the beliefs of their colleagues to be very similar. The association was weaker between respondent's own rape beliefs (1 & 2) and perceived societal beliefs (1 & 2). The relationship between perceived colleague rape beliefs (1 & 2) were also positively associated with perceived societal rape beliefs. These patterns were very interesting in light of study one. Study one demonstrated that Gardaí talked to one another and often strove to reach a consensus. Study one also demonstrated that new recruits learned quickly from listening to their older colleagues and adopted stories as their own. The result indicating that over 50% of variance between own rape beliefs and perceived colleague rape beliefs is shared, supports the idea that attitudes serve a social function in that respondents locate their own attitudes in close proximity to the attitudes of their colleagues, which results in presumably, increased identification with their colleagues. This result also suggested that colleague beliefs are more directly related to participants’ beliefs than societal beliefs. Of course it can be argued that the associations between these variables are due to a different underlying process. For example, that own rape beliefs cause perceived colleague rape beliefs and societal rape beliefs. Correlations do not specify causality. However, it is the theoretical contention of this study (based on findings from study one), that the beliefs of those around you affect your own beliefs and how you express them. In addition to this possibility, it could also be argued that the order of the belief questions affected the responses. If one wished to eliminate such a possibility, it would have been necessary to put a random order on the belief items for half of the sample. Unfortunately, the hypotheses of this study and the size of the sampling frame precluded such a design. To test if order effects exist in the data, it would be necessary to do two separate studies, one identical to this and another with randomised question order for these

58 Note that overall levels of work cohesion were high.
measures. Due to the size and limited resources of the current piece of work, this was not an option.

Stepwise regression results further highlighted the integral role of context in defining the content of the Evaluative Knowledge Structure. Perceived colleague beliefs (1), sex, the interaction between perceived colleague beliefs (1) and communication, perceived colleague beliefs (2) and rape experience were all significantly predictive of own negative rape beliefs (1). The importance of perceived beliefs of others (colleagues) and the interaction between these and communication style (higher levels of talking) demonstrate that the work context plays a central role in forming parts of participants' Evaluative Knowledge Structure. This pattern is even more evident for negative belief scale 2, where perceived colleague beliefs (2), rape experience and the interaction between colleague beliefs (2) and communication are significantly predictive of own rape beliefs (2). It is interesting that sex was not predictive of this set of beliefs.

These findings build upon the results of study one and further demonstrate that the interaction between talking about rape and one's perception of other's beliefs moderates one's own beliefs. Perceived beliefs of one's colleagues also predicted one's own beliefs. Therefore, the more participants perceive their colleagues to endorse justifications for false reports of rape and the more they talk as part of their work and perceive their colleagues as believing in these justifications, the more they themselves will also endorse false rape justifications. This dynamic is likely to be an important and functional aspect of the occupational environment and serves to align beliefs and pre-investigative decision frames (and as we will discuss later, affects investigative decision goals). Gardaí learned from others (conversational experience levels were high overall: 78% of the sample had 'some' experience of talking about rape cases at work; 15% had 'a lot') and learned to share similar beliefs and even more importantly, perceived beliefs to be similar to others. These findings further support the idea of a Transactive Memory System (TMS). The TMS provides a cogent explanatory tool describing how knowledge is shared and employed by colleagues when making decisions. The TMS provides a descriptive account of how beliefs become shared and are used to fulfil occupational tasks. The findings tentatively
suggest that it is interactional elements of the culture (in terms of talking), rather than identification factors (commitment or latitude for mistakes) that affected beliefs and, hence, the Evaluative Knowledge Structure.

It is important to comment on the fact that neither commitment, (organisational identification), nor organisational latitude for mistakes significantly interacted with perceived belief variables. It cannot be assumed that this is because these variables are not significant moderators. It may be that these measures, whilst being reliable and unidimensional, are invalid measures of the intended constructs. It was pointed out at the beginning of this chapter that this study is simultaneously hypothesis testing, test developing and exploring. It is not until the measures used are properly validated and the analysis re-run (the belief scales also require validation) that a clear conclusion can be reached with respect to this issue. The fact that communication was found to moderate the relationship between perceived colleague beliefs and own rape beliefs and the fact that communication was found to directly predict Veracity Orientation (no matter how small this was) suggests that cultural variables do play a role in defining the Evaluative Knowledge Structure and further suggest that future research needs to seriously consider these variables and their operationalisation.

It was interesting that neither age nor length of tenure appeared to be directly related to beliefs. Gender and occupational culture variables were more important in this respect, indicating the relative ‘power’ of the organisation and the organisational culture to affect participants’ beliefs. The effect of direct rape investigative experience was also a surprising finding, in that it was negatively predictive of rape beliefs. The more rape investigative experience the less participants accepted negative rape beliefs. This was an unexpected finding but perhaps one possible explanation (suggested from study one) is that the more experience participants have, the richer and more varied the content of their Evaluative Knowledge Structure in terms of rape scenarios, event schemata and investigative responses. Having more detailed and broader representations through experience may have resulted in participants being more accepting and open to complainants. This is one possible reason for this finding. The relationship between rape investigative experience and the investigative decision
frame is further developed in the next section that examines its relationship to veracity orientated investigative goals.

### 7.3.2 Veracity Orientation Measures

Three measures were developed to examine the extent to which this sample were concerned with veracity oriented investigative goals. All three measures confirmed and supported the findings from study one. The open-ended, descriptive question that appeared on the questionnaire before other measures (investigative Decision Measure or IDM), quantitatively demonstrated that veracity seeking decision goals were central to rape investigations. 23% of respondents recalled the last rape case they dealt with, or heard of, and described that the primary investigative concern was deciding if the allegation was true. This was the second largest category described and was only three percentage points behind the first, (which was a concern with the identification of the culprit). This question appeared before any other measure. It was open-ended and, therefore, enforced no a priori categorisations. The results of this measure provide very strong support for the proposition that the decision frames of some rape investigations are defined by veracity seeking goals and characterised by uncertainty regarding the credibility of the complainant. In total, just under a third of respondents described primary or secondary veracity concerns with the last report they dealt with or heard of.

In addition to the IDM, the Behavioural Interview Style (BIS) question also lent strong support for central motivational/behavioural elements of the investigative process as described in the naturalistic decision making model. Study one found that in decision frames of uncertainty, the function of taking a statement of complaint from an injured party was to help establish the truths of the case. Under decision frames of certainty, the function of the statement was more to establish the proofs of the case. While the measure did not match case-specific decision frames and investigative style, it did attempt to uncover the extent to which respondents use different interviewing strategies and how respondents view the function of rape statements. 44% of respondents agreed that their most frequently used interviewing style was a co-operative one, aimed at getting the complainant to tell the truth. For the remaining respondents who stated using a co-operative interview style aimed at securing
evidence, their second most frequently used interviewing style was to establish the truth of the allegation. In support of study one, it was clear that for a substantial number of respondents, the motivation underlying one of the most important elements of the investigation (taking a statement from the injured party) was to establish if the story was true. This result demonstrated that in addition to cognitive veracity concerns, respondents were also behaviourally motivated, in terms of action, to establish the truths of the case and this was an identifiable aspect of participants’ work.

In terms of overall veracity orientation among the sample, it has been shown that respondents tended to choose explicit items in the Veracity Orientation scale significantly more than less explicit or implicit items. For example 60% of the sample agreed more with the following statement “From the point of view of the police, it is necessary to establish firstly if an allegation of rape is a genuine one”, as opposed to “From the point of view of the police, it is unnecessary to firstly establish if an allegation is a genuine one”. These trends, similar to the findings of the Investigative Decision Measure and Behavioural Interview Style, confirmed that participants are often concerned with veracity seeking goals as opposed to other investigative goals and that veracity seeking goals comprise an important part of rape investigations in general. The results of the three veracity measures, provided compelling evidence that attitudinally and behaviourally the majority of participants did express veracity oriented investigative goals.

One of the key relationships found in study one was the relationship between beliefs (particularly beliefs in false rape reports) and veracity orientation. The findings of this study provide moderate support for this contention. Overall the results of the stepwise multiple regression only predicted 8.5% of the variance in veracity orientation (as measured by item v). What is interesting is that strongest predictor was own rape beliefs 2 (as opposed to 1). From a decision making perspective, this finding is interesting in that it suggests that specific kinds of rape beliefs are related to rape investigative goals and ultimately to the decision that is made. Once again, it is beliefs related to justifications for false rape reporting that are predictive of veracity orientation. It has already been discussed that these beliefs are significantly and
substantially affected by perceived colleague beliefs, thus indicating the indirect effects of these variables. Other significantly predictive variables included rape investigative experience and openness of communication. The more participants dealt with rape investigations, the more they were oriented toward establishing the truth of the case. This finding is in contrast to the direction of the relationship between rape experience and rape beliefs. With respect to investigative goals and decisions that have to be made, rape investigative experience results in stronger veracity orientation. The level of talk and communication was also significantly predictive of veracity orientation, again demonstrating the importance of occupational context and culture. These findings support the final suggestion made earlier with respect to gender, beliefs and veracity orientation. It is likely that task experience plays a much greater role regarding motivational aspects of the task and that interactional aspects of the occupational context also inform investigative goals.

All of these findings combine to emphasise the interactive, cultural aspects of beliefs, the complex relationships between rape experience, beliefs and decision goals and the central importance of beliefs in both defining participants' own rape belief and veracity orientation. Rape investigative decision frames are directly tied to the occupational culture and the relationships between work colleagues. These findings have practical implications for Garda training and development issues, to be discussed in the next chapter.

7.3.3 Methodological considerations and future directions
This section will examine and discuss a number of methodological considerations and limitations to this study. The first issue was the operationalisation of Veracity Orientation and its resulting poor reliability. Suggestions to improve upon this measure are elaborated, along with specific possibilities to account for the weak predictive findings using this measure. The possibility of socially desirable responses to negative rape items is discussed along with the impact of the differential response rate (based on gender) to this study. Finally, recommendations are made for how future quantitative research might build upon the results of this study.
One of the main limitations to this study became apparent during the data screening stage, namely the operationalisation of Veracity Orientation scale. Further research is required to improve the psychometric properties of this scale. Veracity Orientation had been intended as the main dependent variable for this study and conclusions based on analyses with these items have to remain tentative. With respect to the findings, negative rape beliefs did not predict a large proportion of the variance in veracity orientation (as measured by item v). There is any number of plausible explanations for these results.

Due to the poor psychometric properties of the veracity orientation scale, it is possible that a type II error occurred. This study cannot rule out that independent variables such as negative rape beliefs, rape experience and communication have more predictive power than the current analysis suggests. It was outlined that as much measurement error existed in the present operationalisation of Veracity Orientation as 'true' score variance. The presence of such error made the test to ascertain which variables were related to, and predictive of, veracity orientation indefensible (using all of the veracity orientation items developed). Reliability calculations demonstrated that over 50% of the variance was residual or irrelevant and due to random error. Further research employing this construct is in need of a better, more reliable measure of VOIG to reliably address research questions.

An explanation for the poor inter-item correlations with Veracity Orientation, may have been that the items were too broad in meaning and not enough variance was designed into the response format\(^{59}\). Items could have been too broad in the sense that they dealt with different aspects of veracity orientation throughout the investigation. From informing others (colleagues) about motivational aims, to personal interviewing behaviour, to functional beliefs with respect to investigative procedures, to reactions to reports of rape in general. Future research should consider including a more

\(^{59}\) For example, in retrospect, it may have been more productive to ask participants to rate the extent to which they agree with the statement chosen on a five point scale. In this way more variance would be introduced into the measure and it is likely that the measure would have been more sensitive. (It should be recalled that practically the researcher was unable to complete a full-scale quantitative pilot study on this sample).
comprehensive set of items that would enable the development of VOIG sub-scales and revising the response format.

Future research should consider incorporating more 
types of beliefs into the questionnaire. For example, Thornton, Ryckman & Robbins (1982) found that the most predictive variables when attributing responsibility in rape were observer sex, attitudes toward women and dogmatism levels. Burt (1980) found that people do believe in rape myths (such as “any healthy woman can resist a rapist”) and that these beliefs were associated with other strongly held attitudes. Acceptance of interpersonal violence was one of the strongest predictors of rape myth. Burgess (1995) argued that much less attention has been given to the fundamental way in which the rights of women are violated through sexual assault. Because of the prevailing attitudes regarding male-female relationships and because of the position of women in our society, certain reactions to rape, informed by myth and stereotypes are to be expected. These include: struggle and force as central aspects in genuine rape; conflicting expectation with respect to reporting rape (she should immediately report it because of being so upset versus she will be too upset to report it) amongst others. These results suggest that other kinds of beliefs associated with rape and gender violence may be related to veracity orientation. Future research ought to consider the inclusion of such measures.

It would have been beneficial if a structural equation model could have been computed on this data, in order to compare the results of the path models found (with this technique two models can be tested, in order to eliminate one). A much larger sample would have been required to complete this analysis. It has already been described that stepwise multiple regression is highly dependent upon the initial correlations between variables entered into the regression. A sensitivity analysis (Appendix 7.4) revealed that the same predictive variables were found in two separate analyses, thereby suggesting that the findings were reliable. Structural equation modelling can be particularly effective if a different relationship/direction between variables is suggested, as these can be tested. Future research ought to consider securing resources that would facilitate a larger sampling frame, in order to conduct such analyses.
The response rate for this piece of research was adequate, yet it was noted that more female participants responded than male. Female respondents had significantly more direct rape investigative experience than the male respondents in this research. It is possible that this was a factor that affected differential response rates. The question of whether the respondents who returned questionnaires are representative of Gardaí in general was addressed. What was clear and encouraging was that the demographic characteristics of the respondents were evenly distributed on all social demographic variables, indicating a good spread across different ages, experience, station locations etc. No single category was over-represented, providing support for the contention that findings are representative to the rest of the Garda population. Future research may wish to consider broadening the sample to include more senior ranking personnel. This may have helped to clarify some of the ambiguity in the research results, particularly with respect to the relationship between occupational measures. This study limited the sample to respondents of Garda rank only, as these members take rape statements and play a crucial role in rape investigations. For the most part, the psychometric properties of scales were excellent and it is thought that the findings ought to be generalisable to the population sampled – members of Garda rank.

The next and final chapter will further merge the findings of chapters 5, 6 & 7 and will make suggestions for the implications of this research for user groups and further development of this work.
Chapter 8

Theoretical, methodological and applied implications of the contextual naturalistic decision making model.

8.0 Introduction

This research was concerned with developing a naturalistic representation of Garda decision making processes when investigating reports of rape. It was concerned with how first impressions and judgements are made and how these affect the investigative process and in particular, the final recommendation that is made to the DPP. These two studies represent the first pieces of research on rape investigative decision making in An Garda Síochána. For this reason, they represent a very positive step, both in terms of understanding this process in the Irish context but also in terms of the willingness of the Gardaí to sanction and participate in research of this nature and be interested in its findings. In terms of rape and sexual violence in the Republic of Ireland, this research represents a significant first step forward in making explicit one aspect of how the Irish criminal justice system responds to rape complainants.

Research questions were situated within a conceptual theoretical framework that enabled the elucidation of a complex and ecologically valid model. This model emphasises the dynamic and social aspects of investigative decision making and as such contributes to our theoretical understanding of decision making in general. The model allows for specific recommendations to be made with respect to training and education policy and practice. Substantively, this model contributes in clear ways to theory development and the development of methods that enable ‘real-life’ decision making to be studied. These contributions will be explored in some detail. A substantial proportion of the chapter will, however, address some recommendations for improvements in Garda training and investigations, as suggested by the findings.
Chapter 8

This section will help demonstrate the usefulness of psychological research methods/findings to respond to forensic psychological questions. In addition, this section exemplifies an important function of applied social psychological research – giving something back to those who contributed their time and efforts into the production of research data

8.1 Theoretical contributions

Findings from both studies strongly suggested that investigative decision making is a social process and from these findings four main theoretical contributions can be identified. These include:

- Investigative decision making is a process that is directly affected by social knowledge and lay social meanings. This is likely to be similar for other decision making models dealing with other types of decisions. The Story Model considered this aspect of decision making in terms of how jurors made decisions. Pennington & Hastie (1986) labelled this ‘world knowledge’. This work, however, explains more clearly the role of social knowledge not only in constructing stories (similar to the story model) but also in assessing, defining and diagnosing the decision frame. The intentional and motivational aspects of lay meanings is also neglected from decision making models both normative and descriptive.

- Decision making is an interactive process and, therefore, it is not sufficient to theorise about decision making purely in terms of an individual’s cognition and cognitive processes. This is a major flaw of normative models and other more naturalistic models, e.g. the Recognition Primed Decision Making Model. This model does not address the influence of team or organisational constraints (Klein, 1997). This is not to suggest that cognition is not an important aspect of decision making. Indeed, the model developed suggests that cognitive processes influence and are influenced by social interaction. However, it has to be acknowledged that much decision making happens during social interaction and any decision making model interested in comprehensively explaining the process needs to account for this.
• Decision making is not a rational, logical linear process. The findings of this work demonstrate that decision making is a decidedly layered, nested, iterative, non-linear process. While decision makers were reasoned in their interpretations and evaluations they did not behave like statisticians nor did they attempt to compute mathematically any aspect of their work. The language employed by participants in study one, demonstrated clearly the ‘fuzzy’ logic (Moray, 1999) of their judgements and assessments, e.g. ‘gut feeling’, ‘police instinct’.

• Finally, decision makers are active agents in terms of the control and influence they have in defining and structuring decisions, attending to and interpreting evidence, evaluating evidence and in constructing the story of the rape. This is in direct contradiction to normative decision making models that prescribe what the decision maker should do (e.g. Subjective Expected Utility models) and do not allow for any agency on behalf of the individual. This work demonstrates the purposive role of the decision maker and further allows for this agency to function on an interactive level, allowing for the dynamics of social communication and influence to be accounted for/explained.

8.2 Methodological contributions

The methodologies employed in this research have facilitated the development of a model that maps complex social psychological processes. Firstly, the choice of Grounded Theory proved to be useful as it enabled the development of a considerably detailed, dense and complex decision making model. The degree of detail that has been possible to identify from this research, is relatively rare compared to other decision making models that may focus on one aspect of decision making. This model is complex in the sense that it describes a multi-faceted, intricate, and iterative decision making process. It is also complex in the sense that the methodology allowed for contradiction to emerge. The methodology enabled the dynamic, non-linear aspects of the process to be explained. For example, it is clear from the model that small differences at the beginning can lead to large differences in outcomes due to the feedback processes that continue throughout the investigative process. Each event is
related to the next, each assessment is related to the next test, and each test related to the next evaluation, and so on. This chaining of events means that the process can go anywhere, as each decision is related to the previous. It is thought that linear approximations may hold over some variables, (e.g. the relationship between certain beliefs and investigative goals). The complexity of the model is complemented with copious empirical evidence that amply illustrates all aspects of the model, thereby representing a truly detailed piece of work.

Using qualitative methodology, however, had its limitations. The most obvious of these was the fact that the first analysis was based on retrospective accounts thereby obviating the truly interactive aspect of the process. As such this approach needs to be complemented with other qualitative data that captures social interactions more directly, i.e. direct observation methods or tape recordings of police interviews. This type of data would allow for a ‘cleaner’ analysis of the interactional, contextual aspects of decision making and would make fascinating comparative material for this piece of work.

Quantitative methodology allowed for the research to hone in on specific constructs in the model and the interrelationships between them. It allowed for an examination, in a large sample of people, of how widespread certain beliefs and behaviours were. It also allowed for a test of how different variables related to one another. It can be argued that using mixed methods in this study strengthened the research by enabling research questions to be addressed from different perspectives and standpoints. With respect to the use of mixed methods, it is important to clarify that qualitative methodology should not be viewed as merely a precursor to quantitative methods. The findings of this research suggest that a follow up study could qualitatively examine the interactional aspects of decision making with other data or perhaps, examine the process from the complainant’s point of view. This could then be followed by another quantitative study, depending on the questions to be asked. Qualitative data has an important role in uncovering and unravelling complex social psychological processes.

This chapter will now proceed to elaborate the applied use of these findings. Firstly, in terms of their contribution to understanding other areas of forensic decision
making. Secondly, in terms of suggesting recommendations for the improvement of Garda training and education programmes.

8.3 The construction of stories for court

This research extends beyond its national boundaries and is directly relevant to international research on legal decision making. It was noted previously that there is a dearth of research specifically examining how the police make decisions and construct a story. This observation led Van Koppen to point out recently (2002): “how precisely the police build their story of a crime is a virtually un-researched subject. Therefore, I consider a thorough study of police decision making the most important challenge for future research on how stories form criminal proceedings” (p. 214). This research is an example of just that. The findings of this research have important implications for a whole gamut of studies that are concerned with law and psychology, especially research concerned with legal decision making (jury and judge decision making and the trial process).

The findings (explaining how the police construct stories) have implications for the type of story that is used by the prosecution in a court of law. Pennington & Hastie’s (1986) Story Model was discussed in chapter three. The empirical research on this model provided a clear account of how stories were used by jurors to give meaning to behaviour and how story making formed the central strategy and decision making process for juror decision making. Pennington & Hastie (1986), demonstrated how the story constructed by the juror determined the jurors decision. Jurors impose a narrative structure on trial information. Trial information and evidence is presented in story format by the prosecuting and defending lawyers. Pennington and Hastie (1986) demonstrated that the order in which this information is presented at trial affected jurors’ decisions. Van Koppen (2002) stated that judges are doomed to repeat what investigators have already done and therefore the police have considerable influence on court decisions and have the best opportunity to prevent miscarriages of justice. In this context, it is clear that the way in which the Gardaí construct rape stories will have an effect on how the DPP constructs their story and the state prosecutor and
jurors and so on. The police construct the first story and this story has widespread ramifications throughout the court process.

One interesting difference between the two processes was the much more active, powerful and purposive role of the Garda in constructing a representation of events. The naturalistic model describes the agency of investigator, both motivationally and behaviourally in deciding the type of information that is attended to and assessed and the nature of the investigation. The investigator played a central role in deciding the function behind the story construction process and in making a final decision on the content of the story and what information is highlighted to demonstrate this. Story construction from the point of view of the juror was a far more prescriptive process (information is channelled to the jurors in a pre-specified manner), as described by Pennington & Hastie (1986).

What was most interesting about how the Gardai constructed stories was that the process and function of the investigation changed depending on the initial impressions of the investigating Garda, and that this appeared to be different to the process with other crimes. It is most likely that this represents the point where rape investigative decision making departs from decision making of other crimes. Investigative literature (e.g. Baldwin, 1993; Williamson, 1993) has differentiated between the investigation of crime (not rape) where the alleged culprit is known and the investigative focus is on proof (did the culprit do this). In investigations of crime (non rape) where the culprit is not known the focus is on truth (who did this). This research found that for many participants in this research the focus of the investigation and statement was not the construction of proof (where the alleged culprit was known) but rather, the construction of truth in terms of is the complainant lying/or not. Where the woman alleged she was raped by a stranger, the investigative focus was more likely to be on the construction of proof and clues as to the identity of the culprit. However, the identity of the culprit (whether known or not), while an extremely important piece of information to the Gardai - was not the sole determining factor of the direction of the investigation. The initial veracity judgement (irrespective of who the alleged rapist was) was found to be the key factor that determined the investigative decision frame. Decision frames of uncertainty were compounded if the allegation was made against
an acquaintance. This is an important finding, as it demonstrates that the investigative focus was not so much dependent on the alleged culprit - 'did he (suspect) do it' but more so on the complainant 'is she lying'. Here, therefore, the object is to evaluate how believable the report is and to see if she is telling the truth. This represents a demonstrable change in terms of what would normally happen during an investigation if a suspect had been identified. In this way, the investigative process for rape, appears almost indistinguishable from the adversarial trial process, where the emphasis is on challenging the complainant's evidence. It is clear that investigators become judges in many investigations (the model is able to account why this is so) and in this way judges and jurors are more likely to repeat what investigators have already done. To clarify the above observation, it would be extremely interesting to have comparative data on police decision making for different types crimes. There were a few references made to the investigation of crime other than rape in study one and where these occurred, participants described differences in approach. For example, one participant explained that for burglaries a crime report would be filled out straight away. Another, mentioned that burglaries go straight to the detective unit. Comparative data would enable these conclusions to be detailed more comprehensively and in a less tentative manner.

The remainder of this chapter aims to examine more closely the applied significance of the findings of this research in terms of training, development and change.

8.4 Recommendations for investigative procedures

While this work is complex and in-depth, it avoided polarising results by using the 'good cop/bad cop' dualism that exists in some research. This research deliberately avoided making (what is thought of as) a mistake of conceptualising 'bias' as something that can be avoided or is psychologically abnormal and intentionally wrongful. 'Bias' is an intrinsic part of all decision making, and without it people wouldn't be able to make judgements or decisions about anything. With an understanding of how people make decisions, it would be misleading to suggest that it is possible to construct a 'right' or 'unbiased' decision making model of what decision makers ought to do. What is possible is the identification of 'vulnerable' sites or parts
on the process where errors of judgement may arise and the factors associated with this (e.g. certain beliefs, illusory correlations, availability bias, veracity goals). These have been described in chapter six. This section proceeds to describe some recommendations for enhancing investigative skills among the Gardaí. It is hoped that decision makers can use the findings to understand the process and hopefully recognise their work in it. In line with what Gergen (1973) suggested, it is hoped that this model can play a role as a sensitising device. It can serve to enlighten decision makers to the range of factors that play a crucial role in decision making in rape investigations, and the kinds of factors that affect decisions and investigative behaviour. In this way the model will also be of use for Garda trainers and those who work with the police (e.g. rape crisis, victim support, Women’s Aid, social workers).

8.4.1 Assessment of informal investigative practices

It was described that Gardaí perceive taking the statement of complaint from the complainant as the central part of the investigation. They described in detail how they proceed taking statements and how this informs the decisions that they make. From these descriptions a number of observations can be made.

The first of these concerns the strategies and techniques, many of which contradict or are not conducive to ‘best’ practice, as instructed during training. The second observation was that many techniques they described are not recommended practice as they can lead to unreliable testimonies and can result in undue stress/secondary trauma on the complainant. Thirdly, the techniques described do not facilitate the creation of interview conditions that deliver the interview aims. These aims, were described by participants as, getting as much detail as possible from the complainant and getting the truth.

Both studies demonstrated that participants across all age groups, levels of rape experience and of both sexes believed that the function of the statement was to establish the truth of the allegation. While probationer training covers such techniques
as the ‘cognitive interview’\textsuperscript{60} (CI), participants did not describe this technique when discussing their work. In more recent years, there has been much development in practice and literature relating to interviewing skills, types of interview strategies and how to create the right conditions and use the right strategies to elicit and construct reliable witness statements. Many participants in this research had received this training to varying degrees. Best interview practice and the training of skills are based on findings from psychological research.

The only instruction of the CI that participants described was firstly getting interviewees to free recall the rape. However, participants’ descriptions of this process suggested that they prompted the interviewee and asked her questions while she was doing this. Good interview practice stipulates that the interviewee complete a total free narrative (without interruption) that has been shown to lead to the elicitation of a substantial proportion of the total correct information gained from the interview (Stone & DeLuca, 1980).

Participants in this study described their strategy in terms of how they defined the structure, the questions and the order of the questions and that this questioning sequence was often decided before hand. Milne & Bull (1999) cite research that shows that this type of interviewing is unlikely to reach all the available information that interviewees have. Research has shown that it is helpful to encourage the interviewee to be active in telling the story.

Gardai that participated in this research did not describe ‘mental reinstatement of context’ (the second CI instruction) as part of their statement taking strategy. This asks complainants to reconstruct in their minds the context, both physical and personal features of the rape. Pauses and gaps and appropriate silences are essential to this instruction (see: Milne & Bull, 1999, p. 35). Gardai described getting the statement in chronological order and they described how they did this in great detail.

\textsuperscript{60} The cognitive interview consists of four sets of instructions that are given to the interviewee (Fisher, Geiselman & Amador, 1989). It aims to increase the quality and quantity of information from complainants/witnesses.
The cognitive interview suggests that after getting the story chronologically at first, it is good practice to then ask for the story in reverse order. Change of order has been shown to facilitate the recollection of information that may not be relevant to a priori scripts that exist for ‘typical’ scenarios, and, hence, facilitates the recall of script inconsistent information (e.g. Geisleman & Callot, 1990). The third technique not mentioned by any participants was to get the complainant to change the perspective, i.e. ask her to be a third party or to try and be the offender. Memory jogs are another technique propounded by CI. This is where specific questions are posed to help complainants recall certain information, e.g. instructions to report all types of information. This is particularly important when helping people to remember faces, as people generally only have impressions of these. In this case the interviewer might ask the complainant if they reminded them of anybody they knew, for example.

Participants described making judgemental comments, (e.g. interviewers described deliberately communicating to the complainant that they did not believe her). These tactics result in making the interviewee defensive and also contribute to police-precipitated withdrawals. A few participants described defensive reactions by interviewees in response to such tactics. Manipulative tactics were also described, such as sending in a number of different interviewers who would casually ask the complainant to tell the story again, or trying to ‘trip her up’. These descriptions suggested that Gardaí had, at times, poor psychological insight into the interview dynamic, the complainant or their own behaviour.

These findings are not dissimilar to findings from other studies that have examined police interviewing skills. Many have found over use of leading questions, use of persuasive and manipulative tactics, and inappropriate questioning. For example, Baldwin (1993) analysed 600 audio and video tapes of police interviews with suspects. The tapes were from three police forces in the U.K. and were conducted in 1989 and 1990. Baldwin concluded that the “overriding impression that one derives from playing the tapes is that interviewing is a hit and miss affair and that a substantial minority of all interviews are conducted in a ham fisted manner. A number of problems can fairly readily be identified, and these cover a range of over-lapping categories. The tapes reveal that in many cases officers are unacquainted with even
basic details of the investigation; they frequently make assumptions of guilt and exert undue pressure on suspects; and they are unduly repetitive or laboured in pursuing particular lines of questioning” (p. 336).

In addition to the above observations, it was further evident that there was a particularly poor awareness of specific skills required when interviewing vulnerable complainants, such as mentally and physically disabled women, children, the elderly, victims of domestic violence, women working in prostitution, young women from broken homes and especially, women with educational/intellectual disabilities. In many instances participants appeared to be unaware that their attitudes and behaviour resulted in further victimisation of these complainants and/or resulted (directly and indirectly) in them being denied access to the legal system. For example, through no fault of their own, young, inexperienced, probationer Gardaí had to conduct the most difficult/sensitive interviewees (with children, mentally disturbed individuals), without any special training. Additionally, participants perceived many vulnerable complainants as particularly incredible, e.g. alcoholics, women from broken homes, women working in prostitution, women who had been raped or reported rape previously, women with learning disabilities. The latter category was especially worrying given the knowledge that sexual violation of women who have learning disabilities is very common (McCarthy, 1996). Instead of these women being identified as vulnerable, they were treated with even more suspicion. There is an ethical and justice issue here with respect to access to rights that other authors have described this in more detail (e.g. Sanders, Creaton, Bird & Weber, 1997). This observation poses a serious problem and requires immediate action in order to change Garda practice.

Overall, there seemed to be little awareness or understanding of the complex interactional dynamic and evidence-based interview skills that interpersonal communication theory would advocate. Many of the methods described by participants could be seen to be unethical. There was little awareness of the role of the complainant and how to empower her so as to facilitate the elucidation of a complete, reliable and dense story. This finding, in an applied sense, needs to be addressed immediately. It will be important to reassess the hours of training received
in this area, in addition to the quality of training. The quantitative survey was particularly clear on how widespread veracity oriented interviewing was, that training is not working and knowledge of best practice was poor.

In terms of developing effective solutions to address poor training effects, it will be beneficial to consult the findings of the model developed. The naturalistic model would imply that any training recommendations need to be systemic and layered. Like Baldwin (1993) suggested, it is important to identify what is wrong and attempt to train the police to be evidence gatherers rather than confession or truth judges. It will also be important to ensure the introduction of material of a far more psychological nature into the training syllabus. For example, how do people remember; what facilitates remembering; what hinders remembering; what leads to suggestibility and why is this bad. It will be important to effect widespread clarification of the function of rape investigative interview aims and locate procedures within these aims.

It was outlined in Chapter 2 that more recent years have seen the development of ‘objective methods’ to detect false rape allegations (e.g. Lucas & McKenzie, 1999; McDowell, 1992). These generally involve using content analysis on interview data where specific (structured interviews) questions have been asked. Statement Validity Analysis (SVA) enables a probabilistic guide to the likelihood that a person’s account is based on either real experience or fantasy. This test is thought to aid decision makers by providing an objective investigative tool to replace subjective assessments (see: Parker & Brown, 2000). This research makes clear that the collection of ‘objective’ evidence by investigators in the context of interviewing rape complainants is inimical to the nature of police decision making and the investigative process. No matter how good/skilled and ‘objective’ the police officer, the findings of this work strongly suggest that the product of an assessment of this type is likely to be unreliable in the sense that SVA would propose. This study provides empirical support for the contention that SVA is highly susceptible to becoming another hypothesis verifying tool for decision makers. Research that evaluates how SVA

61 A separate report for the Gardaí that outlines training recommendations will follow from this work.
relates to and feeds into the decision making process is required. This study would lead to the hypothesis that SVA would be used similarly to other ‘tests’ to confirm the investigators hypotheses regarding the truth of the complainant. For example, it would be interesting to know how investigators deal with SVA results that contradict their initial assumptions. Are there different acceptability criteria (for SVA results) depending on the characteristics of the case and initial assumptions? Improvements in police training and interviewing skills requires a much more radical approach than superimposing objective methods onto a subjective process.

The model identifies clearly what factors need to be the subject of strategies to change/improve interview techniques and Garda decision making. It is important to bear in mind that the level of training participants received did not, in and of itself, affect actual investigative behaviour. Context, beliefs and investigative goals did. The context in which a statement of complaint is taken has a considerable effect (not just on beliefs) but also on investigative goals, the case-specific decision frame and investigative behaviour. Participants learned and behaved according to their peers. Therefore, the occupational context and the culture of the police station (communication/talk) has a very important part to play in improving police interview strategies and the decision making process. Change has to be targeted at the group level, supported by the organisational and legal level in order to infiltrate the individual level. The next section of this chapter will examine these levels, employing the ‘culture’ construct, with respect to its role in facilitating change.

8.4.2 Recommendations for improvement
The model specifies that rape investigative beliefs, goals, and the context that social knowledge is embedded in, needs to be addressed in order for any new training initiatives to be effectual. This is a substantial undertaking and requires a strong and pervasive commitment to changes in social policy for this to occur. We know that younger participants (even though they were trained in ‘new’ methods introduced in the later 1980s early 1990s) adopted the informal practices of their colleagues and in so doing, maintain the status quo and informal operating procedures. Informal operating procedures are strongly resistant to change as scholars in the field of police occupational culture would admit (e.g. Chan, 1992). Any attempts to address
'vulnerable sites' in the decision making process and factors associated with erroneous judgements need a consistent, systemic and persistent strategy for development. Improvements to training will only ever be a facet of a wider solution to the problem, as they are unlikely to succeed in confronting established informal operational policies and occupationally derived shared beliefs and attitudes. Strategies for change need to be focused at the cultural, institutional (political/legal), and organisational level, to support and facilitate the adoption of change at the individual level.

It was mentioned in chapter three that the occupational culture construct was problematic. For example, the analytic value of it was questioned with respect to its implied uni-dimensionality. This study has also demonstrated the extent to which decision makers play a part in constructing 'culture' via their agency in the decision making process. The work of Sackmann (1991) was discussed in chapter three, as her work provided an examination and understanding of culture in terms of dimensions of knowledge and was also consistent with the assumptions underlying this research. It will be recalled that Sackmann classified knowledge into dictionary, recipe, axiomatic, and directory knowledge. In terms of examining the implications of the naturalistic model for development and change, this work once again provides an interesting interpretative framework. Cultural knowledge is postulated as a link between strategy and organisational processes. Janet Chan (1996) extended Sackmann's analysis somewhat further and her work will also be discussed with respect to understanding the implications for the findings in this study.

Sackmann's (1991) analysis of cultural change began with the suggestion that change happens first of all at the axiomatic level, or with respect to the organisation's strategic function and purpose (this is often held by top management). It is clear that Garda management need to examine these findings and review their strategy accordingly. Changes in basic assumptions and beliefs would result from a review of the function and objectives of rape investigations on an operational level and how this
is currently operating. It is envisaged that organisational change is required in terms of:

- Deployment policies: Who should be taking rape statements, probationers, detective members, beat members, sergeants? Should a specialised unit be established?
- Recording practices: Should a PC10 be completed at the end of shift, after the statement of complainant, once you are sure the allegation is true, as a file is being prepared to be sent to the state solicitor/DPPs office?
- Procedure: Should contact with the complainant and information given to her be formally monitored? Should the Garda who takes the statement of complaint be a part of the rest of the investigation?
- Evaluation and monitoring: Should tape recordings be made of all rape interviews and should research be commissioned to evaluate ongoing changes?
- Research and job assessment: Should research be conducted on women who are perceived to be giving false reports or admit to making such reports so as to understand the psychology of this phenomenon and respond accordingly;
- Training/education and assessment: What aspect of training has the most effect/success; how can we improve the effectiveness of peer education, considering most of Gardaí learn their job once they begin operational work? Are other types of community based programmes needed? What content needs to be included in education material? How will the issue of false rape reports be directly addressed in training?

Changes in organisational priorities (purpose) and strategy, or as Sackmann would call it, axiomatic knowledge, in turn sets off other changes. Sackmann describes that in the process of negotiating axiomatic knowledge, dictionary and discretionary knowledge are also altered. This logic is conducive to the findings of the research as

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62 This list contains suggested areas for change and does not represent a comprehensive nor exhaustive list by any means.

62 It will be recalled that dictionary knowledge referred to definitions and labels for things and directory knowledge refers to descriptions for how things are done. Recipe knowledge prescribes what should/not be done
it makes sense with respect to how the components within the model interrelate, e.g. how members seek help from higher ranking supervisors, how participants described that they would have to ‘cover themselves’ and complete formal procedures that ‘must’ be done. This knock-on effect would result in member’s thoughts and behaviours being guided by the organisation’s strategic goals and ‘must-dos’ (including external evaluation of attitudes and behaviours). Therefore, changes in policy would result in members being faced with redefined situations. It would be essential to monitor effects of policy change through longitudinal research, and also monitoring would help to ensure that strategies are being implemented.

The model suggests that it is not just important to make and implement changes on an organisational level, but context (legal, political and social) also needs to be addressed simultaneously, if genuine change is sought. This point is similar to one made by Chan (1996). Chan wrote that it is not only important to direct efforts for organisational change at the level of ‘habitus’ (or relational level) but also at the field level (or contextual level). The findings of this research reinforce the argument that for change to be effective it is crucial to direct efforts at the legal, political (policy) and social level. For example, it was shown that Gardaí made their decision by planning ahead and predicting how the DPP and the courts would respond to the case. This suggests that changes in how the DPP and courts deal with cases will have knock-on effects on the outcomes of Garda forecasting. Gardaí considered and discussed whether the case was ‘strong’ enough for the DPP and the courts, considering their criteria. The knowledge that trial is ‘tough’ for the complainant and that the court process can further hurt women, was a significant finding in this light. Additionally, the finding that participants were more inclined to make decisions that the DPP would agree with, further strengthens the argument that changes and clarification are required at a legal level. It is important to acknowledge the role of the DPP in Garda decision making and for research to be directed at clarifying how the DPP processes cases and makes decisions. Recommendations for how to improve how the court system and trial process for women need to be implemented (see: Bacik et. al., 1998; Working Party Report, 1996). Bacik et. al. (1998) concluded that while a

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64 Chan employed concepts from the work of Bourdiou to help explain her ideas on culture.
new section (section 26(3)) of the Civil Legal Aid Act, (1995) entitles rape complainants to a free means-tested legal advice at the reporting stage, most complainants are unaware of this entitlement. Bacik outlined that there is no clear duty imposed on Gardaí to inform complainants of this and the sample in their study, confirmed that in practice, Gardaí do not advise complainants of such rights to a solicitor. Equally, separate legal representation for complainants in court has been a hotly disputed recommendation and only recently has been formally introduced in Ireland. It remains to be seen whether this initiative will lead to changes for women and their experience of court, and any concomitant changes in how the Gardaí perceive the trial process for women.

Changes need to take place on a societal level as well. There have been many feminists scholars that have examined levels of bias and attrition that exists within the judiciary and court system and how these are differentiated between the sexes. These texts draw clear links between attitudes toward women at the societal level and how this relates to the political, legal and system level. Some of these were outlined in chapter two. Eve Kennedy (1992), for example stated “Law does not spring out of a social vacuum” (p. 17) in her analysis of gender discrimination in the legal system. There needs to be more public debate around issues such as alcohol and sex, alcohol and violence, sex education initiatives, legal information initiatives etc. People need to examine and reflect on how they (unwittingly or otherwise) contribute to the discrimination and further victimisation of people who have been hurt. Research needs to address more constructively the fact that most sexual violence occurs within the home and within relationships. The public need a better understanding of these phenomena and how to deal with it. It is envisaged, and the model developed would suggest, that attitudinal and expectation changes at the societal level will feed into changes in how the Garda define their work, changes in practice norms, changes in Garda expectations and changes in Garda beliefs.

It is clear that the applied part of this work lies in its ability to develop a framework for change that would enable women (and men) to report a violation of their rights and not be further victimised or blamed for doing so. Ireland needs to develop a just, comprehensive and caring response to victims of sexual violence and the role of the
criminal justice system is fundamental to these aims. An Garda Síochána play a crucial and difficult part in this process. It is hoped that this work, will in some small way, lead to a positive re-evaluation of the needs of women with respect to how the police make decisions in rape investigations.
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Appendices

Appendix 2.1

Rape, An Garda Síochána and investigative procedures in Ireland

According to Garda policy documents the investigation of sexual offences are targeted as especially serious allegations and upon reporting the police have a responsibility to investigate all complaints thoroughly and professionally. In the case of the DPP V’s Tiernan the Chief Justice stated:

“The crime of rape must always be viewed as one of the most serious offences in our criminal law, even when committed without violence beyond that constituting the act of rape itself”.

In more recent years, there has been much debate on how old procedural systems were outmoded and in this light, new policies and organisational structures have been developed and implemented. Of these, changes to how Garda recruits are trained have been significant. Older systems that have been critiqued in other jurisdictions were characterised by lack of police response, insensitive approach, failure to investigate thoroughly, police pressure tactics to persuade victims to withdraw, no standardised procedure, no specialist training programmes, traditional and stereotypical attitudes manifested in poor treatment of the victim. The Walsh Report, commissioned to review Garda Training in 1988, made several recommendations that resulted in significant and substantial changes to Garda training, implemented in 1989 and beyond.

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65 Domestic Violence and Sexual Assault Unit
66 There is a dearth of research on any aspect of Garda behaviour in Ireland.
The following is an outline of the main stages involved in the process of investigating rape. It is informed by Garda policy and a series of interviews with high ranking Garda policy makers, police trainers and specialist Detective Inspectors.

Pre report:
In the investigation of a complaint of rape, it is Garda policy to accept as truth all aspects of an allegation made by the victim. An allegation will only be considered as falling short of a substantiated allegation after a full inquiry.

Initial complaint:
On receipt of a complaint of rape, it is Garda policy that members bear in mind both being concerned for the welfare of the complainant, (physically and psychologically) and also the demands of the task. The member who takes the initial report should note:
1) Day, date, time and place
2) Full particulars of report
3) Demeanor of survivor – crying, agitated, shock
4) Signs of injuries, intoxication and/or drugs
5) Clothing – disarranged, stained, jewelry missing etc.
6) Description of scene
7) Description of perpetrator

Procedural stages in the gathering of evidence:

Preservation of the scene, suspect arrest:
Once this information has been established decisions can be made as to the preservation and examination of the scene, identification and search for suspect/arrest. Unless the allegation requires further enquiry in order to substantiate its veracity, any suspect named or later identified

68 Personnel refer to themselves as members.
must (if available) be interviewed (possible exceptions arise when the interests of the complainant and complainants wishes override the decision).

**Affective disposition toward complainant:**
In obtaining the above information, it is practice for the member to demonstrate empathy, consideration and an effective questioning approach and technique to establish precise details. Members should keep in mind their knowledge of the effects of Rape Trauma Syndrome.

**Medical examination:**
Once the initial report is taken the complainant should be medically examined as quickly as possible, both to secure any vital forensic evidence and to attend to victims medical needs. With respect to the medical examination there exists a team of female forensic doctors at the Sexual Assault Unit (SAU), Rotunda hospital, Dublin. There are other SAUs for child sexual assault in Dublin, located in children’s hospitals. Where the is no SAU available, the complainant is taken to a doctor. A forensic kit is located in all Garda stations for use by the doctor. The Garda accompanying the complainant to hospital is supposed to ‘dress down’. Her underwear and clothes which she was wearing at the time of the offence should be obtained from her. Forensic bags for clothing are also kept at all Garda stations. The gathering of forensic evidence is a crucial part of the whole procedure as any evidence will go toward corroborating a complaint and securing a conviction.

**Staff deployment, statement of I/P.**
By this stage of the process a Garda will have been assigned to take the responsibility for the case. This will almost always be a female member if one is available. She will take initial statement, accompany complainant to SAU, inform complainant of process, take statement, maintain communicative links etc. It is considered that the initial contact between victim and Garda is of major importance for victims overall well being and recovery and also from the point of view that a person made to feel comfortable, safe and accepted will be better able to engage fully in the recall of what happened and hence produce more accurate and full descriptions leading to a comprehensive reconstruction of events.
Therefore, the essential elements of an investigation are:

1) Examination of the injured party – statement taking and forensic examination
2) examination of the scene
3) Search for corroboration of the injured person’s statement
4) The examination of suspects or of a person arrested.

**Victim's statement**

Before a formal interview, the victim should be given a choice as to whether the interviewer should be male or female and this choice should be acceded to, save in exceptional or unusual circumstances. A female may take the initial report if on duty. If a female member is not on duty, and the complainant requests one then one is called in after initial report is taken. After hearing the victim’s story the member will then decide if a medical examination ought to be performed. If it does, then the member will accompany the victim for the medical examination and inspect the scene of crime. A formal statement will be taken, witnesses will be interviewed along with the first person the complainant spoke to after the incident. The member who does all this is usually the designated liaison officer between victim and the Gardai. It will be her/his responsibility to maintain contact with the victim, communicate information and keep her informed of the status of the case at each stage.

The formal interview generally consists of the victim telling her story two or three times before the actual wording is put to paper. It is considered crucial to outline to the victim that it is important to be as full and honest as possible, regardless if victim was engaged in some other offence, e.g taking illegal drugs. These facts are important to establish from the outset. In the course of the interview it is the responsibility of the investigating member to obtain the following information in the exact words of the victim (see accompanying formal interview criteria).

The purpose of the victim statement is to:

a) Establish the facts of the crime/provide leads which identify the perpetrator
b) Verify information already known by:
   (i)   corroborating or disproving statements
   (ii)  verify inferences derived from physical evidence
(iii) Linking physical evidence of suspect with a case
(iv) Develop evidence which eliminates an individual as a suspect for crime

c) To secure evidence that may establish guilt or complicity of suspect or identify accomplices

After taking the statement it is advised and is common practice that the Garda describes and explains the investigative process to the complainant. Details of what happens next, what to expect, range of options and alternative outcomes are presented to the complainant.

It is general practice for sexual assault offences, that the detective unit of the station deals with and is responsible for investigating the allegation. Following from detailed readings of the victim statement, the team will meet, job sheets will be drawn up and an overall plan for how they think the investigation ought to progress will be discussed and decided upon. Whilst it is generally detectives on the team that deal with the alleged offender, it is not uncommon for the (usually female) Garda assigned to the case, who took victim statement to attend if she wishes and to participate in the investigation as a whole.

From the statement, attention shifts to obtaining corroboration of the injured party’s statement. This is often done by firstly interviewing the first person that the victim disclosed the incident to, followed by interviews with people who saw the victim/suspect that night/day. Corroboration is also sought from persons living along routes, followed by the suspect and by the injured party in approaching and departing from the scene, from persons residing near the scene and from persons who were in the vicinity at about the time of the offence.

Recording the crime:
It is policy that for every crime reported to the police an official form called a ‘C1’ (now called PC 10 on new Garda computerised PULSE system) is completed in full, and submitted by each investigating member. Details of which are subsequently entered into the Garda mainframe database. A C1 ought to be completed as soon as a member of the public makes an official complaint to a member of the Gardaí, from where an inquiry begins. Once a suspect has been identified a form called a C2 is completed. However, the point in the investigative process where
it is deemed necessary that a C1 is completed tends to vary enormously. In many instances it seems that a C1 is completed after the statement has been taken from the victim (see: Kelly 1998). This implies that the Gardaí have no official record of rape cases that do not reach this stage, as no C1 would have been completed.

**Arrest/interview offender:**
If the investigative team feels different factors exist which prove an offence has occurred and the identity of the offender is known, it is the duty of the team to arrest that person in order to question him/her. The offender will be arrested on suspicion of having committed a sexual assault contrary to section 1 of the criminal law (rape) Act, 1981. Gardaí can decide to detain the suspect for up to 12 hours. During this time the suspect is questioned and Gardaí transcribe a contemporaneous account of the interview. The suspect may or may not make a formal statement. Police also have the power to take from the suspect for the purpose of forensic testing, samples, swabs, dental impression, fingerprints etc. This option is not available however, if the Gardaí do not have ‘reasonable grounds’ for suspecting the involvement of the person from whom the sample is to be taken. Believing that the sample will tend to confirm or disprove the involvement of the person in the said offence is also a criteria, which lends power to Garda members to seek forensic information.

**File preparation for DPP:**
Besides the evidence of the victim and suspect/alleged offender, there is also a requirement to obtain statements from the following persons before a file can be submitted to the DPP for direction:

1) Other witnesses, both for the prosecution and defence.
3) Technical witnesses e.g. statement of doctor, statement of forensic scientist.
Garda Recommendation:
Incorporated into the statement of the member in charge and statement of the Superintendent are their respective professional recommendations as to the direction of the case. This normally involves a reference as to the credibility of the witness, any reservations they may have on the case, etc.

DPP direction:
The file is then sent to the DPP for his direction. A copy of the file is simultaneously sent to the DVSAIU\textsuperscript{69} for monitoring purposes. Assuming the file is thorough and complete, the DPP can make one of the following directions: 1) charge with rape, 2) charge with a lesser charge e.g. serious sexual assault, 3) no charge – reasons provided. This direction can be in agreement with the recommendation of the Gardaí, or not.

It is policy that all victims regardless of gender or race will be treated with kindness, sensitivity and courtesy by all members of An Garda Síochána, particularly in high trauma cases such as sexual offences. Recent training and procedural amendments demonstrate the emphasis on concern for the welfare of the victim, which in turn ought to provide a better quality of evidence aiding the corroborative task. For example, when taking a statement it is policy to:

a) Find a quiet private room
b) Ensure comfort i.e. heat, light, sufficient pens, paper
c) Remove barriers between Garda and survivor
d) Acknowledge gravity of the attack, do not show scepticism.

e) Interview as soon as possible
f) Take notes of complainant as outlined in initial report

Treatment of alleged offender:
It is also policy to conduct the investigation in an impartial manner with respect to the offender – as in our adversarial system every person is innocent until proven guilty.

\textsuperscript{69} Domestic Violence Sexual Assault Investigation Unit
Legislation covering rape:
With respect to the job at hand it is also imperative when taking a statement to be aware of the points that need to be proven or addressed within the victim statement. For example for an offence of rape, contrary to section 480APA 1861 and section 2 of criminal Law (Rape) Act 1981 as amended by section 21 of the Criminal Law (Rape) (Amendment) Act 1990, the law requires the following points to be demonstrated:
1) No consent took place
2) Reckless as to whether she consents
3) Intercourse took place (proof of penetration only – penis to vagina).

For rape under section 4 contrary to sec 4 of the Criminal Law (Rape) (Amendment) Act 1990, the law requires the following points to be demonstrated;
1) No consent
2) Penetration of mouth/anus by penis
3) Penetration of vagina, object held or manipulated by hand

Care of the victim:
With respect to the care of the victim, the Garda member that takes the formal statement and is assigned to the case, has the responsibility of maintaining links and communicating information to the victim. They also have the responsibility of informing victims of the existence of certain centres/ support schemes e.g. rape crisis, victim support that cater and provide therapeutic assistance to victims. Refusal of victim to support a prosecution would make a prosecution very difficult, if not impossible. Therefore, the Garda in charge should be aware of the need to support allegations at every stage of the process. Communication extends particularly to informing the complainant initially of the procedure, if the case goes to court, keeping her/him informed of dates and times and outcome(s). If the case does not get pass the DPP i.e. the office directs no prosecution, the Garda informs the victim of this decision BUT cannot divulge the reason why to the complainant.

Investigative goals:
The overall focus of an investigation ought to be directed toward compiling as strong a case as possible, by meticulously going through all the necessary procedures and covering all lines of
inquiry. This has to be performed within the context of providing optimal support to the victim, in the knowledge that a secure, trusting and supportive investigative environment is more likely to lead to a more accurate picture of events and a superior reconstruction of the offence. If a direction comes back from the DPP to prosecute, then the focus automatically shifts to the requirements for court, preparation of witnesses, getting a conviction etc. It is important that the Garda assigned to the case makes a special effort to keep the victim informed and updated on all aspects of procedure related to her/his case.

Decisions to be made:

Officially, the main decisions to be made reflect various aspects of the investigative process. Officially, all complaints of rape have to be recorded and investigated in full. If the Gardaí feel that a particular complaint is highly dubious, protocol still dictates that evidence has to be found which substantiates this suspicion. The evidence that stands contrary to the complainant’s account of events is then presented to her/him and a decision is made as to whether she withdraws her allegation (and possibly face charges of her own) and how the case is to be classified. Decisions are also dictated a priori with respect to identifying, screening and examining the scene of crime. There are also specific procedures for taking the injured party’s statement of evidence, and the completion of a crime report form (C1).

Initially, therefore, a member has to make procedural decisions such as whether to send the complainant for a medical examination. Whether to organise a search for the suspect, whether to interview various witnesses (possibly before taking injured party’s statement), whether there are sufficient grounds to arrest suspect (if known). Decisions regarding what style of interviewing approach will best elicit information from the alleged offender is another decision to be made. Throughout this process, there is a constant stream of judgements being made, initially with respect to the truthfulness of the complaint, compounded by interviews with other witnesses and the suspect. These judgements are formally conveyed at the end of the investigation when the investigating Garda makes a recommendation with respect to the desired charges and professional impression of their opinion of the case. This seems to have a lot to do with the quality of the evidence, especially forensic evidence and the character of the injured party i.e. whether she/he is believable. It is worth noting however that the ultimate decision of whether or not a prosecution will go ahead is solely determined by the Director of Public Prosecutions and is
at this point outside the realm of Garda responsibility. At this point the Gardai have to accept the decision of the DPP.

Training:
The Walsh Report and its recommendations had a huge impact on the nature, structure and emphasis of probationer training.
The taught components of the probationer course are all based in the Garda Training College, Templemore. For sexual assault specifically, the trainees participate in lectures given by representatives from rape crisis, victim support. All of these people have experience of dealing with the same client group, and who have an understanding from an alternative point of view. Probationers also receive talks from longer serving members who have worked on 'big' cases. This is in addition to courses in taking the victim statement and building the book of evidence, forensic modules, court modules etc.

Specialist training is provided at In-Service Training School, Harcourt Square for members of Sergeant and Garda rank in the investigation of Crimes of Sexual and Physical Abuse. In 1997 Divisional Inspectors with responsibility for overseeing the force policy on Domestic Violence Intervention were also given the option to attend these seminars, officially called 'Seminar on Crimes of Violence on Women and Children'. This course has been running annually since 1996 excluding 1998. In 1997, permission was given to extend the four day course to six days. This was not permitted in later years and remains a four day course. Its name has changed and the course is now called 'Seminar on Crimes of Physical and Sexual Abuse'. This name change was instigated since the seminar organisers felt the latter was more reflective of the situation, whilst also encouraged more male members to attend. There were six four-day courses and six two-day courses completed in 1997. Participants included 3 inspectors, 38 sergeants and 80 Garda. Feale/male ratio was just under 2:1. Six courses were scheduled for 2001. The aim of these seminars is to up-date and improve members' knowledge and skills on the investigation of crimes of sexual and physical abuse. To also develop networks between the Gardai and other agencies involved with the same client group and to facilitate inter-agency co-operation. It is also a priority for seminar organisers to have increased numbers of male participants to develop the
investigation of these crimes on a non-gender specific model. It is believed that the contribution from outside agencies are invaluable as they provide members with a first hand insight into the working practices of other agencies.
Appendix 5.1

Interview Schedule for Study 1 and Interview Preamble

[Modified Questionnaire: Semi-structured interviews - phase 1]

[Preamble]

First of all I'd like to sincerely thank you for participating in this research - your willingness is much appreciated and for taking the time out from your work, I'm also very grateful.

I am doing some research that has been approved by the Garda commissioner, and for the short term I am based in the Garda Research Unit in Templemore. We are interested primarily in Garda training policies and practices in relation to investigative procedures, particularly in the context of rape and the reporting of such crimes.

Today, I have a series of questions that I would like to ask you. They concern your own opinions regarding Garda work in general, Garda training issues and also some questions concerning your experiences, opinions and impressions toward the reporting and consequent investigation of sexual offences. This part of the interview is primarily concerned with the kinds of things that affect how you make decisions in your work.

It's important to stress that your identity and everything that you say today is completely confidential. Your name is not recorded or written on any of the transcripts and will not be mentioned on any of the paperwork or output associated with this project. I tape all of the interviews that I conduct because it means that I don't have to write anything down, I can listen to you without disruption and I can later transcribe the tapes more accurately. I'm really interested in your opinions and your experiences of your work, the difficulties you experience and your ideas on how things can be improved. If at any point you want to leave the interview for whatever reasons, you are free to do so. If there is a question you do not wish to answer, that is perfectly fine and if at the end of the interview you are not happy, you have the right to ask me for the tape if you so wish. Once I have transcribed the
interview, the tape will be erased and I then re-use the tape for the next interview I have to do.

Do you have any problems with this?

Have I said anything that may have been unclear?

Do you have any questions you would like to ask me?

[******] = explanations or definitions for interviewer only.

(P) = Prompt

demographics - independent variables

OK then, before I ask you some questions about being a member of the Garda Síochána, could you tell me:

What part of the country you grew up in/are you from?

DOB or if uncomfortable about this for identification purposes, year in which you were born?

What year were you attested? [this is when a student Garda is given her or his powers of arrest and then becomes a 'probationary' Garda]

Where did you do your placements? [only applies to those trained after 1989]

What station are you currently based in?

For how long have you been here and where were you before that?

What is the nature of your current work? [e.g. desk duty/community policing/beat]

Have you done any specialist training or in-service training courses?

If so, when, for how long and in what field?

Have you participated in any other courses, part-time college courses etc.?

Did you go straight from secondary school into the Gardaí? If not, what were you doing between these times?

1.0 Role definition and levels of identification.

1.1 When you think about the work you do and the people that you work with, what do you perceive your main role(s) in the Garda Síochána [GS] to be?

1.2 Is this similar to what you thought/expected it to be before you joined up?
1.3 I want you to think of somebody who is successful/fulfills this role(s) well. What kinds of talents or characteristics do you think they have that enable them to be successful?

1.4 What characteristics do you think are crucial or essential to fulfilling these roles?

1.5 To what extent do you think you have these characteristics?

1.6 When you think of a Garda who has these qualities, where do you think these qualities come from – (P) for instance have they or did you always have them or did they develop in some other way? Were they learned? If learned, how and where were they learned? Via training i.e. formal or experience i.e. informal?

1.7 When you think about the work you do, what is your favorite job, your favorite area?

1.8 When you thought about the role(s) that you consider to be important and the Garda members that you know are successful in fulfilling these roles – who were you thinking of? (P) For instance what rank are they? Are they older than you? Male? Female? Married?

1.9 Do you think that all genders have the characteristics you mentioned? (P) Are men better in some roles and females in others? Does training affect men and women differently?

1.10 I want you to think of a normal day – you may get up, go to work, go home, have dinner - how much of this day are you aware of being a member of the Garda Síochána?

1.11 Do you think that you behave differently when you’re not in uniform? Do you think differently?

1.12 If you think about all the different types of tasks/jobs that you have to do or that are the responsibility of the Gardaí, which particular task or what aspect of the job makes you feel like you are doing ‘real’ Garda work – (P) in that the task makes you feel most like being a Garda. For instance, I engage in many activities that other professions share, like doing statistics, but interviewing people may make me feel like I’m engaging in ‘real’ research work.

1.13 How much confidence do you have in yourself, in terms of being able to carry out your responsibilities and duties? (P) A lot or a high level of confidence, middling - sometimes I do, other times I don’t, or not much confidence.

2.0 Information processing, decision making and judgmental heuristics.
2.1 Have you had any experiences of dealing with sexual assault and/or rape cases? (P) e.g. taking initial report, taking statements, sitting in on statements, interviewing suspects, participating in rape investigations at some level...etc.

2.2 How much experience? Or If not, have you been in the environment when they are going on? - anecdotal experience.

2.3 I want you to think of reports of rape in particular, lets say the last one you dealt with, can you tell me what the scenario entailed? (P) For instance, how was the report made, who made it, who received it, who dealt with it initially, what was the complainant like, where were they from, what state were they in, what did they allege, what actually happened, how did it proceed, what was the outcome?

2.4 Was this report and this woman [or man depending on example given] typical of reports in general? (get response to both categories)

2.5 In what way? Or In what way did it differ from cases/women in general?

2.6 What would be an unusual report of rape?

2.7 Say, it’s a Friday night, you’re doing a late shift and a female presents herself in your station and says she has been raped. I want you to firstly describe what a typical report like this might entail.

2.8 What is the first thing that you think? What is the first thing that you do?

2.9 I don’t really know much about what considerations you have to take into account when this occurs, can you take me through the kinds of factors, issues or things that are said that would be likely to affect how you think about the report and how you proceed with the report?

2.10 Again, I don’t really know how the Gardaí think about these reports from the very beginning. Considering the cases that you have dealt with, what frame of mind would you be in when listening to somebody who is making an allegation that she has been raped? [they generally give female examples and talk with reference to female victims]

Say you are the person who has to take the initial report and is also responsible for proceeding with the early part of the investigation.....

2.11 How is the initial report taken?
2.12 Would you write it down? Where? Do you write anything else or fill in any other forms?

2.13 What do you have to think of next? In what way do you approach reports? [P] Fixed approach or does it depend on the case?

2.14 What would you perceive your main job to be at this stage?

2.15 Would you have to make any decisions at this stage, if so, what ones and with what results?

2.16 When you are taking the formal statement from the complainant, how do you do this?

2.17 When you are taking a statement, what are the most important pieces of information to look for in your opinion?

2.18 In most cases, what happens after the statement is taken?

2.19 At what point do you make up your mind about the case?

2.20 What are the main directions an investigation can go at this stage? (P) do complainants tend to drop out? Does the case go ahead etc.?

2.21 Are there any pitfalls to be wary of, that you have come across? OR what aspect of the job would you be most concerned about in terms of ‘doing it right’?

2.22 In all professions there are skills that you rely on that are not in manuals and that you are not taught formally, in what ways is a Garda able to deduce that somebody is making up an allegation or that they are telling the truth? [P] what are the unwritten skills that a Garda has, that enables her or him to tell that somebody is telling the truth/lying?

2.23 What makes a good statement in your opinion?

2.24 What makes a poor statement?

2.25 What makes a good witness (injured party) in your opinion?

2.26 What makes a poor (injured party) witness?

2.27 When making your recommendation of the case, what evidence would you generally consider to be the most important in informing that recommendation? [P] e.g injured party statement, forensic evidence, accused statement? And from the point of view of the DPP? [P] would he have the same or similar priorities in mind when giving his directions? The jury, what evidence would a jury consider to be most important?

2.28 It is clear from what you are telling me that you require all kinds of different information and have to ask lots of different questions. Do you order the questions? What information do you have to include?
2.29 When you have written recommendations in the past, what are the biggest factors that influence your decision? With what aim in mind do you base your decision on?

2.30 When the investigation is ongoing, do you talk about the case with others? To what extent do you discuss the case with your sergeant? To what extent do you rely on the opinion of your colleagues? Would you generally agree or disagree?

3.0 Schema based social attributions

3.1 What do you think causes rape?

3.2 Have you had any experience or heard of any cases that involved a male complainant? What was this report of male rape like - describe? Would this be 'typical'/what kind of scenario does this crime usually take?

3.3 What causes male rape? [P] Do you think the causes are similar to female rape?

3.4 Could you describe the characteristics of a typical person who makes a false allegation of rape?

3.5 What causes women to make false reports?

3.6 What causes men to make false allegations?

3.7 How do misunderstanding concerning 'consent' arise?

3.8 In your experience, out of all reports of rape, how many roughly are false? Genuine? Withdrawn?

Social attributions - many of these questions may have already been answered as part of previous responses.

4.1 Describe a typical 'true' rape victim?

4.2 Describe a typical 'true' male rape victim?

4.3 Could you describe the last suspected rapist you interviewed/came across? Was he/she typical of rapists in general?

4.4 Describe a typical man whom a person makes a false allegation after.

4.5 What are the characteristics of an honest person?

4.6 What are the characteristics of a deceitful person?
5.0 Garda policy and legal implications - again answers to many of these questions may have already been covered via earlier responses.

5.1 What is Garda policy with respect to the reporting of rape?
5.2 What is Garda policy with respect to the recording of this crime?
5.3 Who is good at this kind of job?
5.4 How confident would you be on a scale of one to ten in carrying out a rape investigation?
5.5 And making an accurate decision as to the truth of the report, on a scale of one to ten?

6.0 Training

6.1 What is the main type of training that you do/did, to prepare you for this type of crime?
6.2 What is the focus of this training? (P) e.g. the focus of an accountants training might be to be as accurate as possible, or a fireperson to be as safe.
6.3 Is there any area or aspect of the job that we have discussed, that you feel you would like more training on?
6.4 What parts of the training did you find informative and helpful? Why?
6.5 Thinking back to when you took your first report, did training equip you with the necessary skills to be able to do the job thoroughly?
6.7 Do you think it would be a good idea to have a specialist category of Garda who is specifically trained in the investigation of sexual offenses e.g. Sexual Assault Investigation Officers, on a more widespread and available level than that which we currently have?
6.8 Would you like to specialise in this area? What area would you like to specialise in?
6.9 Did you find any aspect of your training unhelpful, inappropriate or a waste of your time? Attitude toward social studies etc.?

7.0 What do you think the primary focus of training should be? Do you think any changes to the current programme would be advisable?

Thank you and pleasantries
Appendix 5.2

Examples of extra quotes from chapter five

5.3.1.5 Task distribution

PV(O yrs) 9: "with the unit that was on at the time the official driver happens to be a woman so she came around and she took over the investigation then, obviously took the initial statement from the girl".

Int: Why weren't you involved in that sort of thing in [station name]?

"Again the female members took care of it".

Post(5 yrs)7: "Thinking first of all we have to get a 'Banner', that was my first thought".

Post(5 yrs) 8: "I'm the only girl up there [in the detective unit] so I would get a lot of the sexual cases. The good thing is that in uniform generally if you got a rape case it would be handed up to the detective unit to investigate, you wouldn't really be involved in it". "If it comes in in the middle of the night, I'm not going to be here but if there is a girl working then generally it will be the girl that's working that gets it. Then it will come upstairs”.

PV(0 yrs) 7: "We have only one girl in on our unit and she has five of them [rape cases] at the moment going in (station name)".

Pre(15 yrs) 5: "Unfortunately because we are female, we do this work full stop and that is wrong. If a woman comes in to the station and says she's been raped and wants to speak to a
female and if a Sergeant or supervisor has a choice of four females he should really pick the best one. But let’s say there is only one female working in the station and she is not particularly good at it or doesn’t particularly like it, or she doesn’t feel confident about it, she will have to do it and that is wrong. ... it’s wrong that it’s given to a female just because of that. Why should they be good just because they are females?"

PV(0 yrs) 6: “It was the detective branch that dealt with that rape case and I have only dealt with one rape case. I dealt with the victim as such but I think it was within two days they had the culprit and a statement was taken from him and a file was prepared and I did my own statement to put in as well”.

PV(0 yrs) 10: “Like the detective unit were helping me on this case, but we, well I ended up speaking with her again”. “Well actually it was a member from the detective unit that helped me out ‘cos it was my first statement of complaint and you would be nervous”.

PV(0 yrs) 8: “burglaries tend to go to them [to the detective unit] straight away. They do all, you know you might take the initial report but after that then they deal with it completely. Then, if it was a serious, like the other sexual assaults ah, that I was involved with the other Garda on my unit, the DDU [detective unit] were giving advice the whole time, it was kind of liaising, they didn’t take it over now but there were close links”.

PV(0 yrs) 5: “In my own case it was out of my hands then, it went to the detective unit. They followed it up”.

5.3.2.1 Beliefs in high level of false rape reporting

PV(0 yrs)11: “We are only going on her information, but it mightn’t be, you know a lot of cases are false allegations”.

“It’s [level of false reporting] a very high extent from what I can see anyway there is a lot of false allegations”.

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Post (5 yrs) 5: “It happens quite a lot, somebody making a false complaint, it has happened quite a few times yeah”.

Post (5 yrs) 4: “We have a problem with people withdrawing cases, false allegations”. “Very few genuine that come in here, mostly due to alcohol”.

Pre(15 yrs) 6: “...but I have to say it does happen, it happens a reasonable amount you know?”.

Pre(15 yrs) 1: “What happens quite a bit, is the lesser crimes, touching assaults, pulling at hair, someone pushed on the ground, wouldn’t be fully investigated. I would find a lot of those are dealt with by the uniformed section, if there is no physical assault. I would say that the majority of the stuff that comes up to us [in the detectives office] is of a lot more serious nature and am, there wouldn’t be very many false ones, no”.

5.3.2.2 Anecdotal experience of false rape allegations.

Pre(15 yrs) 5: “Are false?, I’d say about a third. From some of the people I talk to it’s higher”.

Pre(15 yrs) 7: “Here from my own experience, it doesn’t happen that frequently but from speaking to other girls, that I have trained with, am, it is something that would happen quite frequently, you know?”.

5.3.2.3 The ‘Credibility Gap’ and Investigative Motivations

Int: And what is your frame of mind [when taking a report of rape]?
Pre (15 yrs) 6: “I’d suppose I’d be objective. You have to take the possibility into account that this is a false report as well, I mean by looking at the person generally you can tell whether they are. You can tell a lot of cases initially whether it is, you make up your mind, or you think this looks fairly genuine and you’d be dealing with it that way. Whereas if you saw something and ummm...”.
Pre(15 yrs) 4: “We try the best possible techniques to ascertain if there was harm, while all the time bearing in mind what you’ve learned from previous experience and that is one of them, false allegation, it is always there”.

PV(0 yrs) 6: “Yeah there would be doubt in your mind. It’s an awful thing to say because it’s an awful act but it would be in the back of your mind [if she is telling the truth].”

5.3.2.4 Primary investigative decision goals

PV (0 yrs) 4: “Well I suppose you decide yourself whether the allegation is true or not, you know a lot of time as well you can get a complaint where nothing happened at all”.

5.3.2.5 Scripts and stereotypes of false complaints of rape:

1) Revenge
PV(0yrs) 13: “They’ve had a fight with the boyfriend, trying to get back at them”.

PV(0yrs) 10: “In some cases maybe just pure revenge, am, someone may have fallen out with somebody and this is the reason why they are going to make an allegation, can’t think of any other reasons”.

PV(0yrs) 7: “In some cases then they just want to get back at the other person so, something they might have had a disagreement or something. Then they come in and say ‘I’m going to get this fella now’.”

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“Am, I don’t really know really just pay back time for somebody or some. Mainly it would be just to get at somebody”.

PV(0yrs) 1: “I’d put it down as badness, but maybe just revenge. I suppose the blatantly obvious I can think of, I don’t know why somebody would do it, is revenge, if you had some sort of grievance. I don’t know it’s very serious stuff”.

2) Guilt/ fear of pregnancy

PV(0yrs) 5: “People who make false claims could have 101 different reasons. You know they might be afraid that they are pregnant, and afraid to tell their parents”.

Post(5 yrs) 6: “Maybe, going back to the false allegations. To some extent there may be some women who, say somebody who is involved in a relationship and then does it, you know has sex with a man and then realised she has done something wrong? Maybe he covered her up [provided an alibi] the fact that she made a mistake”.

3) attention seeking.

PV(0yrs) 3: “Could be looking for attention”.

4) Psychiatric reasons

Post (5 yrs) 4: “distressed, attention seeking, psychiatric problems”.
Pre (15 yrs) 4: "I think maybe mentally unstable would be a huge one".

Post (5 yrs) 9, describes an example of a false allegation: "Well she was obviously having mental problems at the same time".

PV(0 yrs) 4: "Maybe they have problems of their own, domestic problems".

5.3.2.6 False rape schemata and expectations of withdrawal

Pre (15 yrs) 8: "I haven’t come across it a lot to be honest but am, I’d had one or two at the start of my career when I didn’t have much experience, that would have proved to be false. The complaint would have been withdrawn or would have proved to be wrong, you know nothing happened".

5.3.3.1 Automatic veracity judgement

Int: How do you make up your mind?

PV(0 yrs) 2: "I don’t know, it’s just instinct".

Int: What skills do you rely on to be able to tell if somebody is telling the truth?

PV(0 yrs) 3: "I suppose your own instincts".
Post(5 yrs) 11: “I had that doubt from the first moment I met her anyway. She had come in giving another name and I had met her before”.

Post(5 yrs) 8: “I think it comes down to, you’ll have gut instinct but you know... When you’re dealing with people that live in our area [working class], you are dealing with people on a daily basis and you just know when they are lying to you or hiding something or not being up front”.

Post(5 yrs) 9: “It’s usually how she reports it and what she tells you in the first few minutes. You do, you get a feeling”.

Pre(15 yrs) 1: “It’s difficult to say but I’m sure what happens at front desk, is that the Garda at the desk will make a judgement, be it right or wrong. I mean my own opinion on that is that all sexual offences should be investigated and should be more sensitive, because there are times when Gardai are very insensitive when it comes to sexual assault”.

5.3.3.2 Cues that trigger veracity judgements

PV(0 yrs) 9: “Obviously it’s [rape] a very traumatic thing to happen, so I’d be looking at number one behaviour, obviously looking at someone who is going to be a bit hysterical, very emotional as well”.

PV(0 yrs) 10: “The demeanour of the person that is making the complaint, are they in a stressed state”.

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Pre(0 yrs) 7: “Well I suppose their demeanour and if they were very upset or appeared to be very traumatised”.

PV(0 yrs) 7: “as soon as they walk in you kinda get the feel how, you know if they are distressed or not”.

Post(5 yrs) 8: “But you just can generally tell if somebody is lying to you just by their mannerisms and their actions. You know they won’t look at you”.

PV(0 yrs) 7: “Down here [training college] you’d do a lot of the old body language and all that stuff. I suppose you, after a while you get to know, you know the shuffling around like, that kind of fidgeting, they are not easy with themselves, you know there is something up with them. Am, their facial expressions as well, you kind of know if they are telling lies”.

Int: Working class?

PV(0 yrs) 2: “Yes and not that that makes it right but it probably casts suspicions then, when you say well ‘was it rape or were you just pissed off?’”.

PV(0 yrs) 7: “They [false complainants] would be from the rough areas, no one has ever come in from the okay parts of town”.

Post(5 yrs) 8: “My initial impression was that something had happened to the girl because she was in an awful state. She looked like someone who had been dragged across a field. I know she was
homeless but her family was from Dublin [middle class address], you know a good location and she just wasn’t getting on with her parents and ended up sleeping rough”.

PV(0 yrs) 9: “Well I suppose the demeanour of them at the time, were both parties drunk. Stuff like that [you would be looking at to see if the allegation was genuine]”.

Post(5 yrs) 10: “Again if there is alcohol involved, a lot of it would depend on that I would imagine or drugs”.

Post (5 yrs) 9: “Okay, when you meet a person first of all, if it’s an incident where she comes in and if she’s pretty drunk that is hard. You mightn’t necessarily interview her straight away but ah, you know that there is something more to it”.

Post(5 yrs) 11: “I think a lot of it is drink. Totally out of it and panic then the next day”.

Post(5 yrs) 11: “going back to that girl who came in, and she was quite young but claiming she was raped in [place name] and was able to say what they wore, two guys but didn’t know what they looked like and I don’t know there was something that didn’t add up in that case”.

Pre(5 yrs) 9: “Well just to tease it out. Every detail that she is aware of just try and get it down in writing. Then, saying if it does come out where you become sceptical, a day or two later, then you can go back and if it doesn’t add up. You have another thing to play around with. Like ‘you said it was a white car, now it’s a red car’, that kind of thing. But it’s just from reading situations, reading a person in their mind you know?”.

PV(0 yrs) 3: “If it was very very you know obvious that nothing happened like their times were all wrong”.

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"Then I suppose when you are getting off the fence once their story is relayed you'd ask them questions back, no notes would be taken now or anything like that, and if they follow suit and if they seem to be, you know in order, if their story appears genuine basically".

PV(O yrs) 1: "Somebody who obviously is made some fictitious, who is all over the place, time and place are not together, it's all...".

PV(O yrs) 9: "Obviously the report is taken, they are invited to make a statement about it and give details of what happened and when they read over the notes afterwards it's totally kind of unconnected and times are all over the place and very inconsistent".

PV(O yrs) 1: "'tis mainly her initial report". "I'd imagine inconsistency in the statement".

"there was a funny case in [location] she was brought to a [place] and raped. It was a very complicated case in that she knew [the culprit's name], but there was no evidence to say that [he] entered the house forcefully. She said he did, there were inconsistencies".

Int: What way would you be thinking about a report from the beginning in terms of its veracity?
PV(O yrs) 6: "Well if somebody came in and reported it you would have to hear their story, like you'd have to ask them if they knew the culprit".

"Sometimes you'd wonder when you hear stories, was it the victim's own fault – 'cos there is always drink involved. Like definitely say acquaintance".

PV(O yrs) 7: "Yeah most of them [women who make false reports] wouldn't be married, just living with the person or else they are just seeing them".

When describing a typical person who makes a false allegation, Post(5 yrs) 7 says: "Am, it would be, 'I was out drinking with him, back to my place and we kissed'. Very seldom with a person you don't know. Usually someone you've been with that night".
PV(0 yrs) 2: “She wasn’t drunk but I think from what I heard from here, the lads would know her about the town and she would be, she would go out and have a few pints and have a different man here and there”.

Pre(0 yrs) 5: “To generalise they would be from working class areas, dropped out of school, would be sexually active for a while”.
Appendix 5.3

Proposal to An Garda Síochána to conduct research on Garda training and rape investigative procedures.

Outline research proposal for the Garda Research Unit. February 1999.
Stephanie O’Keeffe, MSc. Tel: 0044-1483-876917; s.okeeffe@surrey.ac.uk

1.0 Title: An assessment and evaluation of Garda Training and Development policies toward the reporting of rape and the policing of sexual violence.

2.0 Objectives: The purpose of the present proposal is to obtain an in-principle agreement for the outlined research to proceed. Once agreed, it would then be helpful to maintain close liaison with The Garda Research Unit. After negotiation with and consideration of Garda requirements, more detailed research specifications can be drawn up and a research timetable negotiated. The present outline serves to give a preliminary overview of the background, rationale, aims, methodology and benefits of the proposed study.

3.0 Introduction

3.1 According to Garda statistics there has been a significant and much debated increase in the incidence of reported rape in the Republic of Ireland since the 1970’s. Brewer70 pointed out that in 1970, 15 rapes were recorded or known to the Gardaí. In 1995 this figure had risen to 191, an increase in magnitude by a factor of 1371. In 1997, the figure has risen to 256 recorded or known

71 ibid, pp.42
rapes. While the issues involved in the reporting and recording of this type of sexual offence are complex, it is widely accepted that these figures are an under-estimate of the true level of this crime. Victimization studies in the U.S and UK demonstrate that rape is one of the least reported of all violent crimes. Statistics published by the Dublin Rape Crisis Centre suggest that in Ireland the same pattern is emerging. Braiden claimed that in 1991 less than 20% of the offences reported to the Dublin Rape Crisis Centre are subsequently reported to the police. A minority of these reported cases actually go to trial. Considering that not all women will go as far as contacting a Rape Crisis Centre, it can be assumed that this percentage too is an underestimate.

The problem of under-reporting in Ireland is further highlighted by comparative studies which illustrate that neighbouring jurisdictions record about three to five times as many serious sexual offences as Ireland. The relative dearth of any systematic research in Ireland into the factors

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which effect the reporting of rape to the Gardai, means that any definitive interpretation of these statistics must be made with caution.

It has been assumed that in the Irish context, rising rape figures are partly due to an actual increase in the level of violent sexual crime, partly the result of a society more willing to accept disclosure, and possibly also a result of Garda efforts to be more sensitive in their treatment of victims of rape. It is however widely accepted that the public’s perception of police beliefs and attitudes toward violence against women can effect willingness to report crime, to assist in identification, to convict an offender and to support new legislation\textsuperscript{76}. Research from the UK\textsuperscript{77} has identified specific causal factors which affect women’s decision to report rape. These include:

- Worry that they will be blamed for the crime.
- Fear of not being taken seriously.
- Police response will be unhelpful, unsympathetic, incompetent.
- Fear of the police.
- Womens’ views of unhelpfulness of courts.
- Loyalty and protection of partners.
- Turn blame on themselves.

It is also well recognised that making contact with the police and being interviewed for the purpose of taking a statement or deposition is one of the most important stages in the complainants’ involvement with the criminal justice system. The behaviour and attitude of the police toward women who report sexual violence is a very important determinant of the woman’s satisfaction with participation in the criminal justice system as a whole. The police therefore, have considerable responsibility in not only determining whether a case is a crime or not and indeed whether it proceeds to the prosecuting authorities but potentially whether or not the victim reports in the first place and consequently follows through with her complaint.


Given that research further reinforces the critical importance of police response as the first point of call in the criminal justice system for victims of rape, then it is reasonable that until this response has been evaluated from the consumer point of view, there will be no benchmark from which to assess or improve services. The value and necessity of academic research from the victim perspective has been recognised by police forces in Britain, Europe and the U.S., particularly in the light of internal re-organisation and change. Due to the ethical and methodological issues inherent in this type of research, a number of approaches have been employed in previous studies. In an innovative study commissioned by the Sussex Police, Temkin\textsuperscript{78} interviewed 24 women with the aim of discovering how police services for victims were regarded from a consumer point of view. Results from Temkin's and other studies examining victim's experience with the police, have largely been positive. Temkin\textsuperscript{79} found that 70\% of the 24 women that she interviewed were satisfied with the way in which their cases were investigated and with the officers responsible. Also in the UK, Adler\textsuperscript{80} found that 89\% of respondents were very satisfied with their treatment by women police officers and 76\% were satisfied or very satisfied with the male detectives investigating the case. Gregory & Lees\textsuperscript{81} found that 75\% of their sample expressed satisfaction with the way in which they were treated by the police. However, it is noteworthy that 30\% of the women in Temkin's study had no confidence in the police before reporting the rape and had expected to be treated unsympathetically. The only Irish research to date which has examined the experiences of Irish women who reported rape to the Garda Síochána was carried out by the Dublin Rape Crisis Centre in conjunction with T.C.D's Law department. Bacik, Maunsell & Grogan\textsuperscript{82}, found that when compared to victims from four


other EU member states, Irish women rated their experience with the Irish chief police interviewer significantly more positively.

3.4 Garda Policy

In response to this situation and growing public and political\(^83\) concern, the Garda Síochána have taken serious steps to improve their procedures in dealing with complaints of rape. They have been one of the first official groups to recognise their role and attempt to understand the problems that victims are facing. Recognition of the worrying increase in sexual offending, growing criticism from media and the public and a number of high profile cases, have led the Gardaí to institute a series of organisational reforms, both in terms of policy change and on a training and development level.

3.5 Following the publication of the Garda Training Committee’s report (The Walsh Report\(^84\)), the Gardaí’s more focused and informed approach resulted in *inter alia* the implementation of new recruitment criteria and training and development programmes. The Domestic Violence and Sexual Assault Investigation Unit was established in 1993 as an acknowledgement that a more pro-active approach was required to deal with the problems of domestic violence and sexual offending. The Gardaí have also recognised that the task of tackling the problem of sexual assault requires a multi-agency approach. Consequently, a healthy interaction is now taking place between voluntary and statutory agencies and organisations to combat the problems of violence against women\(^85\). The Walsh report also stressed the importance of a vigorous research effort to underpin the efficient and effective management of a new action-oriented organisation\(^86\). This recommendation was accepted in

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83 See comments made by John O’ Donoghue, Minister for Justice Equality and Law Reform, speaking in the Dáil on 26\(^{th}\) November 1998, about his concern for the increasing trend in the number of reported rapes.


full and the Garda Research Unit was established in 1994. The belief that new methods and responses to policing problems require constant monitoring and evaluation was emphasised in the Walsh Report and this philosophy is further reinforced in the remit of the Garda Research Unit. It argues that the pursuit of excellence necessarily involves constant review of methods and monitoring of achievements in a continuous search for improved performance. In the 10 years since these new policies and training and development initiatives were embraced there has been no direct evaluative research in the context of sexual offending, to confirm how widespread and/or successful these changes have been, from either a Garda or a consumer perspective.

4.0 Proposed Research

4.1 In the light of both Garda operational and research policy, the present study proposes to undertake an accurate, relevant and comprehensive assessment and evaluation of the impact of Garda training and development initiatives in the reporting of rape. In order to complete the evaluation, it would be desirable to compare the results of the initial assessment with an evaluation of the quality of service delivery to complainants, by obtaining feedback from victims. Methodological considerations and ethical implications are elaborated more fully in the Method Section.

5.0 Method: The proposed research will consist of three main phases.

5.1 Firstly, it will involve an examination of various policy and procedural documents which outline any changes in organisational structure, training or development, with respect to sexual violence. In conjunction with a comprehensive literature review, it will be possible to draw up an inventory of criteria which define 'good practice'. This will serve as a base from which performance can be evaluated. This review will be followed by a series of approximately 30 semi-structured, in depth interviews with different ranking members of the Garda Síochána and with various levels of experience and training in dealing with reports of
rape. This qualitative assessment is essential in order to identify the most important factors in the process of reporting and investigating a rape case, as defined by the Garda. It will be also necessary to identify aspects of training which were perceived to be helpful or which need to be improved, according to Garda experience. All interviews will be conducted in strict accordance with the British Psychological Society’s (B.P.S) code of ethics. As stated in this document, all information obtained about a participant is confidential and remains subject to the Data Protection Act. Any information provided by participants will be treated confidentially and if published, will not be identifiable as theirs. Please refer to enclosed copy of Ethical Guidelines.

5.2 Secondly, the results of phase one will feed into a larger scale, questionnaire-based survey, which will enable a quantitative analysis of the nature of the relationships between the factors identified in phase one. In order for these results to be reliable and valid, a response rate figure of 400 participants is required. A quantitative analysis will also allow for the most predictive factors to be identified and specific hypotheses to be tested, thus establishing the generalisability of results overall. More specifically, in phase two the following is proposed:

a) To examine police officers’ perceptions and attitudes toward the investigation of rape and its relation to police work in general.

b) To investigate and establish the structure of police officers’ formal and informal working models throughout each stage in the reporting and investigation of rape.

c) To review the implications that these models have for the nature of police response and criming.

Several outcomes will be examined, and include:

a) Awareness of policy.

b) Acceptance of policy.

c) Knowledge of programmes.

d) Participation in programmes.

e) Degree of implementation.

Several statistical indicators will also be taken into consideration where applicable:

a) Reporting rates of rape.

b) Attrition rates.
c) Clear-up rates.

5.3 Lastly, this research proposes to undertake a more systematic analysis of outcome via a study of women’s experiences and perceptions of their coming into contact with the Gardaí when they report rape. Subject to a joint review and resolution of any ethical/methodological considerations raised, Garda co-operation and support would allow for a series of in-depth interviews with women who have reported rape to them. As previously outlined this will complete the study via a thorough examination of how services for victims are regarded from the consumer point of view. It will also allow for a far more extensive and meaningful critique of police policy and procedure, thereby lending more weight to any conclusions and recommendations made with respect to building upon and improving a professional police service. A number of similar studies and their findings have already been outlined. The Bacik, Maunsell & Grogan study however was limited due to its relatively small sample size for Ireland (n = 6), hence a larger scale study is required, that would test the reliability and generalisability of these findings in the Irish context. It is proposed that approximately 30 interviews will be conducted with women over the age of 17. The inherent ‘delicacy’ of research of this nature means that any system employed to contact the women will have to take into consideration the sensitivities involved. Accordingly, all subsequent stages in the research process will have to be planned and executed with the implications of such sensitivities in mind.

5.3.1 It would be considered inappropriate and a breach of confidentiality for women to be directly contacted by the researcher, to ascertain whether she would be willing to participate in the research. In a similar vein to the Temkin study commissioned by the Sussex police, it is suggested that a Research Unit liaison officer would contact the senior officer in charge of each case that qualified for inclusion in the study. The liaison officer would then ask him/her to instruct the Garda who had the most involvement with the complainant, to ascertain whether she would be willing to participate in the proposed research. Those who expressed willingness would then be contacted by the researcher.

5.3.2 From the beginning, all procedures and fine details of the study will be conscientiously planned in order to give the woman maximum knowledge, understanding, privacy and control over the research process. It will at all times be her decision only if she wants to proceed to the next level.

5.3.3 Certain clarifications would have to be delineated to all potential participants. Firstly, it would be specified at the first point of contact between the individual Garda and the woman that her identity is not known to the researcher who is conducting the study. If she is interested in participating in the research or hearing more information about it, then in confidence she can be contacted by the researcher and her final decision to participate can be made independently from the Garda.

5.3.4 She must be made aware that she is not under any pressure to participate, or remain in the research. It will be reinforced that participants will have the right to withdraw from the research at any point of the process and indeed can even withdraw retrospectively any consent given and require that her own information, including transcripts be destroyed.

5.3.5 In order to obtain informed consent, all aspects of the research will be explained in detail. The aims, objectives and purpose of the study, specifically the type of information that the researcher is interested in, will be outlined. For example it will be made clear that the purpose of the interview is for research into Garda services and does not have a therapeutic agenda in any respect. Hence, it will be emphasised that the interview will only be concerned with their decision to report rape to the police and their experiences of this contact. Emphasis will be placed on pinpointing aspects of Garda procedures and practice which produced favourable and unfavourable reactions. In this way, all aspects of the proposed study will be thoroughly conveyed, both orally and in written form, to meet the strict criteria for informed consent.

5.3.6 All possible implications of the interview and any psychological consequences have to be considered in order to protect the participants from foreseeable mental harm or secondary trauma. While any risks in terms of psychological distress will be avoided at all costs, women will be given names and numbers of Victim Support and Rape Crisis Centres, if they feel they need to talk with somebody in a therapeutic context. All participants will be informed of procedures to contact the researcher within a reasonable time period following interview, should questions or concerns arise despite the information and precautions provided. More detailed elaboration of the basic research principles described here can be found in the enclosed copy of the BPS Ethical Principles, according to which all research will be professionally abided by.

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6.0 Benefits and deliverables of research.

6.1 This proposal aims to fulfill the recommendations of The Walsh Report, by conducting a comprehensive assessment and evaluation of Garda initiatives in dealing with reports of rape and the policing of sexual violence against women. In this way, results will facilitate and inform further monitoring, planning and improvement of Garda policy and services.

6.2 The results of this research will complement strategically the research presently being undertaken by the Garda Research Unit, into the factors affecting the rates of attrition in the cases of sexual assault reported to the Gardaí in 1996. The results of both projects would add a significant other dimension, thereby enabling a more detailed, sophisticated and informative interpretation of both sets of results.

6.3 The current trend in the number of reported rapes is likely to remain the same and consequently will entail even more public and political scrutiny. Therefore, it is timely that an evaluation of the role and practice of the Gardaí is conducted in an attempt to establish the extent to which the force is fulfilling its role in the battle to combat the factors that give rise to the under-reporting of rape.

6.4 It has been documented by the Gardaí that research of this nature is required to meet the needs of ‘a more educated public who are demanding greater accountability, more professionalism, better value for money and higher standards of conduct and performance from members of the public’88. It is hoped that outcomes of the proposed research will enable further, informed consideration by Garda managers of the type of improvements that ought to be made toward the building of a more professional police service, within the boundaries of police responsibility.

6.5 While it is clear that there are alternative routes to obtaining a satisfactory sample for phase three of the proposal (e.g. through Rape Crisis, Victim Support, newspaper or radio advertisement, Student Welfare Services), the co-operation of the Gardaí would mean that the sample would be more representative and not so easily affected by negative response bias. Support would also be symbolic of a police force exhibiting genuine determination in a rigorous search for improvement via the examination of its modus operandi.

6.6 This study will also produce a valuable qualitative and quantitative database for Garda use. This will be a most advantageous resource in and of itself and for any future comparative research either within the Gardai or between other forces.
Appendix 5.4

Table outlining a selection of codes developed during the analysis

<table>
<thead>
<tr>
<th>Deployment</th>
<th>Investigative stages</th>
<th>Eventual decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>• female statement &amp; DDU investigate</td>
<td>• procedural steps in investigation</td>
<td>• team versus individual</td>
</tr>
<tr>
<td>• superiors coordinate investigation</td>
<td>• arrange for statement</td>
<td>• recommendation – interviewing gda</td>
</tr>
<tr>
<td>• Sgt doesn’t read recommendation</td>
<td>• doctors opinion on truth</td>
<td>• garda * seniors agree</td>
</tr>
<tr>
<td>• Supervise junior members</td>
<td>• doctor – base organise</td>
<td>• recommendation – joint decision</td>
</tr>
<tr>
<td>• Female statement and DDU advise</td>
<td>• doctor – rape kit</td>
<td>• talk about case with others</td>
</tr>
<tr>
<td>• Female statement and does it herself</td>
<td>• forensic examination</td>
<td>• recommendation might differ</td>
</tr>
<tr>
<td>• I.O does file and makes decision</td>
<td>• check family background</td>
<td>• decision – weigh up</td>
</tr>
<tr>
<td>• Probationer takes statement</td>
<td>• descriptions of the person</td>
<td>• decision – mental model</td>
</tr>
<tr>
<td>• Female task domain</td>
<td>• statement gathering</td>
<td>• decision – offender reckless</td>
</tr>
<tr>
<td>• Female caseload high</td>
<td>• own statement of evidence</td>
<td>• eventual decision of truth</td>
</tr>
<tr>
<td>• Not make task</td>
<td>• senior advice</td>
<td>• decision – thinking of court</td>
</tr>
<tr>
<td>• Seek help from female</td>
<td>• arrest reasonable grounds</td>
<td>• good witness – speaks well</td>
</tr>
<tr>
<td>• Gender roles</td>
<td>• offender interview</td>
<td>• good witness – strength of character</td>
</tr>
<tr>
<td>• Crime seriousness &amp; task distribution</td>
<td>• prepare IP for court</td>
<td>• garda 7 DPP same recomm</td>
</tr>
<tr>
<td>• Task assignment</td>
<td>• tell IP outcome</td>
<td>• DPP decision</td>
</tr>
<tr>
<td>• Task distribution is unequal</td>
<td>• total control of case</td>
<td>• Recommendation – corroboration</td>
</tr>
<tr>
<td>• Male statement and involved in investigation</td>
<td>• planning with partner</td>
<td>• Recommendation – his word versus hers</td>
</tr>
<tr>
<td>• Male detective gda takes statement – no female gda</td>
<td>• statement as soon as possible</td>
<td>• Recommendation – easier when know IP</td>
</tr>
</tbody>
</table>

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Appendix 6.1

Examples of extra quotes from chapter six

6.2.1 Conditions of certainty and uncertainty

Post(5 yrs) 9: “If you felt that she was genuine, she’s genuine”.

6.2.2 Investigative stages and conditions of certainty/uncertainty

PV(0 yrs) 11: “If they are doing a steady line [dating] or whatever, consent is dodgy then in your own mind it may be dubious or whatever like. Maybe she’s just getting back at him, sleeping around or whatever the case may be. Oh I don’t know now, you’d have to go about it another way then, perhaps that you take the statement say and then you take other statements then from a friend of hers...”

“I know people who can compose themselves differently in situations, under different stresses people act differently but nine times out of ten you’re guaranteed to get some reaction out of somebody in relation to a crime that serious, you know?”.

Pre(15 yrs) 5: “there is a name for, it’s something like double questioning, you know? When people are doing interviews the whole time you ask something and you ask it again to see if it’s the same, like a retest, I would do that sometimes”.

6.2.3 Constructing a ‘commonsense’ story

Post (5 yrs) 2: “to get the story straight in my own head”.

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Pre(15 yrs) 5: "It's like telling a story. Telling them about yourself, how did all this happen, what was your relationship with him? Did it happen once, say 10 O'Clock at night. What did you do that day? Where did you do after then? Where did it happen? Did you say no? What happened after? So, it's a story".

Pre(15 yrs) 6: "take the incident format. Exactly what happened in chronological order......there is the description there rather than have the whole thing mixed up together, kinda have one, two, three, and four".

Pre(15 yrs) 8: "With loads of factual detail that would run like a story from start to finish".

PV(0 yrs) 2: "If you can tell it in a story at the same time, you want the story to tell like what happened".

6.2.4 Evidence evaluation and story construction

Post (5 yrs) 9: "Forensics [evidence] is always the best".

6.3 Final Deliberative Stage

Int: What sways your recommendation there?
Post(5 yrs) 10: "We would have to recommend if you think there is enough evidence and if you think you know what they should be charged with".

Pre(15 yrs) 9: "Yes, you just go through it and see what you have. If he [culprit] has made a statement, if there are witnesses that have picked him out. If there is forensic evidence. Put the file together and out everything you have in the file and recommend on the strength of it".
PV(0 yrs) 13: “you might never even know. It’s not a case of okay, say you have a case of rape, I suppose curiosity really, you’ll always wonder is she telling the truth or telling a lie, but it’s not until the hard evidence comes in that you know for sure”.

Pre(15 yrs) 1: “Our judgement will be based on the evidence available, so similar to the DPP and if the evidence is not there, we’d recommend that”.

Post(5 yrs) 8: “you would take it all into consideration, of course the forensic is very important, you can’t dispute that. You can dispute what somebody tells you yourself but you can’t dispute medical evidence. Or lack of it as the case may be. If you have a culprit, admissions then you can rely heavily on that. That is the hardest part of the file is making the recommendation unless you are one hundred percent”.

6.3.2 Undifferentiated Alternative Stories

Pre(15 yrs) 5: “It’s not one thing, it’s a picture. Fits in”.

PV(0 yrs) 7: “when you have talked to everybody [you make up your mind]. He would want to hear all sides, get all opinions and versions and see what best fits. What makes sense”.

Int: At what point do you make up your mind about the case?
PV(0 yrs) 1: “I’d say when it’s finished basically and you have read and see if it all adds up because it is like everything else there are two sides to every story”.

In response to the question: How does ‘experience’ help you? Post (5 yrs) 3 replied: “It helps with weighing up. Obviously if you are doing files and you see maybe mistakes you’ve made and you shouldn’t have made and say I need to cover more on my file, say to get a direction. You sent in a file and they [DPP] say ‘you need this and that’. You learn as you go along and the next file you make sure you won’t make a mistake”.

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Post(5 yrs) 7: “You have to make up your mind and say either it did or it didn’t [happen]. ..Get both sides of the story. It’s one person against the other”.

Post(5 yrs) 9: “Somebody who’s cooperating throughout the whole investigation. That’s been able to deal with it. Get up in the box and just describe and go through it”.

Pre(15 yrs) 7: “somebody who is articulate and is not put off by the, it can be very hard. Somebody who is determined to see justice done”.

PV(O yrs) 6: “I know in the case I dealt with, she said ‘I can’t go to court’, and I was thinking myself this day, she was so upset telling me the details of what happened, I thought God help her if it goes to court”.

6.3.3 Uncertainty and uncertain recommendations

Int: At what point do you tend to make up your mind about a case?
Pre(15 yrs) 6: “I don’t generally tend to make up my mind really. If I had a doubt I would simply go ahead with all the details, and take it from there, send the file to the DPP. I wouldn’t make up my mind one way or the other. You can send your recommendations in with the file”

One probationer (PV(O yrs) 13) participant explained that she would be inclined to recommend to proceed with all cases to the DPP, “but just to outline the fact that you know there are problems”. PV(0 yrs) 13 concurs with other participants who suggest that if they are dubious about a case they will outline the reasons for this.

PV(0 yrs) 1: “I’d write that [problems] in the conclusion, that I felt maybe there was something not quite right”.

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Appendix 7.1

Questionnaire for the second piece of empirical research

Questionnaire is printed on the following page for formatting reasons.
Strictly Confidential

Please try to answer all questions. There are no right or wrong answers as it is your opinions and impressions that are of interest. These are fundamental toward understanding the nature of your work, and to developing any training recommendations. This is an anonymous survey. It is important that you state exactly what you think on each of the questions without exaggeration and without worrying about what other people think. If none of the categories given for a question exactly fits your opinion, please circle the one closest to your opinion.

The information provided within this questionnaire will be treated as strictly confidential material by the researcher. The research is interested in identifying trends and no individual script will be commented upon in subsequent reports. All questionnaires, once analysed, will be shredded.

This questionnaire takes approximately 20 minutes to complete. Try not to deliberate too long over any one question, as your first answer is usually the best.

Thank you for your help.

SECTION A

It would be helpful if you could provide the following details by ticking/writing your answer in the most appropriate box.

1) Your Age
2) Your Rank
3) Your Sex
4) Your current role in An Garda Síochána (please tick main duty only)
   Uniformed
   Detective
   Special division/unit (please describe)
   Other (please describe)
5) Could you please indicate your normal working hours.
   "regular"/shift work
   Other (please specify)
   Flexible tour
   9am – 5pm
6) How long have you been in this role?
7) Have you ever worked in a different capacity to the one just indicated?
If yes, could you specify your previous role(s)?

8) Could you please indicate your length of service in An Garda Síochána (please exclude any extended career breaks taken) ________ YEARS

9) Could you please tick one of the following categories that best describes where you currently work?

- DMR station
- Large town
- Small town
- Rural station
- Other city station
- HQ, Harcourt Sq.
- Garda College
- Specialist Unit
- Other (please specify)

10) Could you please tick any of the following educational qualifications you have obtained?

- None
- Intermediate Certificate
- Leaving Certificate
- Diploma/Cert./PLC
- Degree
- Post Graduate
- Other (please specify)

If applicable, could you please indicate when third level study was completed?

11) As part of your job, have you undertaken any specialist training courses (apart from compulsory in-service training)?

Yes [ ] No [ ]

If yes, could you please list the course(s)?

12) Please tick one of the boxes in response to each question (A – F) below.

A) How often have you had conversations about rape cases with other members?

- Never
- Sometimes
- Often

B) How much experience do you have in being involved with primary aspects of rape investigations? E.g. accompanying an injured party to hospital or taking witness statements?

- None
- Some
- A lot

C) How much experience do you have in being involved with secondary aspects of rape investigations? E.g. driving a complainant to the scene, assisting officers directly involved in a case?

- None
- Some
- A lot

D) How much experience do you have as the primary investigating member in rape investigations?

- None
- Some
- A lot

E) How much experience do you have of writing prosecution recommendations in

- None
- Some
- A lot
rape cases?

F) How much experience do you have of dealing with sexual crimes other than rape?

None  Some  A lot

SECTION B: All questions in this section relate to the rape of adult women only.

13) Can you please think of the last report of alleged rape you dealt with or heard of at work/training college. Can you try to recall how the allegation was made, what was likely to be going through members’ minds and what happened with that case.

Can you please briefly describe the main investigative decision that had to be made in relation to this allegation? In other words, once immediate procedures were completed, what was the primary investigative concern among members?

__________________________________________________________

What other decisions had to be made, secondary to the above?

__________________________________________________________

Do you think that this allegation was typical of reports of rape received by the Gardaí in general (please tick the most appropriate answer below)?

Very typical  Typical  Not so typical  Not at all typical

Why is this?

__________________________________________________________

14) Could you please read each of the following statements and indicate the extent to which you disagree or agree, by circling an appropriate number. The numbers range from 1 (strongly disagree) to 5 (strongly agree).

1 2 3 4 5

Strongly disagree  Disagree  Neither agree nor disagree  Agree  Strongly agree

A: “The extent of a woman’s resistance should be a factor in determining if a rape has occurred”.

411
In general, to what extent do you think that Irish society would agree or disagree with the above statement?

In general, to what extent do you think members of the Garda Síochána would agree or disagree with the above statement?

From your own experience, to what extent do you, in general, agree or disagree with the above statement?

B: “Intoxicated women are usually willing to have sexual intercourse”.

In general, to what extent do you think that Irish society would agree or disagree with the above statement?

In general, to what extent do you think members of the Garda Síochána would agree or disagree with the above statement?

From your own experience, to what extent do you, in general, agree or disagree with the above statement?

C: “Accusations of rape by prostitutes should be viewed with suspicion”.

In general, to what extent do you think that Irish society would agree or disagree with the above statement?

In general, to what extent do you think members of the Garda Síochána would agree or disagree with the above statement?

From your own experience, to what extent do you, in general, agree or disagree with the above statement?

D: “A healthy woman can successfully resist a rapist if she really tries”.

In general, to what extent do you think that Irish society would agree or disagree with the above statement?

In general, to what extent do you think members of the Garda Síochána would agree or disagree with the above statement?

From your own experience, to what extent do you, in general, agree or disagree with the above statement?

E: “In a U.S. rape case, a judge gave the defendant a light sentence, reasoning in part, that the defendant was simply responding normally to women’s suggestive clothing today”.

412
In general, to what extent do you think that Irish society would agree or disagree with the judge's reasoning?

In general, to what extent do you think members of the Garda Síochána would agree or disagree with the judge's reasoning?

From your own experience, to what extent do you, in general, agree or disagree with the judge's reasoning?

F: “Women from working class areas are more likely to make allegations of rape that are unfounded, than are women from other areas”.

In general, to what extent do you think that Irish society would agree or disagree with the above statement?

In general, to what extent do you think members of the Garda Síochána would agree or disagree with the above statement?

From your own experience, to what extent do you, in general, agree or disagree with the above statement?

G: “Sexually experienced women are not as emotionally damaged by rape as other women are”.

In general, to what extent do you think that Irish society would agree or disagree with the above statement?

In general, to what extent do you think members of the Garda Síochána would agree or disagree with the above statement?

From your own experience, to what extent do you, in general, agree or disagree with the above statement?

15) Could you please consider the following statements and answer each question, by circling one appropriate number below. Please note that the numbers range from 1 (never happens) to 5 (always happens).

---

In general, to what extent do you think that Irish society would agree or disagree with the judge's reasoning?

In general, to what extent do you think members of the Garda Síochána would agree or disagree with the judge's reasoning?

From your own experience, to what extent do you, in general, agree or disagree with the judge's reasoning?

F: “Women from working class areas are more likely to make allegations of rape that are unfounded, than are women from other areas”.

In general, to what extent do you think that Irish society would agree or disagree with the above statement?

In general, to what extent do you think members of the Garda Síochána would agree or disagree with the above statement?

From your own experience, to what extent do you, in general, agree or disagree with the above statement?

G: “Sexually experienced women are not as emotionally damaged by rape as other women are”.

In general, to what extent do you think that Irish society would agree or disagree with the above statement?

In general, to what extent do you think members of the Garda Síochána would agree or disagree with the above statement?

From your own experience, to what extent do you, in general, agree or disagree with the above statement?
Never happens | Rarely happens | Sometimes happens | Often happens | Always happens

A: “Women who make allegations of rape against their boyfriends, husbands or partners are lying”.

How often does *Irish society* think the above happens?

1 2 3 4 5

How often do members of the Garda Síochána think the above happens?

1 2 3 4 5

In your own professional experience, how often do you think the above happens?

1 2 3 4 5

B: “Women invent rape allegations if they fear they are pregnant”.

How often does *Irish society* think the above happens?

1 2 3 4 5

How often do members of the Garda Síochána think the above happens?

1 2 3 4 5

In your own professional experience, how often do you think the above happens?

1 2 3 4 5

C: “Women who report rape are lying because they are angry or want revenge on the accused”.

How often does *Irish society* think the above happens?

1 2 3 4 5

How often do members of the Garda Síochána think the above happens?

1 2 3 4 5

In your own professional experience, how often do you think the above happens?

1 2 3 4 5

16) The next section consists of pairs of statements, labelled A and B. Could you please read both statements and *choose the one you most agree with* by ticking the box alongside that statement. It is important to choose the statement that best reflects your experience as a member of An Garda Síochána.

Pair 1: Please choose one.

A) From the point of view of the police, it is necessary to establish firstly if an allegation of rape is a genuine one.
B) From the point of view of the police, it is unnecessary to establish firstly if an allegation is a genuine one.

Pair 2: Please choose one.
A) Probationer Gardaí need to be told to be wary, as not all allegations of rape are genuine.

B) It is unnecessary for Probationer Gardaí to be told to be wary of false rape allegations.

Pair 3: Please choose one.
A) Questioning the truth of an allegation, is of no more importance in rape cases, than it is for other types of crime.

B) Questioning the truth of an allegation, is more important in rape cases than it is for other types of crime.

Pair 4: Please choose one.
A) Generally speaking, taking a statement of complaint from an injured party is a good way of assessing the truth of a rape allegation, whilst taking details.

B) Generally speaking, taking a statement of complaint from an injured party is less about assessing the truth of an allegation and more about taking details.

Pair 5: Please choose one.
A) ‘Gut feeling’ and ‘police instinct’ are less important investigative skills that members rely upon when confronted with a complaint of rape.

B) ‘Gut feeling’ and ‘police instinct’ are crucial investigative skills that members rely upon when confronted with a complaint of rape.

Pair 6: Please choose one.
A) When a complaint of rape is received you are not so concerned initially with whether the complaint is genuine or not.

B) When a complaint of rape is received it is not too long before you get a feeling whether the complaint is genuine or not.
17) Please RANK ORDER the TWO most frequently used rape interviewing styles from the following descriptions (A-D).

Write the number “1” in the box beside the description that you consider to be the most frequently used by you/other members, when interviewing a rape complainant. Write the number “2” in the box that you consider to be the second most frequently used interviewing style by you/other members.

A) One adopts an interviewing style that is co-operative, that focuses on solving problems, is helpful, friendly, supportive and is aimed at getting the complainant to tell the truth.

B) One adopts an interviewing style that is matter-of-fact, business-like, factual, and aimed at securing evidence.

C) One adopts an interviewing style that is co-operative, non-judgemental, professional, and aimed at securing evidence.

D) One adopts an interviewing style that is matter-of-fact, up-front, to the point, and aimed at getting at the complainant to tell the truth.

18) Do you think there is a need for local, specially trained members of An Garda Síochána who deal exclusively with sexual offences? (please tick one box.)

Yes ☐ No ☐

Can you please describe why you think this? ________________________________

SECTION C: The final section of this questionnaire deals with work attitudes and practices.

19) Could you please read each of the following statements and indicate the extent to which you disagree or agree, by circling one appropriate number. The numbers range from 1 (strongly disagree) to 5 (strongly agree).

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
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<tbody>
<tr>
<td>Strongly disagree</td>
<td>Disagree</td>
<td>Neither agree</td>
<td>Agree</td>
<td>Strongly agree</td>
</tr>
</tbody>
</table>

I am willing to put in a great deal of effort, to help the Garda Síochána be successful in reaching its goals. 1 2 3 4 5

I enjoy discussing the Garda Síochána with people outside it. 1 2 3 4 5
I feel very little loyalty to the Garda Síochána.

I would accept almost any type of job assignment in order to keep working for the Garda Síochána.

I find that my values and the values of the Garda Síochána are very similar.

I am proud to tell others that I am a member of the Garda Síochána.

The Garda Síochána really inspire the very best in me in the way of job performance.

I am extremely glad that I chose the Garda Síochána to work for, over other types of work I was considering at the time I joined.

Often I find it difficult to agree with the Garda Síochána’s policies on important matters relating to its members.

I really care about the fate of the Garda Síochána.

For me, this is the best of all possible organisations to work for.

There’s not much to be gained from sticking with the Garda Síochána indefinitely.

I really feel as if this organisation’s problems are my own.

The Garda Síochána has a great deal of personal meaning for me.

I do not feel a strong sense of belonging to the Garda Síochána.

At work people pitch in to help each other out.

Among the people at work there are few close relationships.

There is a lot of 'team spirit' among members working together.

You never feel like you are working on your own in this job.

I feel I have a lot in common with other Garda members I know.

Members tend not to rely on one another when working.

I do not feel like 'part of the family' where I work.
Most of the time you can say what you think without it being held against you. 1 2 3 4 5
In general, there are serious repercussions if I make any error at work. 1 2 3 4 5
My supervisor backs me up and lets me learn from my mistakes. 1 2 3 4 5
One has to be careful of making mistakes, as they are treated seriously. 1 2 3 4 5
It usually doesn’t pay to rock the boat. 1 2 3 4 5
Order and discipline are essential to job success. 1 2 3 4 5
Final decisions, no matter how small, should always be checked with superiors. 1 2 3 4 5
You don’t get ahead at work unless you bend the rules and take a chance now and again. 1 2 3 4 5
The philosophy in this station would emphasise that people should solve their problems by themselves. 1 2 3 4 5
It is best to give individuals the freedom to do things their own way 1 2 3 4 5
Good workers accept procedures without question 1 2 3 4 5
My supervisor likes me to consult him/her before I take any action 1 2 3 4 5

It often happens that the way you are told to do something is not the best way 1 2 3 4 5
Listening to other members, is not the best way to go about learning how to do your job. 1 2 3 4 5
By and large, colleagues talk to one another about the members of the public that they come into contact with. 1 2 3 4 5
We try to keep each other informed of what is going on in the station 1 2 3 4 5
Talking to colleagues is an important element of learning how work is done. 1 2 3 4 5
The grapevine keeps me appropriately informed 1 2 3 4 5

418
I work more effectively when other members communicate with me  

When doing a job that you have not done before, it is much better to consult work manuals than it is to ask other members.

20) How would you rate Garda training in relation to the investigation of sexual crime (please circle one number)?

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</thead>
<tbody>
<tr>
<td></td>
<td>Very Poor</td>
<td>Poor</td>
<td>Adequate</td>
<td>Good</td>
<td>Excellent</td>
</tr>
</tbody>
</table>

Could you please explain your answer?

________________________________________________________________________

________________________________________________________________________

If you have any other comments you would like to make in relation to Garda training and the investigation of sexual crime, please feel free to make these below.

________________________________________________________________________

Thank you.
Appendix 7.2

Items from the OCQ and OCS

To assess level of identification (loyalty or bond with the police force) with the police, the Organizational Commitment Questionnaire (Mowday, Steers & Porter, 1979) could be employed. The OCQ is thought to tap into two factors,

I am willing to put in a great deal of effort beyond that normally expected in order to help this organisation be successful

I talk up this organisation to my friends as a great organisation to work for

I feel very little loyalty to this organisation.

I would accept almost any type of job assignment in order to keep working for this organisation.

I find that my values and the organisation’s values are very similar

I am proud to tell others that I am part of this organisation.

I could just as well be working for a different organisation as long as the type of work was similar.

This organisation really inspires the very best in me in the way of job performance.

It would take very little change in my present circumstances to cause me to leave this organisation.
I am extremely glad that I chose this organisation to work for, over others I was considering at the time I joined.

There's not much to be gained from sticking with this organisation indefinitely

Often I find it difficult to agree with this organisation's policies on important matters relating to its employees.

I really care about the fate of this organisation.

For me, this is the best of all possible organisations to work for.

Deciding to work for this organisation was a definite mistake on my part.

The following is the 'Affective Commitment' component to the Organization Commitment Scale (Meyer & Allen's, 1997), (which has three components in total). While this component of the scale correlates highly with the OCQ, (and hence might be seen to be redundant) it is intended to specifically address aspects of organisational identification. It deals with self-identification and its relation to commitment as behaviour where employees demonstrate attachment behaviours to the organisation's values and goals. The following questions comprise the scale, and are answered on a seven point Likert scale, from strongly disagree, to strongly agree.

I would be very happy to spend the rest of my career with this organisation.

I enjoy discussing this organisation with people outside it.

I really feel as if this organisation's problems are my own.

I think that I could as easily become attached to another organisation as I am to this one.
I do not feel like 'part of the family' at my organisation.

I don not feel 'emotionally attached' to this organisation.

This organisation has a great deal of personal meaning for me.

I don not feel a string sense of belonging to my organisation.
Appendix 7.3

Garda proposal for questionnaire study, including research brief and summary of measures.

Title: An assessment and evaluation of Garda training and development policies toward the reporting of rape and the policing of sexual violence.

This document consists of a research brief, outlining the aims and rationale of the third and final phase of the above research, which focuses especially on training implications.

Date of research clearance: July 1999

Researcher: Stephanie O'Keeffe, Department of Psychology, University of Surrey, Guildford, U.K.
**Title of study three:** A questionnaire-based study examining rape investigative processes, in relation to differential levels of training, length of tenure, rape investigative experience, attitudes toward rape and attitudes toward work on a station and organisational level.

**Sample characteristics:** This questionnaire will be posted to a random sample of approximately 8 members of An Garda Síochána of Garda rank, with varying levels of training and rape investigative experience.

**Background:** The design of this questionnaire builds upon the findings of two previous qualitative studies undertaken by the researcher.

i) **Study one:** This study provided access to problem identification through interviews conducted with Garda members which suggested that the sometimes informal nature of the investigative process results in important skills developed during training, not being usefully applied on an operational level. Key factors identified in these interviews hypothesised to influence investigative process include level of training, length of tenure, investigative experience, attitudes toward rape and the working context.

ii) **Study two:** This study provided further insight and development of key findings of study one through interviews conducted with female complainants of rape.

**Study three aims:** This study seeks to extend and consolidate these findings in order to develop sound solutions, from a more sophisticated understanding and robust analysis of the effectiveness of training and the investigative process. In order to make recommendations concerning Garda training procedures we need to examine the inter-relationships of the above factors. Thus, the study aims to:

i) Provide a systematic statistical assessment of Garda training initiatives. Through the inclusion of measures designed to assess key factors thought to affect the investigative process, it will be possible to identify and elaborate critical factors that enable training objectives to be fulfilled. In this way, t
current study aims to ‘unpack’ the complex inter-relationships between training, the investigati
process and other individual/occupational factors.

ii) A reliable and theoretically coherent understanding and assessment of the dynamics of Garda traini
and the investigative process, will enable the design and development of a training interventi
strategy that will allow for some reflection on current practice and enable targeting and improveme
of delivery of training in this area.

iii) An intervention strategy (that includes training recommendations), directly derived from research
this kind leads to a more sophisticated solution that is rooted in the experiences of a large number
police members. This approach to the development of training recommendations offers a high degr
of reliability and confidence in the evidence base. In this way the intervention strategy is highly like
to be successful if implemented by An Garda Síochána.

iv) The completion of the final phase of this research project can deliver beneficial results to An Gar
Síochána, as previously outlined in section 6.0 - 6.6 of the original research proposal. These includ
fulfilling the recommendations of the Walsh Report, contributing to improvements designed to buil
professional police service, and providing a valuable quantitative database for Garda use, to mentio
few.

Study measures: The items and measures in this questionnaire have been chosen, where possible, from
validated, standardised and published scales. Some of these scales have had to be adapted to suit the
research context of this study. Where no suitable measure could be found, scales were developed by the
researcher and/or amalgamated from a number of similar published scales. Attempts were made to
strike a balance between keeping repetitive questions to a minimum and not compromising the
technical integrity of the measures. Efforts were particularly focused on items in the questionnaire that
could result in ‘questionnaire fatigue’ for some respondents, who may have completed previous
questionnaires containing similar occupational measures. Whole scales were only included in the
questionnaire where subsequent comparisons with other published work would prove informative and
pertinent to training interventions.
Key to the success of study three and to allow completion of the whole project, is the need to cross reference attitudes, values and behaviours of members. Changes in service delivery will not be effective if these interactions are not properly understood.

Questionnaire measures include the following:

1) A scale assessing beliefs about rape. The items in this measure have been adapted from the following scales: Rape Awareness Scale, (Schwartz, Williams & Pepitone-Rockwell 1981) and the Rape Myth Acceptance Scale (Burt 1980).

2) Three separate measures were designed by the researcher to assess differential investigative approaches to the investigation of rape, on an attitudinal and behavioural level. These measures include a self-report, open-ended technique and two scales that incorporate a forced choice response format. These measures were designed by the researcher on the basis of findings from study one and research conducted by Deputy Chief Constable Thomas Williamson of Nottingham constabulary, now Chair of the U.K. Behavioural Investigation panel. Williamson (1993), examined and identified different police investigative interviewing styles in order to promote training in police questioning. Williamson’s work provides the basis for one of the measures developed for the study.

3) Organisation commitment, in particular levels of organisational identification are assessed with the Organizational Commitment Questionnaire (OCQ), developed by Mowday et. al. (1979) and the affective items of Allen & Meyer’s (1990), Organizational Commitment Scale (OCS). Responses to this measure and their interaction with other variables in the questionnaire are central to fulfilling the aims of this study.

4) Each of the following constructs are assessed by a number of items each: Levels of group cohesion, levels of autonomy, error tolerance or organisational latitude for mistakes, patterns of communication and learning. The items developed to assess each of these constructs are adapted and amalgamated from the following measures: Koys and DeCotiis’ (1991) autonomy and cohesi
scales, Litwin & Stringer’s (1968) responsibility scale, Glaser’s (1983), Corporate Culture Survey, Metcalfe & Dick’s (2000), Police Organisational Support scale and Furnham & Gunter’s (1993) Corporate Culture questionnaire. Not all of the items in these scales could be employed in the study, as many were unsuitable or inappropriate for the research context.

References


Appendix 7.4

Results: Data Screening, Scale Structure and Scale Reliability

The findings of each measure has been outlined in turn; 1: Negative rape belief scales; 2: Rape experience scale; 3: Veracity Oriented Investigative Goals; 4: Commitment; 5: Cohesion; 6: latitude for mistakes; 7: communication style.

Findings are reported by firstly presenting an item analysis (item means, standard deviations, inter-item correlation matrix). Following from this are the results of reliability analysis (Cronbach’s Alpha) and findings that indicated the underlying structure of each scale.

The following measures were modified as a result of the above procedures: All three rape belief measures; commitment scale; cohesion scale; risk taking and communication scale. The autonomy scale was omitted from analysis as was the cohesion scale.

1: Negative Rape Belief Scales

1a) Societal Negative Rape Belief scale (SNRB)
Below, table 6.5 illustrates descriptive statistics for the ten items in this scale. This table includes the item mean, standard deviation (S.D) and inter-item correlations (r).

<table>
<thead>
<tr>
<th>Item</th>
<th>Mean</th>
<th>S. D</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
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<tr>
<td>Item 2</td>
<td>3.1</td>
<td>1.1</td>
<td>.45</td>
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</table>
Table 7.4.1: Mean, standard deviation and inter-item correlations for Societal Negative Rape Beliefs (n=319-324).

<table>
<thead>
<tr>
<th>Item 3</th>
<th>3.4</th>
<th>1.1</th>
<th>.40</th>
<th>.53</th>
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<td>1.1</td>
<td>.30</td>
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<td>Item 7</td>
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<td>1.1</td>
<td>.23</td>
<td>.26</td>
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<td>2.8</td>
<td>.7</td>
<td>.08</td>
<td>.16</td>
</tr>
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<td>Item 9</td>
<td>2.8</td>
<td>.9</td>
<td>.10</td>
<td>.24</td>
</tr>
<tr>
<td>Item 10</td>
<td>2.6</td>
<td>.8</td>
<td>.27</td>
<td>.31</td>
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Reliability and factor structure

The alpha coefficient (Cronbach’s alpha) for the SNRB scale is .79, suggesting that there is a high degree of internal consistency between the scale items. A Principle Components Analysis (PCA) was calculated to examine the underlying structure of the scale. Orthogonality of underlying dimensions was not assumed, hence, this analysis employed an oblique rotation, which allowed any resulting components to be correlated with one another (direct quartimin; δ = 0). A number of other factor analytic methods were applied to the data but the PCA was found to provide the most parsimonious and theoretically interpretable results. This analysis found that the scale has two main underlying factors, or components and is not uni-dimensional as anticipated. The oblique rotation indicated that these two factors are positively correlated, r = .34. Pattern coefficients are outlined in the table 7.4.2 below. A scree

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89 It is thought that if this scale is measuring more than one underlying dimension it is likely that these will be correlated. For this reason a Principle Components Analysis was used to examine factor structure and orthogonality is not assumed.

90 Numerous factor analytic techniques were calculated for all the scales. PCAs are reported throughout the findings for consistency.
plot also suggested that there are two latent factors in this variable. The ten items in this measure from two separate, albeit correlated scales.

<table>
<thead>
<tr>
<th>Item</th>
<th>Component I</th>
<th>Component II</th>
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<tr>
<td>Item 1</td>
<td>.757</td>
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<td>.701</td>
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<td>Item 10</td>
<td>.226</td>
<td>.529</td>
</tr>
</tbody>
</table>

Table 7.4.2: Pattern Matrix coefficients for SNRB scale.

All items with pattern coefficients over .45 are shown in boldface.

The two extracted components account for 47.5% of variance in the variables.

**SNRB Scale 1:** The first six items in the scale (resistance, drink, prostitute, healthy, clothing and class) are well defined by the factor solution. They appear to include four strong marker variables, with a satisfactory high unique contribution of the factor to the variance in each variable. The seventh item is complex and shares variance with both components. A reliability analysis on the first seven items does not suggest any item to be omitted that would improve the alpha coefficient. This scale, comprising of the first 7 items, accounts for 36% of the variance before rotation. These items that have more to do with stereotyped categorisations of rape victims. This new scale has a reliability of (alpha coefficient) of .78.

**SNRB Scale 2:** The second scale consists of three items, two of which are marker variables (item 8 and 9). One is a complex variable that also shares some variance with the first component (item 10). All variables fall above the cut-off of .45 (20%)
for inclusion of a variable in the interpretation of a component (Tabachnick & Fidell 1996). The second scale concerns justifications for beliefs in false report levels and those who make false reports. This scale has an alpha coefficient of .6

New Scale statistics:

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>S.D.</th>
<th>Min</th>
<th>Max</th>
<th>reliability</th>
<th>r</th>
</tr>
</thead>
<tbody>
<tr>
<td>SNRB1</td>
<td>18.24</td>
<td>5.25</td>
<td>7</td>
<td>33</td>
<td>.78</td>
<td></td>
</tr>
<tr>
<td>SNRB2</td>
<td>8.15</td>
<td>1.7</td>
<td>3</td>
<td>12</td>
<td>.6</td>
<td>.45**</td>
</tr>
</tbody>
</table>

Table 7.4.3: Scale statistics for Societal Negative Rape Belief scales (SNRB) 1 & 2.

1b) Colleague Negative Rape Belief scale (CNRB)

Below is a table illustrating item statistics for the 10 items in this scale. This table includes the item mean, standard deviation and inter-item correlations.

| Item  | Mean | S.D  | 1   | 2   | 3   | 4   | 5   | 6   | 7   | 8   | 9   | 10  |
|-------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Item1 | 2.2  | 1.1  |     |     |     |     |     |     |     |     |     |     |
| Item2 | 2.6  | 1.1  | .37 |     |     |     |     |     |     |     |     |     |
| Item3 | 2.8  | 1.2  | .27 | .44 |     |     |     |     |     |     |     |     |
| Item4 | 1.6  | .79  | .28 | .30 | .37 |     |     |     |     |     |     |     |
| Item5 | 2.0  | .98  | .31 | .43 | .38 | .38 |     |     |     |     |     |     |
| Item6 | 2.2  | 1.1  | .20 | .36 | .34 | .32 | .41 |     |     |     |     |     |
| Item7 | 1.7  | .92  | .22 | .30 | .30 | .43 | .41 | .38 |     |     |     |     |
| Item8 | 2.7  | .67  | .14 | .21 | .30 | .22 | .09 | .13 | .23 |     |     |     |
| Item9 | 2.6  | .84  | .17 | .25 | .16 | .12 | .20 | .21 | .20 | .25 |     |     |
| Item10 | 2.4  | .76  | .21 | .25 | .19 | .18 | .25 | .22 | .25 | .30 | .40 |     |

Table 7.4.4: Descriptive statistics and Inter-item correlation matrix for CNRB scale (n=319-324).
Factor structure and reliability

A PCA was calculated, with oblique rotation (direct quartimin; $\delta = 0$) to examine the underlying structure of this scale and to confirm that items were measuring the hypothesised construct. Two components were extracted, with very similar structure to the SNRB. These components explained 47% of variance in the variables before rotation. The first factor accounted for 35% of the variance. All items in the scale appear to be well defined by the factor solution. Table 6.8 below, outlines the component pattern coefficients (as identified in the pattern matrix) for each item.

<table>
<thead>
<tr>
<th>Item</th>
<th>Component I</th>
<th>Component II</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item 1</td>
<td>.509</td>
<td>.000</td>
</tr>
<tr>
<td>Item 2</td>
<td>.644</td>
<td>.102</td>
</tr>
<tr>
<td>Item 3</td>
<td>.665</td>
<td>.000</td>
</tr>
<tr>
<td>Item 4</td>
<td>.720</td>
<td>-.101</td>
</tr>
<tr>
<td>Item 5</td>
<td>.772</td>
<td>.000</td>
</tr>
<tr>
<td>Item 6</td>
<td>.654</td>
<td>.000</td>
</tr>
<tr>
<td>Item 7</td>
<td>.624</td>
<td>.000</td>
</tr>
<tr>
<td>Item 8</td>
<td>.000</td>
<td>.648</td>
</tr>
<tr>
<td>Item 9</td>
<td>.000</td>
<td>.785</td>
</tr>
<tr>
<td>Item 10</td>
<td>.000</td>
<td>.754</td>
</tr>
</tbody>
</table>

Table 7.4.5: Pattern Matrix for Colleague Negative Rape Belief scale

All items with pattern coefficients over .45 are shown in boldface

These two components were found to be moderately correlated, ($r = .39$), as would be expected, given the nature of the components extracted.
CNRB1: Similarly to the previous scale, the first component, comprising a new scale appears to consist of items that measure stereotyped categorisations of rape victims.

CNRB2: The second component concerns stereotyped beliefs in false report levels and women who make false reports. See scale statistics in the table below.

New Scale Statistics:

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>S.D.</th>
<th>Min</th>
<th>Max</th>
<th>reliability</th>
<th>r</th>
</tr>
</thead>
<tbody>
<tr>
<td>CNRB1</td>
<td>15.03</td>
<td>4.65</td>
<td>7</td>
<td>29</td>
<td>.78</td>
<td></td>
</tr>
<tr>
<td>CNRB2</td>
<td>7.72</td>
<td>1.68</td>
<td>3</td>
<td>12</td>
<td>.6</td>
<td>.41**</td>
</tr>
</tbody>
</table>

Table 7.4.5: Scale statistics for Colleague Negative Rape Belief scales (CNRB) 1 & 2.

** p<.01

1c) Personal Negative Rape Belief scale (PNRB)

Table 7.9 below, illustrates the descriptive statistics and inter-item correlation matrix for the ten items in this scale.
PCA and reliability

A PCA was calculated, with oblique rotation (direct quartimin; \( \delta = 0 \)) to examine the underlying structure of this scale. Two components were extracted, with the same structure to the SNRB and CNRB. These components explained 44% of variance in the measure. The first component accounted for 31.5% of the variance before rotation and the second factor contributed a further 12.5% to the variance in rape beliefs. Most items in the scale appear to be well defined by the factor solution. Table 7.10 below outlines the component coefficients (as identified in the pattern matrix):

<table>
<thead>
<tr>
<th>Item</th>
<th>Component I</th>
<th>Component II</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>.371</td>
<td>.237</td>
</tr>
<tr>
<td>2</td>
<td>.393</td>
<td>.351</td>
</tr>
<tr>
<td>3</td>
<td>.467</td>
<td>.154</td>
</tr>
<tr>
<td>4</td>
<td>.728</td>
<td>-.134</td>
</tr>
<tr>
<td>5</td>
<td>.688</td>
<td>.000</td>
</tr>
<tr>
<td>6</td>
<td>.663</td>
<td>.000</td>
</tr>
<tr>
<td>7</td>
<td>.754</td>
<td>-.136</td>
</tr>
<tr>
<td>8</td>
<td>.000</td>
<td>.613</td>
</tr>
<tr>
<td>9</td>
<td>-.133</td>
<td>.839</td>
</tr>
<tr>
<td>10</td>
<td>.111</td>
<td>.678</td>
</tr>
</tbody>
</table>

Table 7.4.7: Pattern Matrix for Personal Negative Rape Belief scale

All items with pattern coefficients over .45 are shown in boldface.
Both components have readily identifiable marker variables. Similarly to the previous scale the first component appears to consist of items that measure stereotyped categorisations of rape victims. The second component concerns stereotyped beliefs in false report levels and those who make false allegations. Items one and two however, are complex. They share variance with both components, item two being particularly complex. It is possible that both these items are more closely identified with false rape allegations as both items specifically concern the issue of consent. Item one states that resistance should be a factor in determining if a rape has occurred and item two states that intoxicated women are usually willing to have sex. It is suggested that both these items overlap with the second component as they concern false rape reporting and issues of consent.

These two components were found to be significantly correlated (r = .4) as would be expected.

**Scale Statistics:**

Reliability alpha for the first latent component was .7. The reliability for the second latent component was .6. Both components were correlated .4. The scale mean was 19.27 (S.D. = 4.9, Min. = 10, Max. = 35, n = 312). The distribution of scores in the scale was normally distributed around the mean.

New scale statistics:

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>S.D.</th>
<th>Min</th>
<th>Max</th>
<th>reliability</th>
<th>r</th>
</tr>
</thead>
<tbody>
<tr>
<td>NRB1</td>
<td>12.0</td>
<td>3.96</td>
<td>5</td>
<td>26</td>
<td>.71</td>
<td></td>
</tr>
<tr>
<td>NRB2</td>
<td>7.17</td>
<td>1.84</td>
<td>0</td>
<td>11</td>
<td>.59</td>
<td>.41**</td>
</tr>
</tbody>
</table>

Table 7.4.8: Scale statistics for personal Negative Rape Belief scales (NRB) 1 & 2.

** P<.01

2: Rape Experience Scale (RES)
This scale consisted of 6 items, with a three category response format (ranging from 'none' (score 0) to 'some' (score 1), to 'a lot' (score 2)), that aimed to assess the degree of rape experience respondents had. Below is a table outlining the item inter-correlation matrix, means and standard deviations for each item.

<table>
<thead>
<tr>
<th>Items</th>
<th>Mean</th>
<th>SD</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item1</td>
<td>1.08</td>
<td>.46</td>
<td>.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item2</td>
<td>.84</td>
<td>.63</td>
<td>.41</td>
<td>.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item3</td>
<td>.82</td>
<td>.60</td>
<td>.36</td>
<td>.66</td>
<td>.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item4</td>
<td>.60</td>
<td>.66</td>
<td>.35</td>
<td>.67</td>
<td>.55</td>
<td>.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item5</td>
<td>.39</td>
<td>.63</td>
<td>.38</td>
<td>.58</td>
<td>.52</td>
<td>.77</td>
<td>.00</td>
<td></td>
</tr>
<tr>
<td>Item6</td>
<td>.84</td>
<td>.60</td>
<td>.35</td>
<td>.54</td>
<td>.49</td>
<td>.51</td>
<td>.46</td>
<td>.00</td>
</tr>
</tbody>
</table>

Table 7.4.9: Means, standard deviations and inter-item correlation matrix for RES

It is apparent that there are many significant and strong correlations between these items. Many of the respondents to this survey had considerable experience of dealing with rape complaints. For example, 10% of the sample had 'a lot' of experience as main investigating officers in rape investigations. Secondly, it was apparent from distributions of these variables that females had much more experience in all aspects of rape investigations, from conversational experience right through to recommending experience. Male respondents on the other hand are more represented in the group of respondents who express having 'no' experience to the items.

All six items were totalled and computed into an overall rape experience score. This scale ranges from 0 to 12. The mean scale score is 4.6 (S.D = 2.8). Scores are normally distributed around the mean.
Reliability and factor structure

The alpha coefficient for this scale is .86, confirming that items are internally consistent. Factor analyses and PCA demonstrate that these items measure one underlying construct that explains 59.6% of the variance in experience scores. Item pattern coefficients from a PCA are presented in the table below.

<table>
<thead>
<tr>
<th>Item</th>
<th>coefficients</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item 1</td>
<td>.576</td>
</tr>
<tr>
<td>Item 2</td>
<td>.848</td>
</tr>
<tr>
<td>Item 3</td>
<td>.781</td>
</tr>
<tr>
<td>Item 4</td>
<td>.853</td>
</tr>
<tr>
<td>Item 5</td>
<td>.816</td>
</tr>
<tr>
<td>Item 6</td>
<td>.722</td>
</tr>
</tbody>
</table>

Table 7.4.10: Item Communalities and coefficients for RES

We would expect that there is a difference between male and female rape experience scores. An independent samples t-test confirms this hypothesis. Females (mean = 5.7, S.D = 2.8) have significantly more rape experience than men (mean = 3.6, S.D = 2.3), t(df 323) = 7.564, p < .000. There is no relationship between age or length of service on rape experience scores. Partial correlations (partialled out the effect of age) and scale mean comparisons reveal no difference between other groupings of respondents on the rape experience scale.

3: VOIG
The inter-item correlation matrix is presented in Table 6.17 below. Correlations are moderate but significant at both the .01 and .05 level of significance (significant correlations are indicated by an asterix). These correlations suggest that there ought to an underlying structure to this scale.

<table>
<thead>
<tr>
<th>Correlations</th>
<th>Item1</th>
<th>Item2</th>
<th>Item3</th>
<th>Item4</th>
<th>Item5</th>
<th>Item6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item1</td>
<td>.000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item2</td>
<td>.345**</td>
<td>.000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item3</td>
<td>.001</td>
<td>.107</td>
<td>.000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item4</td>
<td>.069</td>
<td>.158**</td>
<td>.047</td>
<td>.000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item5</td>
<td>.083</td>
<td>.169**</td>
<td>.122*</td>
<td>.122*</td>
<td>.000</td>
<td></td>
</tr>
<tr>
<td>Item6</td>
<td>.181**</td>
<td>.131**</td>
<td>.015</td>
<td>.092</td>
<td>.190**</td>
<td>.000</td>
</tr>
</tbody>
</table>

** P<.01
**P<.05

Table 7.4.11: Inter-item correlation matrix for VOIG items

Scores on each forced-choice answer were summated, and a total veracity oriented scale score was computed for each respondent. The mean of this scale is 3.3, S.D. = 1.5 (min. = 0; max. = 6, n = 310). The distribution of scores about the mean is normal.

To examine whether respondents chose one option above another, Cochran’s Q test was performed. This provides a test for use with related samples of dichotomous nominal data (participants scored either 1.00 or 0.00 on each item in the scale). The results of this test show that the difference in the choices made by respondents was significant (Cochran’s Q = 31.75; df = 5; n = 310; p<.000). Respondents tended to choose more explicit than implicit statements.

3.1 Factor structure and reliability
A PCA was performed with oblique rotation (direct quartimin; $\delta = 0$) to examine the underlying structure of the scale. Two components were extracted. The scree plot also suggested a two component solution. The pattern matrix component coefficients are presented in table 6.18 below. Coefficients above .45 are outlined in boldface.

<table>
<thead>
<tr>
<th>Pair</th>
<th>Component I</th>
<th>Component II</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>.810</td>
<td>-.225</td>
</tr>
<tr>
<td>2</td>
<td>.685</td>
<td>.103</td>
</tr>
<tr>
<td>3</td>
<td>-.233</td>
<td>.819</td>
</tr>
<tr>
<td>4</td>
<td>.245</td>
<td>.321</td>
</tr>
<tr>
<td>5</td>
<td>.225</td>
<td>.580</td>
</tr>
<tr>
<td>6</td>
<td>.506</td>
<td>.000</td>
</tr>
</tbody>
</table>

Table 7.4.12: Pattern Matrix Coefficients for VOIG scale

The two components that were extracted account for 45% of the variance before rotation in scale scores. Items in the scale are well defined by the factor solution. Pair 1, 2 and 6 make up the first factor. These items appear to be concerned with pre-investigative aims and general wariness towards complainants of rape. More specifically, the items are directly concerned with pre-investigative veracity aims. For example:

"Necessary to establish firstly if an allegation is a genuine one"

"Need to be told to be wary, as not all allegations of rape are genuine"

"Not too long before you get a feeling whether the complaint is genuine"
The second component is made up of items 3 and 5. Item 4 is a far more complex variable, sharing variance with both components, albeit a little more with the second component. These three items are more generic, than those defining the first component.

"Truth...more importance in rape cases than it is for other types of crime".
"Statement of complaint good way of establishing truth"
"Gut feeling is important"

It could be argued that these statements are less about aims and more about investigative technique and investigative comparisons. They appear to be more concerned with actual investigative processes and investigative skills. The two components are moderately correlated (r = .22).

Using numerous combinations of items, the Cronbach’s alpha coefficient for VOIG items never exceeds .45, indicating that the variance in this scale had more error variance (55%) than variance attributable to the measure itself. Separate reliability coefficients for the two factors (suggested in the components analysis) did not improve above .45. Poor reliability was affected mostly by respondents who scored in the middle of the scale. This ‘mixed group’, who score the scale mean score (3), consists of 86 respondents. When this ‘mixed group’ are omitted from reliability calculations, the alpha coefficient increases to .64 (n=240). This level of reliability is much more acceptable for research purposes. When those who score the mean +/- the standard deviation are omitted from reliability calculations (i.e. those who score 2,3 or 4), the reliability coefficient increases to .87. On this basis, it was decided to examine item characteristics of the mixed group (mean scorers), in order to clarify if there were certain statements that they tended to agree with more than others.

3.2 Item statistics for the ‘mixed group’

A grouping variable was computed for the VOIG scale. This variable grouped respondents into 3 groups. The first of these consisted of respondents who scored above the mean scale score. These were labelled explicit veracity seekers, (n = 145). The second group consisted of respondents who scored the scale mean of 3 (n= 86). This group was called the mixed
group. The final group was made up of the remaining respondents who scored below the VOIG mean score. These were labelled the implicit veracity group (n = 95). The responses of the mixed group were further analysed to examine whether there was any pattern in their statement choices. Table 6.19 below illustrates the percentage of respondents in the mixed group who choose alternative statements.

<table>
<thead>
<tr>
<th>N = 79</th>
<th>Explicit</th>
<th>Implicit</th>
<th>Overall trend</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pair 1</td>
<td>60%</td>
<td>40%</td>
<td>Explicit</td>
</tr>
<tr>
<td>Pair 2</td>
<td>53%</td>
<td>47%</td>
<td>Mixed</td>
</tr>
<tr>
<td>Pair 3</td>
<td>34%</td>
<td>66%</td>
<td>Implicit</td>
</tr>
<tr>
<td>Pair 4</td>
<td>62%</td>
<td>38%</td>
<td>Explicit</td>
</tr>
<tr>
<td>Pair 5</td>
<td>43%</td>
<td>57%</td>
<td>Mixed</td>
</tr>
<tr>
<td>Pair 6</td>
<td>48%</td>
<td>52%</td>
<td>Mixed</td>
</tr>
</tbody>
</table>

Table 7.4.13: Choice of VOIG statement for mixed group

The table illustrates that half of the pairs of statements appear to discriminate between respondents. The mixed group tend to choose explicit statements on pair 1 and 4. They tend to choose the implicit statement on pair 3. Pair 2, 5 and 6 have mixed responses and do not appear to discriminate between respondents. It was decided to examine the gender breakdown of these responses, to examine if this variable can clarify the pattern of responses on these items. The following table, 6.20, outlines the percentages of males and females that chose each response to the items.

<table>
<thead>
<tr>
<th>N = 79</th>
<th>Sex</th>
<th>Explicit</th>
<th>Implicit</th>
<th>Overall</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pair 1</td>
<td>Female</td>
<td>62%</td>
<td>38%</td>
<td>Explicit</td>
</tr>
</tbody>
</table>
Table 7.4.14: Gender breakdown of response choice on VOIG

<table>
<thead>
<tr>
<th></th>
<th>Male</th>
<th>42%</th>
<th>58%</th>
<th>Mixed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paipair 2</td>
<td>Female</td>
<td>38%</td>
<td>62%</td>
<td>Implicit</td>
</tr>
<tr>
<td></td>
<td>Male</td>
<td>64%</td>
<td>36%</td>
<td>Explicit</td>
</tr>
<tr>
<td>Paipair 3</td>
<td>Female</td>
<td>35%</td>
<td>65%</td>
<td>Implicit</td>
</tr>
<tr>
<td></td>
<td>Male</td>
<td>33%</td>
<td>67%</td>
<td>Implicit</td>
</tr>
<tr>
<td>Paipair 4</td>
<td>Female</td>
<td>62%</td>
<td>38%</td>
<td>Explicit</td>
</tr>
<tr>
<td></td>
<td>Male</td>
<td>62%</td>
<td>38%</td>
<td>Explicit</td>
</tr>
<tr>
<td>Paipair 5</td>
<td>Female</td>
<td>47%</td>
<td>53%</td>
<td>Mixed</td>
</tr>
<tr>
<td></td>
<td>Male</td>
<td>40%</td>
<td>60%</td>
<td>Implicit</td>
</tr>
<tr>
<td>Pair 6</td>
<td>Female</td>
<td>56%</td>
<td>44%</td>
<td>Mixed</td>
</tr>
<tr>
<td></td>
<td>Male</td>
<td>42%</td>
<td>57%</td>
<td>Mixed</td>
</tr>
</tbody>
</table>

From this table, it is clear that there are gender differences in the extent to which items discriminate among respondents. Pair 1, discriminates more for women than for men. Female respondents are more likely to choose the implicit statement by a ratio of almost 1:2. Pair two is also interesting in that men and women tend to choose opposing statements. Men tend to agree that probationer Gardai need to be told to be wary of false allegations. Women on the other hand tend not to agree with this statement. Pair 5 tends to discriminate more between men than it does for women. Men tend to choose the option that states that gut feeling and police instinct are less important investigative skills. Female respondents tend to agree and disagree in equal numbers. The gender patterning of the responses led to the suggestion that this scale may be more reliable for female than for male respondents. An Alpha Coefficient was calculated for the female respondents and was found to increase from .45 to .54. For men the Alpha coefficient decreased to .37.

3.3 Veracity orientation and choosing a dependent variable
Due to the poor reliability and multi-dimensional factor structure of this scale, it could not be employed as a dependent veracity variable. Veracity items were, therefore, treated as single items.

Chi Square statistics were calculated to examine if there were any differences between respondents preferred interviewing style and explicit items on the VOIG scale. The only significant difference to emerge was for item five. There was an association between responses on ‘pair v’ and the BIS (Chi Sq. = 10.36; p < .001). The Cramer’s V statistic indicates that those respondents who choose an explicit statement on ‘pair v’ were also likely to choose an explicit interviewing style (Cramer’s V = .194; p < .001; n = 274). Table 7. presents the crosstabulated group count and expected group count for each combination. Table 7. presents Chi Square and Cramer’s V statistics.

<table>
<thead>
<tr>
<th></th>
<th>Implicit pair v</th>
<th>Explicit pair v</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Explicit BIS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Count</td>
<td>35</td>
<td>90</td>
<td>125</td>
</tr>
<tr>
<td>Expected Count</td>
<td>47.9</td>
<td>77</td>
<td>125</td>
</tr>
<tr>
<td><strong>Implicit BIS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Count</td>
<td>70</td>
<td>79</td>
<td>149</td>
</tr>
<tr>
<td>Expected Count</td>
<td>57.1</td>
<td>91.9</td>
<td>149</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>105</td>
<td>169</td>
<td>274</td>
</tr>
</tbody>
</table>

Table 7.4.16: Expected and real counts for pair v of VOIG and BIS categories

<table>
<thead>
<tr>
<th></th>
<th>Value</th>
<th>Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pearson Chi Square</td>
<td>10.360*</td>
<td>.001</td>
</tr>
<tr>
<td>Cramer’s V</td>
<td>.194</td>
<td>.001</td>
</tr>
<tr>
<td>N of cases</td>
<td>274</td>
<td></td>
</tr>
</tbody>
</table>
Pair five of VOIG dealt with the investigative aim involved in taking a statement of complaint from an injured party. Those who agreed that the statement of complaint is a good way of assessing the truth of an allegation also choose their most frequently used interviewing style as one of establishing the truth of the allegation. It is proposed that item five from VOIG scale and the BIS appear to be assessing one similar aspect of veracity seeking investigative goals. Pair five was also correlated with belief and rape investigative experience measures. For these two reasons, it was decided that item five would be employed as the dependent variable in regression analyses.

3.4 Gender differences on VOIG items
The conventional Chi Square statistic was calculated to test gender differences on items. Results indicated that there was a significant association between gender and responses on pair vi (Chi Sq. = 9.729; p<.002; n= 318). Female participants were more likely to choose the explicit statement than men, as measured by Cramer’s V = .175; p<.002; n = 318. The following two tables (7 & 7) outline the expected and real counts for the crosstabulation and the Chi Square and Cramer’s V statistics respectively. No other significant gender differences were found in the remaining pairs.
Table 7.4.18: Expected and real count for item vi of VOIG and BIS

<table>
<thead>
<tr>
<th>Implicit pair vi</th>
<th>Female</th>
<th>Male</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Count</td>
<td>55</td>
<td>89</td>
<td>144</td>
</tr>
<tr>
<td>Expected Count</td>
<td>68.8</td>
<td>75.2</td>
<td>144</td>
</tr>
<tr>
<td>Explicit pair vi</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Count</td>
<td>97</td>
<td>77</td>
<td>174</td>
</tr>
<tr>
<td>Expected Count</td>
<td>83.2</td>
<td>90.8</td>
<td>174</td>
</tr>
<tr>
<td>Total</td>
<td>152</td>
<td>166</td>
<td>318</td>
</tr>
</tbody>
</table>

Table 7.4.18: Chi Square and Cramer’s V statistics for item vi of VOIG and BIS

<table>
<thead>
<tr>
<th></th>
<th>Value</th>
<th>Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pearson Chi Square</td>
<td>9.729*</td>
<td>.002</td>
</tr>
<tr>
<td>Cramer’s V</td>
<td>.175</td>
<td>.002</td>
</tr>
<tr>
<td>N of cases</td>
<td>318</td>
<td></td>
</tr>
</tbody>
</table>

*0 cells have expected count less than five.
Minimum expected count is 1.90

4: Affective Commitment Scale (ACS)
This scale consisted of 14 items with a likert response format ranging from 1 to 5 (strongly disagree to strongly agree). The analysis of this measure will firstly examine descriptive item statistics. The following table (6.21) presents item means and standard deviations for each of these items.
Table 7.4.19: Descriptive Statistics for Affective Commitment Scale

<table>
<thead>
<tr>
<th>Items</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
<th>13</th>
<th>14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mean</td>
<td>4.2</td>
<td>2.5</td>
<td>4.1</td>
<td>2.7</td>
<td>3.6</td>
<td>4.0</td>
<td>3.3</td>
<td>4.0</td>
<td>2.6</td>
<td>4.0</td>
<td>3.3</td>
<td>3.7</td>
<td>2.5</td>
<td>3.7</td>
</tr>
<tr>
<td>S.D.</td>
<td>.75</td>
<td>1.1</td>
<td>1.2</td>
<td>1.2</td>
<td>.95</td>
<td>.92</td>
<td>1.1</td>
<td>.96</td>
<td>1.0</td>
<td>.90</td>
<td>1.2</td>
<td>1.1</td>
<td>1.0</td>
<td>1.1</td>
</tr>
</tbody>
</table>

Table 7.4.19: Descriptive Statistics for Affective Commitment Scale

Items, 4; 5; 7; 9; 11 and 12 are normally distributed around the mean. Items 1; 10 and 14 are moderately positively kurtotic, with items 3; 6 and 8 severely kurtotic. Items 2 and 13 are slightly skewed. Table 6.22 presents the inter-item correlation matrix for Affective Commitment items. The matrix reveals numerous correlations in excess of .30. Patterns in response to these items are, therefore, anticipated.

Table 7.4.20: Inter-item correlation matrix for Affective Commitment items
Reliability and factor structure

It is hypothesised that this scale is unidimensional. A PCA with oblique rotation (direct quartimin; $\delta = 0$) resulted in a three component solution. The analysis resulted in complex solutions for items 2, 9, & 14. Item nine was a marker variable for a component with no other items loading on it. Item 2 was also a strong marker variable for component three. This component has two other variables loading on it - both are weak, but one is very complex. These items are 13 and 3.

Reliability analyses confirmed that item 2, 9 and 13 were not adding to the inter-item consistency of the scale. These items 2, 9 and 13 were deleted. These three items are:

"I enjoy discussing the Garda Síochána with people outside it"

"Often I find it hard to agree with The Garda Síochána on policies important to its members"

"I really feel as if this organisations problems are my own"

It is possible that these three items relate more to issues dealing with the public perception of the police and therefore concern a different set of issues, qualitatively and quantitatively distinct from affective organisational commitment items. On a methodological and theoretical basis, these three items were removed from the scale. The revised scale consisted of 11 items, and provides the basis for subsequent descriptive and inferential analyses.

A PCA was computed on the new scale. This resulted in a one factor solution, explaining 40% of the variance. The scree plot also clearly suggested a one factor solution. The item pattern coefficients are outlined in the table below.
Table 7.4.21: Item pattern coefficients for revised ACS

<table>
<thead>
<tr>
<th>Item</th>
<th>Coefficient</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item 1</td>
<td>.627</td>
</tr>
<tr>
<td>Item 3</td>
<td>.461</td>
</tr>
<tr>
<td>Item 4</td>
<td>.569</td>
</tr>
<tr>
<td>Item 5</td>
<td>.609</td>
</tr>
<tr>
<td>Item 6</td>
<td>.710</td>
</tr>
<tr>
<td>Item 7</td>
<td>.709</td>
</tr>
<tr>
<td>Item 8</td>
<td>.712</td>
</tr>
<tr>
<td>Item 10</td>
<td>.546</td>
</tr>
<tr>
<td>Item 11</td>
<td>.711</td>
</tr>
<tr>
<td>Item 12</td>
<td>.619</td>
</tr>
<tr>
<td>Item 14</td>
<td>.531</td>
</tr>
</tbody>
</table>

The Alpha coefficient for the new scale is .83, which indicates that there are high levels of internal consistency between the items in the scale. The mean score of the Affective Commitment Scale is 40.4, S.D. = 6.9, N = 321. Scores are normally distributed around the mean. The range of scores is from 15 to 55.

Exploratory Factor Analysis

An exploratory factor analysis was calculated on the remaining items in the questionnaire, comprising the final four scales, to examine the extent to which items loaded on the hypothesised construct and to examine if simple structure was achieved for each scale. The results of this factor analysis were interesting and suggested that the items were far more complex than originally planned. An item from the autonomy scale loaded highly on the work cohesion scale and after a number of exploratory factor analyses, reliability checks and reading of the items, it was decided to add this item to the WCS. The items in the other three scales were also revised as a result of
the EFA and these changes will be thoroughly discussed when these scales are being reviewed.

6: Work Cohesion Scale (WCS)
The revised Work Cohesion Scale consisted of 7 items, designed to measure the extent to which members feel that they work closely as part of a team. The following table outlines the mean, standard deviation and item correlation matrix for each item on this scale.

<table>
<thead>
<tr>
<th>Item</th>
<th>Mean</th>
<th>S.D.</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3.86</td>
<td>.98</td>
<td>.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>3.32</td>
<td>1.2</td>
<td>.29</td>
<td>.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>3.87</td>
<td>.93</td>
<td>.58</td>
<td>.35</td>
<td>.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>3.32</td>
<td>1.2</td>
<td>.39</td>
<td>.20</td>
<td>.47</td>
<td>.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>3.78</td>
<td>.86</td>
<td>.42</td>
<td>.35</td>
<td>.46</td>
<td>.39</td>
<td>.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>3.71</td>
<td>1.1</td>
<td>.33</td>
<td>.30</td>
<td>.45</td>
<td>.25</td>
<td>.40</td>
<td>.00</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>3.32</td>
<td>1.1</td>
<td>.40</td>
<td>.24</td>
<td>.30</td>
<td>.36</td>
<td>.33</td>
<td>.34</td>
<td>.00</td>
</tr>
</tbody>
</table>

Table 7.4.22: Item statistics for WCS

Factor Analysis reliability
Numerous methods of factor extraction were employed, and all resulted in the extraction of one component. A PCA with oblique rotation (direct quartimin; δ = 0) extracted one component. A scree plot also suggested a one component solution. Communalities for items were acceptable and are outlined in the table below, along with pattern matrix coefficients.
Table 7.4.23: Item communalities and pattern matrix coefficients for WCS

<table>
<thead>
<tr>
<th>Item</th>
<th>Communalities</th>
<th>Coefficient</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item1</td>
<td>.56</td>
<td>.75</td>
</tr>
<tr>
<td>Item2</td>
<td>.29</td>
<td>.56</td>
</tr>
<tr>
<td>Item3</td>
<td>.62</td>
<td>.82</td>
</tr>
<tr>
<td>Item4</td>
<td>.42</td>
<td>.65</td>
</tr>
<tr>
<td>Item5</td>
<td>.51</td>
<td>.73</td>
</tr>
<tr>
<td>Item6</td>
<td>.42</td>
<td>.65</td>
</tr>
<tr>
<td>Item7</td>
<td>.38</td>
<td>.62</td>
</tr>
</tbody>
</table>

The alpha coefficient (Cronbach) for the scale is .79. This suggests a high level of item homogeneity. The scale has a mean of 25.3, (S.D. = 4.7, min. = 14, max. = 35, n = 320). Scale scores are normally distributed around the mean.

7: Latitude for Mistakes scale

As mentioned previously, an exploratory factor analysis was calculated for the final four scales in the questionnaire. This led to a revision of the items in the Risk scale. Two of the original four items were retained These items are correlated positively (r = .5).

In general, there are serious repercussions if I make any error at work.
One has to be careful of making mistakes, as they are treated seriously.

Means, standard deviations are presented in the table below (6.26).
There are a number of items in the questionnaire that are not going to be used in this analysis. All of these items come from the autonomy scale and two from the latitude for mistakes scale. Factor analyses reveal that the autonomy scale was not unidimensional and no clear latent factor structure emerged with its original items. This was compounded by the fact that there were few significant correlations between the items, (besides between items, 3 and 8, 4 and 9, 7 and 3). Where correlations did exist, they were often in a different direction than hypothesised. Reliability was also very poor. Cronbach’s Alpha remained low at between .29 and .304 (depending on what items were suggested to remove). Weak negative correlations between items, in addition to complex structural coefficients suggested that items were in fact measuring different phenomena. It is clear that the construct of autonomy in police organisations is a far more complex one than originally thought and the items generated for this analysis are wholly unsuitable.

8: Openness of Communication (OC)

Exploratory factor analyses resulted in a five item solution for this scale. These five items are designed to measure the extent to which members share and rely on spoken communication to do their work successfully. Descriptive item statistics and item inter-correlations are displayed in table 6.28. Distributions of item scores are normal except for item 4 which is slightly kurtotic. It is important to note that all of the item means are high and above the scale median. Correlations between the items are moderate, yet sufficiently high to expect a factor structure to emerge.
Table 7.4.25: Means, standard deviations, inter-item correlations for OC

Reliability and factor structure.

A Principle Components Analysis was calculated with oblique rotation (direct quartimin; δ = 0). This analysis resulted in all items loading on one component. The component underlying this measure, explains 41% of the variance in scale scores before rotation. Communalities were moderately good and are outlined in table 6.29. This table also contains the component coefficients obtained from the pattern matrix produced from the analysis.

<table>
<thead>
<tr>
<th>Item</th>
<th>Mean</th>
<th>S.D.</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>3.89</td>
<td>.78</td>
<td>.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>3.92</td>
<td>.84</td>
<td>.16</td>
<td>.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>4.27</td>
<td>.70</td>
<td>.29</td>
<td>.38</td>
<td>.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>3.27</td>
<td>.96</td>
<td>.27</td>
<td>.26</td>
<td>.18</td>
<td>.00</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>4.12</td>
<td>.67</td>
<td>.22</td>
<td>.28</td>
<td>.39</td>
<td>.16</td>
<td>.00</td>
</tr>
</tbody>
</table>

Table 7.4.27: Item communalities and component coefficients
The alpha coefficient calculated for this scale is .62. The mean scale score for organisation communication style is 19.5, (S.D. = 2.5, n = 323). The distribution of scores around the mean is normal and a histogram of this distribution is presented in below in figure 6.17.

9: Sensitivity Analysis

Item five is regressed on IVs, using a random sample of 50% of the original respondents.

One can see, that the same variables were significantly different from zero after each entry. The order changed, in that NRB2 contributed 5 (as opposed to 4%), Communication contributed 4 as opposed to 2% and experience contributed 3 as opposed to 2%. In the main, the same patterns emerged.

<table>
<thead>
<tr>
<th>Item five DV</th>
<th>B</th>
<th>Beta β</th>
<th>sig.</th>
<th>sr</th>
<th>R²</th>
<th>Adjusted R²</th>
<th>R</th>
</tr>
</thead>
<tbody>
<tr>
<td>NRB 2 IV</td>
<td>.00</td>
<td>.22</td>
<td>P&lt;.000</td>
<td>.23</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CS IV</td>
<td>.00</td>
<td>.21</td>
<td>P&lt;.006</td>
<td>.22</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rape Ex IV</td>
<td>.00</td>
<td>.17</td>
<td>P&lt;.021</td>
<td>.18</td>
<td>.12</td>
<td>.11</td>
<td>.35</td>
</tr>
</tbody>
</table>

Table 7.4.27: Item communalities and component coefficients
Figure 5.1: Naturalistic Decision Making Model of Police Investigations of Rape.