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A Descriptive Analysis of How Canadian Police Officers Administer the Right-to-Silence and Right-to-Legal-Counsel Cautions¹

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À l'aide d'un guide de codage contenant 78 éléments, on a évalué comment ont été émis les avertissements concernant le droit au silence et le droit à un conseiller juridique dans le cadre de 126 entrevues d'enquête (37 vidéos et 89 transcriptions). On a noté ces avertissements dans 87 % des vidéos et 83 % des transcriptions. Selon une analyse du débit de la parole, la vitesse de parole dépassait les taux acceptables permettant d'assurer une bonne compréhension orale de ces deux avertissements. Même si les avertissements concernant le droit au silence et le droit à un conseiller juridique n'ont pas toujours été lus textuellement, les interrogateurs n'ont que rarement omis de mentionner des droits contenus dans ces avertissements ou ne les ont que rarement lus incorrectement. Les personnes interrogées ont presque toujours confirmé qu'elles avaient bien compris les avertissements donnés. Toutefois, les interrogateurs ont rarement vérifié si c'était bien le cas. Dans les cas où les interrogateurs ont dû expliquer certains droits contenus dans ces deux avertissements, les explications ont été données correctement. Les personnes interrogées ont eu recours à leur droit de garder le silence dans 25 % des cas et ont choisi de consulter un avocat dans 31 % des cas. On discute ensuite de la portée de ces résultats.

Mots clés : police, droit au silence, droit à un conseiller juridique, entrevue d'enquête, admissibilité de la déposition

The administration of the right-to-silence and right-to-legal-counsel cautions in 126 investigative interviews (37 videotapes, 89 transcripts) was evaluated with a 78-item coding manual. We found that the right-to-silence and right-to-legal-counsel cautions were administered in 87% and 83% of the interviews, respectively. Average speech rates for both cautions exceeded acceptable levels for ensuring listening comprehension. Although the right-to-silence and right-to-legal-counsel cautions were not always read verbatim, the interviewers rarely missed rights that are contained in the cautions or

incorrectly read the cautions. Interviewees almost always confirmed that they understood both cautions, but interviewers rarely attempted to verify that they actually understood them. Attempts to explain various rights in both cautions were always done correctly. Interviewees invoked their right to silence in 25% of cases and chose to speak to a lawyer in 31% of cases. The implications of these findings for improving the administration of justice in Canada are discussed.

Keywords: right to silence, right to legal counsel, police, Canadian Charter of Rights and Freedoms

Introduction

Suspects and accused persons facing a police interview are generally made aware of their legal rights through standardized pieces of text called police cautions. It is imperative that interviewees understand the legal rights contained in those cautions so that their rights are protected and the police are able to ensure the admissibility of statements (Marin 2004; Whittemore and Ogloff 1994). Unfortunately, experimental studies in various countries, such as Canada, the United States, and the United Kingdom, have demonstrated that it is rare for people to understand fully the rights contained in police cautions (e.g., Cooke and Philip 1998; Eastwood and Snook 2009; Fenner, Gudjonsson, and Clare 2002; Grisso 1981). Such studies have typically presented the cautions in an ideal manner under highly controlled conditions. How well those past studies reflect reality is unknown, however, because there is a dearth of research on how police officers administer police cautions in actual interviews. By analysing a sample of police interviews, it may be possible to better understand and potentially improve this particular aspect of justice administration.

Canadian police cautions entail two basic rights: the right to silence and the right to legal counsel. The right to silence is derived from section 7 of the Canadian Charter of Rights and Freedoms (1982), which states that “[e]veryone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.” Case law dictates that interviewees must be given a free choice about whether or not to speak to the police and that the police cannot interfere with this right (e.g., offer promises or threats in exchange for a confession) (see *R. v. Hebert*). The right-to-silence caution is typically delivered

when the interviewer has reasonable and probable grounds to believe that the interviewee has committed an offence (Marin 2004).

The right to legal counsel is contained in section 10(b) of the Charter and states that “[e]veryone has the right on arrest or detention to retain and instruct counsel without delay and to be informed of that right.” As clarified in subsequent cases (i.e., *R v. Brydges*; *R v. Bartle*), the right to legal counsel includes the following four basic rights: (1) to retain and instruct counsel (i.e., a lawyer) without delay; (2) to access immediate, temporary, legal advice irrespective of financial status (*duty counsel*); (3) to obtain basic information about how to access available services that provide free, preliminary legal advice (e.g., phone number); and (4) to access legal counsel free of charge where an accused meets prescribed financial criteria set up by provincial legal aid plans.

Although police organizations presumably deliver cautions to detainees that outline both the right to silence and the right to legal counsel, case law states that they are only obligated to inform detainees of their right to legal counsel (see *R. v. Papadopoulos*). As discussed in *R v. Hebert*, one of the primary purposes of informing individuals of their right to legal counsel is to provide them with the ability to get legal advice regarding their rights, with the right to silence being chief among them. It is important that accused persons and suspects understand the right-to-legal-counsel caution because individuals can only waive or invoke their right to legal counsel if they have knowledge of those rights and can appreciate the consequences of giving up those rights (*Korponay v. Attorney General of Canada*; *Clarkson v. The Queen*). If the cautions are misunderstood from the outset, there are two consequences: (1) the protections that the cautions are supposed to afford are missing, and (2) subsequent statements from suspects may be ruled inadmissible.

Research has shown that the comprehension of Canadian police cautions is relatively low. For instance, Moore and Gagnier (2008) measured the understanding of a right-to-silence caution in a sample of university students and found that only 43% of them comprehended the caution fully. A similar study by Eastwood and Snook (2009) examined comprehension of locally utilized right-to-silence and right-to-legal-counsel cautions. University students were given the cautions verbally and were asked to record their understanding of the caution. For the silence caution, only 4% displayed full comprehen-

sion and 13% understood more than half of the caution. Similarly, only 7% displayed full comprehension of the right-to-legal-counsel caution and 24% understood more than half of the information contained in the caution. We should note that these findings are not unique to Canada. Research in the United States (Grisso 1981), England and Wales (Fenner et al. 2002), and Scotland (Cooke and Philip 1998) has also shown that comprehension of cautions is low, despite variations in the wording and content of the cautions used in those countries.

The finding that people misunderstand the rights contained in cautions is based entirely on experiments where cautions are presented in an ideal way under highly controlled conditions. In the research exploring the content of actual police interviews, it is rare for studies to report anything beyond the percentage of times that a caution was delivered. For example, King and Snook (2009) found that interviewers delivered the cautions in 89% of interviews, while the Crime and Misconduct Commission (2004) found that suspects in Australia were informed of their right to silence and right to a lawyer in 88% and 82% of interviews, respectively. Beyond these findings, relatively little is known about how police cautions are being administered in actual interviews (e.g., speed of delivery). The goal of the current research is to examine a sample of police interviews and determine how interviewers actually administer police cautions in order to inform police caution research and influence police practices.

Method

Sample

A convenience sample of 126 police interviews (37 videotapes, 89 transcripts) with adult suspects or accused persons was obtained from a police organization in Atlantic Canada. The videos were collected through requests made by an inspector that officers submit a sample of their interviews. The transcripts were selected, by an inspector, from the participating organization's database of recorded interviews, with each transcript consisting of a verbatim written account of an audio-taped interview. Both the videos and the transcripts were extracted from the population of interviews conducted by the criminal investigation division of the organization. The interviews occurred between 1995 and 2009, with 5% occurring from 1995 to 2000, 19% from 2001 to 2005, 29% from 2006 to 2007, and 47% from 2008 to 2009.

Approximately 19% of the interviews pertained to the investigation of sexual assault, 14% to assault, 13% to fraud, 12% to robbery, 6% to homicide, 6% to theft, and 6% to break and enter. Approximately 3% of the interviews pertained to attempted murder, 2% to failure to provide the necessities of life, 2% to harassment, 2% to mischief, 2% to uttering threats, and 2% to possession of stolen goods. Approximately 1% pertained to property damage, 1% to attempting to lure a child for sexual purposes, and 1% to arson. The offence under investigation was not made explicit in the remaining 8% of cases.

The interviewer(s) and interviewee were the only people present in 98% of the interviews. A lawyer was present during three interviews and a parole officer was present during one of the interviews. A total of 41 different officers were involved in the interviews. All interviewers were Caucasian and 36 of them were men. The mean age of the primary interviewer at the time of interview was 42.3 years ($SD = 4.8$). The average years of experience for the primary interviewer at the time of interview was 18.8 years ($SD = 5.8$).

To maintain the anonymity of the participating organization, we are unable to provide the exact wording of the two cautions. Having said that, the right-to-silence caution was comprised of three sentences. Sentence one mentioned that interviewees had the option of not speaking, sentence two mentioned that police interviewers could not threaten the interviewee or make any promises to him/her in exchange for the interviewee's cooperation, and sentence three referred to the fact that anything that was said by the interviewee could be used against him/her in court. The right-to-legal-counsel caution was comprised of five sentences. Sentence one mentioned that the interviewee could hire and talk to a lawyer without delay, sentence two referred to the ability to get free legal advice immediately, sentence three mentioned that the interviewee could be represented by a lawyer for free if s/he met the criteria set by legal aid, sentence four provided a phone number to reach legal aid, and sentence five was a question regarding whether or not the interviewee would like to avail himself/herself of the any of these options. These cautions were unchanged over the time period explored in the current study.

Procedure

A coding guide containing the following three broad categories of variables was created:

1. *Demographic and context variables*: These variables pertain to the characteristics used to describe those administering the police cautions and the context in which the cautions were given. We coded the date of the interview; the type of crime under investigation; the number of people present; whether or not a third party (e.g., a lawyer) was present in the interview room; and the age, gender, rank, and years of experience of the primary interviewer. The age and years-of-experience variables were provided by the participating police organization and not coded from the interviews.
2. *Right to silence*: These variables pertain to the administration of the right-to-silence caution. Specifically, we coded whether or not the caution was recorded in the interview and how the caution was administered (verbal, written, or both). We coded whether or not all three sentences that comprised the caution were read verbatim; each of the three sentences was read verbatim; any of the four legal rights contained in the caution was missed or read incorrectly; each of the four legal rights was missed or read incorrectly; the interviewee was asked if s/he understood their right to silence; the interviewee claimed to have understood the right; the interviewer attempted to verify that the interviewee actually understood the right; any of the caution was explained by the interviewer; each of the four legal rights was explained; each of the four legal rights was explained correctly; or the right to silence was invoked at any point during the interview. We also calculated the speed at which the caution was delivered (i.e., words per minute) for the videotaped interviews where the cautions were administered. Previous research has shown that, in order to ensure comprehension, speech rates should not exceed 200 words per minute (see Carver 1982; Jester and Travers 1966).
3. *Right to legal counsel*: These variables pertain to the administration of the right-to-legal-counsel caution. We coded whether or not the caution was recorded in the interview and how the caution was administered (verbal, written, or both). We also coded whether or not all five sentences that comprise the caution were read verbatim and which (if any) of those sentences were not read verbatim. Because there are nine discrete components contained within the four legal rights that are expressed in the five sentences comprising the caution, we coded whether or not any of the nine legal rights contained in the caution was missed or read incorrectly and which (if any) of those rights were missed / read incorrectly. We also coded whether or not the interviewer asked the interviewee if s/he understood his/her right to legal counsel; the interviewee

claimed to have understood the right; the interviewer attempted to verify the claimed understanding of the right; the caution was explained by the interviewer; each of the nine legal rights contained in the caution was explained; each of the nine legal rights was explained correctly; the right to talk to the interviewee's own lawyer was invoked; or the right to talk to a free lawyer was invoked at any point during the interview. The speed of delivery was also calculated.

The coding of the interviews was conducted entirely by the third author. A copy of the complete coding guide and content dictionary is available from the corresponding author. Agreement on the coding of the variables was assessed by having the second author code 50% of the interviews. Any confusions pertaining to the coding task were resolved before the inter-rater reliability analyses were commenced. The percentage agreement for right-to-silence variables was 96% and for the right-to-legal-counsel variables was 90%.

Results

The right-to-silence caution and right-to-legal-counsel caution were recorded in 110 (87.3%) and 105 (83.3%) of the 126 interviews, respectively.

Right-to-silence caution

The right-to-silence caution was always presented verbally. As mentioned, the speed of delivery could only be calculated for audio-visual recordings. In the 25 videos where the caution was delivered, the average speed of delivery was 262.6 words per minute ($SD = 40.6$, 95% $CI = 245.9$ to 279.4). Interviewees invoked the right to silence in 32 (25.4%) of the 126 interviews.

The caution was not read verbatim in 71 (64.5%) of the 110 times it was administered. In 34 (47.9%) of the 71 cases, there was more than one sentence that was not read verbatim. Across the 71 cases, there were 106 sentences that were not read verbatim. Specifically, the first sentence (i.e., option of not speaking) was not read verbatim 3 times (4.2%), the second sentence (i.e., no threats or promises) was not read verbatim 46 times (64.8%), and the third sentence (i.e., anything said can be used in court) was not read verbatim 57 times (80.3%).

Information in the right-to-silence caution was missed / read incorrectly in 5 (4.5%) of the 110 cases where it was delivered. Across those 5 cases, there were 5 instances where the information was missed / read incorrectly. Specifically, there were 3 instances where the interviewer did not mention that the police were not able to make any promises in exchange for a statement and 2 instances where the interviewer did not mention that any statement made by the interviewee could be used as evidence in court.

Irrespective of whether or not the right-to-silence caution was administered, interviewers asked interviewees if they understood the caution in 118 (93.7%) of the 126 interviews. The interviewee indicated that s/he understood in 115 (97.5%) of those 118 cases. The interviewer attempted to verify understanding of the caution in 22 (18.6%) of the 118 cases. An attempt was made in 33 (26.2%) of the 126 interviews to explain at least one of the four components contained in the caution. Sixty explanations were observed across the 33 cases, and all of them were deemed to be correct. Of the 60 explanations, the interviewer stated that the interviewee need not say anything 22 (36.7%) times; that the police were unable to make promises 10 (16.7%) times; that the police were not allowed to threaten the interviewee 9 (15%) times; and that anything the interviewee said could be used as evidence in court 19 (31.7%) times.

The right-to-legal-counsel caution

The right-to-legal-counsel caution was presented verbally in 103 interviews (98.1%), in written format in 1 interview (1.0%), and both verbally and written in 1 interview (1.0%). In the 24 videotaped interviews where the caution was recorded, the average speed of delivery was 204.7 words per minute ($SD = 50.6$, 95% $CI = 182.8$ to 226.6). Regardless of whether or not the right to legal counsel was observed in an interview, the right to hire or speak to the interviewee's own lawyer or to a free lawyer was invoked in 11 (8.7%) and 28 (22.2%) of the 126 interviews, respectively.

The caution was not read verbatim in 103 (98.1%) of the 105 times it was administered. In 92 (89.3%) of the 103 cases, there was more than one sentence that was not read verbatim. Across the 103 cases, there were 321 sentences that were not read verbatim. Specifically, the first sentence (i.e., hire / talk to own lawyer immediately) was not read verbatim in 22 cases (21.4%), the second sentence (i.e., free legal advice immediately) was not read verbatim in 81 cases (78.6%), the third

sentence (i.e., legal aid) was not read verbatim in 71 cases (68.9%), the fourth sentence (i.e., phone number) was not read verbatim in 81 cases (78.6%), and the fifth sentence (i.e., avail of services) was not read verbatim in 66 cases (64.1%).

At least one piece of the information in the right-to-legal-counsel caution was missed / read incorrectly in 25 (23.8%) of the 105 cases where it was delivered. Across those 25 cases, there were a total of 38 instances where information was missed / read incorrectly. Specifically, there was 1 instance (2.6%) where an interviewer failed to indicate that the interviewee's decision to hire and speak to a lawyer could not be delayed; there were 7 instances (18.4%) where the interviewer did not inform the interviewee of his/her right to legal advice from a duty counsel lawyer; 5 instances (13.2%) where the interviewee was not informed that the legal advice and the duty counsel lawyer were free; 5 instances (13.2%) where information was not provided that the right to access a lawyer or duty counsel was a right that the interviewee could access immediately; and 20 instances (52.6%) where the toll free number to access the legal advice (duty counsel) was omitted.

Regardless of whether or not the right-to-legal-counsel caution was recorded, interviewers asked interviewees if they understood the caution in 65 (51.6%) of the 126 interviews. The interviewee indicated that s/he understood in 61 (93.8%) those 65 cases. The interviewer attempted to verify understanding of the caution in 6 (9.2%) of the 65 cases. An attempt was made in 49 (38.9%) of the 126 interviews to explain at least one of the nine components contained in the caution. In total, 103 explanations were observed across the 49 cases, and all of them were deemed to be correct. Of the 103 explanations, the interviewer explained that interviewees had the right to hire a lawyer 12 (11.7%) times; speak to this lawyer 16 (15.5%) times; hire and speak to this lawyer without delay 6 (5.8%) times; call a duty counsel lawyer for legal advice 37 (35.9%) times; access free legal advice from a duty counsel lawyer 7 (6.8%) times; have immediate access to advice from a duty counsel lawyer 10 (9.7%) times; use a toll-free number to access the duty counsel lawyer 9 (8.7%) times; apply to legal aid for help 3 (2.9%) times; and apply for legal aid if s/he was charged with an offence 3 (2.9%) times.

Discussion

The current study examined how police officers administer the right-to-silence and right-to-legal-counsel cautions in investigative inter-

views. Our results showed that the right-to-silence and right-to-legal-counsel cautions were both recorded in the majority of interviews. We found, through an analysis of speech rate, that both cautions were delivered more quickly than what is considered to be an acceptable speed for making sure people are able to comprehend what is being told to them verbally. Despite the fact that the right-to-silence and right-to-legal-counsel cautions were not always read verbatim, the interviewers rarely missed rights contained in the caution. Interviewees almost always indicated that they understood both rights, and interviewers rarely attempted to follow up those positive assertions to verify that interviewees actually understood those rights. However, the few attempts made by the interviewers to explain the various rights contained in the cautions were always done correctly. Interviewees invoked their right to silence in one quarter of cases and chose to speak to a lawyer in nearly a third of cases. These findings have implications for improving this particular aspect of justice administration.

Although it is encouraging that the vast majority of interviews recorded the two cautions being administered, we anticipated that they would be recorded in every interview. In some of the interviews where caution administration was not recorded, the cautions appeared to have been delivered prior to the interview (e.g., the interviewer asked the interviewee if s/he had understood the caution that was delivered earlier). Nevertheless, we believe that it is of the utmost importance that the administration of cautions be recorded because having such a record provides clear evidence to the court regarding whether or not a suspect's rights were protected and whether or not any subsequent statements should be admissible. Of the interviews where the cautions were recorded, only a small percentage of interviewers missed information or read the cautions incorrectly. However, given the need for interviewees to understand their rights fully in order to waive or invoke them, it is crucial that interviewers not miss any information contained in the cautions. Combining the interviews where the administration of cautions was not recorded with those where the interviewer missed / incorrectly read information shows that ensuing statements from a total of 38% of interviewees could potentially have been ruled inadmissible in a court of law.

An important factor in determining if someone will understand information being presented to him/her verbally is how quickly it is delivered (e.g., Denbow 1975). Research suggests that the upper range of acceptable speech rates is between 150 and 200 words per minute. A

rapid decrease in comprehension tends to occur when speech rates exceed the upper limit of this range (see Carver 1982; Jester and Travers 1966). We found that the right-to-silence caution was delivered, on average, at a rate that was 31% faster than the upper limit. The fact that the lowest bound on the confidence interval around average speed of delivery for the right-to-silence caution was 246 words per minute further suggests that it is doubtful that the actual speech rate for the right-to-silence caution would ever be found within the range of acceptable speech rates. This finding therefore highlights the need for interviewers to reduce the speed at which they deliver that caution.

By contrast, the right-to-legal-counsel caution was delivered, on average, only 2% faster than the benchmark of 200 words per minute. This finding is somewhat encouraging because if interviewees are able to understand and subsequently invoke their right to legal counsel it is likely they will be advised of their right to silence by that lawyer. Having said that, 65% of the right-to-silence and 32% of the right-to-legal-counsel cautions exceeded the acceptable speech rate benchmark, which suggests that a significant proportion of interviewees struggled to understand their legal rights. The fact that comprehension has been shown to be low in highly controlled experimental settings using university students (e.g., Eastwood and Snook forthcoming) suggests that the comprehension of cautions would be even more difficult for actual interviewees in a highly stressful police interview. This is especially true given that Canadian offenders typically have low literacy levels and a high frequency of learning disabilities (Bell, Conrad, and Suppa 1984; Muirhead and Rhodes 1998). Although the impact of speed of delivery on comprehension of cautions remains an empirical question, we recommend that interviewers deliver both cautions at a slower rate than what was observed in these interviews.

Perhaps the most interesting finding was that interviewees almost always responded in the affirmative (98% for silence, 94% for legal counsel) whenever they were asked if they understood their rights. This particular finding is in direct contrast to caution-comprehension research showing that it is rare for people to fully understand their rights (e.g., Clare, Gudjonson, and Harari 1998; Eastwood and Snook forthcoming; Fenner et al. 2002; Grisso 1981). Specifically, Eastwood and Snook (forthcoming) showed that 4% of a sample of Canadians understand their right to silence and 7% fully understand their right to legal counsel. Therefore, it appears that interviewees are claiming to understand a caution when in fact they do not, which also matches

the findings from experimental research on caution comprehension. For example, Fenner et al. (2002) found that, while none of the participants in their study demonstrated full comprehension the caution, 96% claimed to fully understand the caution.

There are at least two explanations for this apparent yeah-saying. First, the high level of acquiescence may be a result of interviewees' taking the path of least resistance and providing the answer that they believe is most acceptable to the interviewer (see Gudjonsson 1986). That is, admitting a lack of comprehension may lead to an unknown outcome (e.g., interviewer frustration, embarrassment, lengthier process), whereas claiming comprehension reduces that uncertainty. Furthermore, acquiescence has been shown to occur more frequently when individuals with poor intellectual functioning face uncertain situations (Sigelman, Budd, Spanhel, and Schoenrock 1981; Sigelman, Schoenrock, Spanhel, Hromas, Winer, Budd, and Martin 1980); this would appear to describe aptly the situation in many police interviews. A second explanation relates to the amount of knowledge required to be considered knowledgeable about legal rights. Researchers have typically required full understanding of all rights in order to classify an individual as knowledgeable. However, interviewees in this sample may have had a superficial level of knowledge about their rights (e.g., do not have to answer questions, can talk to a lawyer) that led them to claim comprehension. Regardless of the reason, the discrepancy between what people claim about their level of caution comprehension and what is known empirically about their actual comprehension suggests that much more effort is required to verify that interviewees do, in fact, understand their rights.

We found that interviewers only made an attempt to verify understanding in 20% of the cases where the interviewer asked the suspect if they understood their right-to-silence and in 10% of cases where the interviewer asked the suspect if they understood their right-to-legal counsel. We suspect that these percentages are low because interviewers are not required by law to verify understanding (see *R. v. Bartle* 1994). Nevertheless, we believe that verifying understanding is sound practice because it allows interviewers to identify the aspects of the cautions that suspects do not understand and that are in need of explanation. Furthermore, our finding that the interviewers always explained the rights correctly on the few occasions when they attempted to explain the various rights contained in the cautions is encouraging because it appears that they understand the caution themselves and therefore have the ability to help suspects and accused

persons to understand the information that is contained in an inherently complex caution (Eastwood, Snook, and Chaulk 2010).

There are at least three potential limitations of the current study that deserve mentioning, each of which is related to the representativeness of the sample used. The first concern relates to the fact the sample was not selected randomly, which makes it difficult to know whether the interviews used in the current paper are representative of all interviews being conducted by the participating organization. The second concern relates to the fact that all interviews were collected from a single police organization, thus calling into question how representative these interviews are of those being conducted by all police organizations in Canada. Thirdly, this study only examined interviews from the criminal investigation division, as these are the interviews that tend to be audio- and video-recorded. The sample of interviews, therefore, may not match the distribution of offences that are processed by this organization. For example, the most common type of offence in Canada is theft (Dauvergne 2007); yet only a minority of the offences covered by the current study involved theft. Future replications of this study, using data from other organizations, will ultimately provide an indication of the representativeness of our findings.

There is no disputing that the proper delivery of the right-to-silence and right-to-legal-counsel cautions is fundamental to the administration of justice. This study provides the first in-depth examination of how Canadian police cautions are administered in practice. Assuming that our results can be generalized to the rest of Canada, it seems that interviewers generally administer cautions in a professional manner. However, we recommend that interviewers deliver cautions more slowly, record the administration of the cautions for every interview, and spend more time verifying that interviewees fully understand their rights. Taking these recommendations into consideration would likely ensure that the rights of the accused were protected and that investigators were able to avoid having valuable statements excluded in court.

Note

- 1 We would like to thank the participating police organization for understanding the importance of research and for providing a sample of their interviews. Correspondence concerning this article should be addressed to Brent Snook, Department of Psychology, Science Building, Memorial University of Newfoundland, St. John's, NL, Canada, A1B 3X9. E-mail: bsnook@play.psych.mun.ca.

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