4. Types of False Confession

The first category is voluntary false confessions. These occur when an interviewee falsely confesses for personal reasons without being pressured to do so. Possible reasons include:

- to relieve feelings of guilt about a real or imagined transgression from the past, most likely to occur for people with depression (Gudjonsson, 1992; 2003);
- to pre-empt further investigation of a more serious offence (Shepherd, 1996);
- to protect a significant other;
- to gain notoriety – a pathological need to become infamous and to enhance one’s self-esteem (Huff, Rattner, & Sagarin, 1986);
- those who are unable to distinguish fact from fantasy (people with schizophrenia) (Gudjonsson, 1992; 2003);
- when the interviewee sees no way of proving his/her innocence and confesses in order to gain a reduced sentence;
- to hide other non-criminal facts (for example a love affair); or
- to take revenge on another (Gudjonsson, 2003).

The second category is coerced-compliant false confessions. These involve police coercion. Here the individual falsely confesses to the crime but holds an internal belief about his/her innocence. This type of false confession is caused by social influence. Interviewees who want an end to the questioning and to be allowed to go home, those who want to please the interviewers or who want to avoid being locked up in a police cell (Gudjonsson, 1992; 2003) are all likely to elicit a false confession. Gudjonsson (1992; 2003) noted that some suspects believe that their false confession will be found out later on in the criminal justice process and that they will not be wrongfully punished. This type of confession is of interest to investigative interviewing policy makers. Individuals who are particularly susceptible to compliance (for example, people with a learning disability) may be especially vulnerable to this form of false confession.

The third category is the coerced-internalised false confession. Like coerced-compliant confessions, these involve police coercion. However, unlike the compliant confession, these involve internalisation of the ‘fact’. The suspect believes that
he/she has actually committed the offence in question (Milne & Bull, 1999). Again research surrounding this type of false confession is of interest to investigative interviewing policy makers as the suspect’s beliefs of having committed the crime may result from police interviewing behaviour. In this category of false confession an interviewee who is anxious, tired, confused and subjected to highly suggestive methods of interrogation actually comes to believe that he/she has committed the crime. The suspect’s memory of what transpired may be altered in the process although this alteration is not necessarily permanent (Ofshe, 1989; Gudjonsson, 1997).

Memory distrust syndrome is of relevance here and it concerns an interviewee who distrusts his/her own memory and as a result relies on external sources for information (such as the interviewer) (Wolchover & Heaton-Armstrong, 1996). This syndrome can be explained in two ways. The first relates to amnesia or memory impairment; the interviewee has no clear memory of not committing the crime and/or has no recollection of what he/she was doing at the time of the crime. This may be due to amnesia or alcohol-induced memory problems (Gudjonsson, 1992; Santilla, Ekholm, & Nierni, 1999). The second explanation occurs when an interviewee is well aware that he/she did not commit the crime at the start of the interview but becomes doubtful when the interviewer skilfully manipulates the interviewee with suggestions. This causes the interviewee to gradually mistrust his/her own memories, especially if subjected to repeated suggestion of the interviewer’s own view of events (Milne & Bull, 1999). Ofshe (1989) notes that there are three common personality traits in people who give this type of false confession:

- trust in people of authority;
- lack of self-confidence; and
- heightened suggestibility.

According to Gudjonsson:

> the false belief and false memories in cases of coerced-internalised false confession are most commonly developed as a result of manipulative interrogation techniques.

(Gudjonsson, 1997, p. 298)

Kassin and Kiechel (1996) carried out an experiment to show that people can internalise the details of their false confessions. They warned 65 students not to touch a computer key during an experiment because the computer would crash and all the research data would be lost. Sixty seconds into the supposed experiment, the computer did indeed crash (purposefully organised by the experimenters) and
each participant was blamed for it (all were innocent and had not touched the key). All at first denied the charge but when a confederate had said that she saw them do it 69% signed a confession, 28% internalised their guilt for this ‘act’ and 9% even went on to confabulate details to support their false beliefs. Although this experiment cannot be wholly parallel to a real interrogation situation, it does show that even in this relatively friendly environment intelligent adults can create a false confession.

In order to further support the concept of coerced-internalised false confessions, Kassin (1997) describes the case of Peter Reilly, an 18 year old who, after being questioned for several hours and being told he had failed an infallible lie-detector test, confessed to the murder of his mother. He went through a process of denial, confusion, self-doubt, through to conversion and accordingly wrote a full confession. He believed he had murdered his mother but independent evidence revealed that he had not.

Gudjonsson and MacKeith (1994) detail a single case of a false confession by a mentally handicapped man. They provide a psychological framework to explain how the investigation resulted in a false confession to double murder. The interviews were video tape recorded and Gudjonsson and MacKeith describe how the confession appears superficially to be genuine and convincing. The video recording of confessions has been advocated as a strong safeguard against false confessions.

For further models of interrogation see: