

LISTENING AND ASKING QUESTIONS

Gillian Parry

The problem is that it is such fun talking. To have reached the positions we have, we are probably highly articulate and logical. We have been educated to have a wide vocabulary, to analyse and to argue. This is both a strength and a weakness. Certainly we need these skills to do our jobs, but they also mean that we are missing things. For a variety of reasons we may not be listening to what another person is trying to tell us and, even if we do hear, we may be too quick to criticise.

Why is listening so difficult?

Effective listening is hard work. In the words of Shunryu Suzuki:

'Usually when you listen to some statement, you hear it as a kind of echo of yourself. You are actually listening to your own opinion. If it agrees with your opinion you may accept it, but if it does not, you will reject it or you may not even really hear it.'

Someone giving evidence in front of a tribunal is likely to be nervous and daunted. He or she may not be articulate and anxiety may increase the problem. His or her words may be jumbled and unstructured. In addition we can think about four times faster than anyone can talk, so unless the speaker is skilled at keeping our attention our minds are likely to wander. Another danger is that we filter what is said. We prejudice it based on our past experience; we may hear what we expect to hear or listen to the beginning and then start planning our reply.

How do we listen effectively?

Of course, such partial listening is inefficient if not positively dangerous, because we are not accurately receiving the message the speaker is sending. This is particularly so since most people do not speak coherently, especially when they are under pressure. Instead we need to concentrate hard on the speaker's words

and on how they are said. We need to notice what is said and what is not said, the tone of voice and the gestures. We have to avoid interrupting, criticising or assuming we know what is coming. And we need to look as if we are listening.

If we give the speaker our undivided attention it will encourage him or her to give us more information. Most of all the speaker needs eye-contact: not an aggressive stare, but gentle interest which helps him or her to feel comfortable. We are all offended if the person we are speaking to is not paying attention and are easily encouraged by someone who looks interested. Of course, you may have to take notes, which means that you cannot look at the speaker all the time, but he or she will be happy if you explain why you are doing so. A simple comment like 'Bear with me while I make a brief note so I don't forget what you have said', makes the speaker feel important rather than rejected.

Using silence is also a very powerful way of obtaining information. There is a saying that 'nature abhors a vacuum, people abhor silence'. We all know what it is like when an awful silence falls at a party and everyone frantically tries to think of something, anything, to say. So if you are trying to encourage someone to talk, leave him or her the time in which to do so – overcome your urge to fill the gap. It may be that he or she needs time to think; it will certainly encourage elaboration. Then help the speaker while he or she is speaking and show him or her you are listening by making encouraging noises such as 'Oh yes', and 'Ah', 'I see what you mean'.

One technique to build rapport is to summarise or rephrase what the speaker has said to show you have listened and understood, and to encourage more to be said. Appropriate phrases might be:

- 'So what you are saying is...'
- 'Let me check I have understood you properly...'

Gathering more information – the power of questions

Having established rapport and shown that you are willing to listen, more information may be gleaned by careful questioning. You may want to fill in the gaps in what the speaker has said, to check your understanding or to clarify a point of doubt.

There are two basic types of question. A *closed question*, which invites a simple answer of 'Yes' or 'No', is useful to extract information or to control a garrulous speaker. For example,

- 'Are you responsible for checking invoices?'
- 'Can you deliver on February 28th'?

However, closed questions must be used with care because they do restrict the speaker from telling the full story as he or she wants to and may make him or her feel under interrogation. In contrast, *open questions* encourage the speaker to give more information and can be used to learn more detail or coax someone who is shy. They usually start with: 'How...?', 'What...?', 'Where...?', 'When...?', 'Who...?' For example:

- 'What is the procedure for checking invoices?'
- 'When are the goods due to be delivered?'
- 'Why did you order the goods?'

The two types of questions should be used as appropriate and a variety of styles helps to hold attention.

Effective questioning

Always keep questions simple and avoid jargon. Remember that the person you are speaking to may be apprehensive and tense so his or her own listening may be inaccurate. Speak his or her language and flag his or her attention. Phrases like 'Let me ask you a question...', help the speaker to focus on what you are about to ask. Avoid multiple questions, where several things are asked at once. For example:

- 'Where did you buy the goods? Was anything said about them? Did you read the instructions?'

Such a technique is likely to confuse – you will probably only get a reply to one of the questions and it may well not be a clear one. Leading questions, even when permitted in evidence, are also of limited value. They suggest a particular answer and hence tend not to produce genuine information. Also avoid judgemental questions which may alienate the other person by making him or her feel you are biased against him or her. Whether a statement is judgemental or not may be a matter of the words used or may simply be a matter of the tone in which they are said. The words 'Why did you do that?' are not offensive in themselves, but the tone may make them so.

Of course we have now come full circle because the most efficient questioning techniques will be worthless unless the questioner listens to the answer – and to the answer the speaker is giving him or her rather than what he or she expects to receive. It is a matter of building rapport and concentrating on all the signals the speaker is giving – words, tone of voice, facial expression, silences, posture.

Do you wonder why a day's hearing is so exhausting?

About the author

Gillian Parry is a solicitor who has practised in both public and private sectors. More recently she has specialised in training lawyers in interpersonal and communication skills. She is now Director of Training of D J Freeman, Solicitors in the City.