

# **The Accuracy and Credibility of Children's Statements**



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**THANKS TO DR. KANG LEE (TORONTO) & DR. ROD LINDSAY (QUEEN'S)**

Association of Family & Conciliation Court – Ontario Chapter  
Toronto, Ontario  
October 15, 2010

# **Liar, Liar, Your Pants are on Fire!**



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# Children's Statements

3

## Child Development

- Cognitive development
- Language development
- Social-Emotional development



## Child Credibility

- Communication Capacity
- Memory
- Suggestibility
- Veracity

# Ability to Communicate?

4

- **Vocabulary**
  - By 3 years, about 1,000 words  
in preschool years, concrete (ball) understood better than abstract (truth)
  - By 8 years about 7,000 words
- **Adult-like communicative competence does not fully develop until 10-12 years of age**

# Communication Difficulties

5

- Young children difficulties with:
  - Passive voice
    - ✦ *“The man was hit by a car”*
    - ✦ May confuse with *“the man hit the car”*
  - Preposition confusion
    - ✦ 3 year old boy excitedly reports to Mom, after access visit:  
*“Dad put his pee pee in my pee pee.”*
    - ✦ Child actually communicating:  
*“Dad put his pee pee on my pee pee”*
    - ✦ Dad teaching son to urinate standing up, and used the toilet after son.

# Language Abilities

6

- Difficulty with embedded clauses, conjunctives, and double negatives.
- Typically can only process sentence constructions with 5 to 7 words
  - Transcript of 4 year old being asked question by police:

**Officer:** *“When your mom took you to you uncle’s house last Saturday, did you stay the night or did you drive back to San Diego and have dinner with your dad?”*

**Child:** *“No”.*

# Children's difficulties

7

- **Elaboration**
  - More limited for children
- **Sequencing**
  - Difficult with sequencing
- **Limited comprehension**
  - Adults often ask questions that are too complex
- **Socialized to respond**
- **Rarely ask clarification or “don't know” responses**
  - Are used to guessing if they do not understand
  - “Is red heavier than blue?”

## Speaking to Children

- Avoid jargon
- Use simple, direct short sentences
- Encourage: “I don’t know.”
- Clarify:
  - I don’t understand your question
  - I don’t know the answer
  - I don’t want to answer
- Clarify confusing answers

# Types of Memory

9

- **Semantic Memory:**
  - Long term storage of an individual's world knowledge
    - ✦ Example: *Paris is a city in France, the Eiffel Tower is in Paris*
- **Episodic Memory:**
  - Memory of specific events
    - ✦ Example: *A recent trip to Paris, mentally reliving events that happened there: the places visited, sights seen, sounds heard, aromas smelled, and people met*

# Memory is not a video recorder

10

- **Orienstein et al (1998):**
  - Children between 4 and 6 years of age
  - medical examination administered by a pediatrician
    - ✦ Typical components
    - ✦ Absent typical components
    - ✦ Atypical components included (measured circumference)
  - Interview: 1 day, 12 weeks
  - At 1 day interview, few mentioned the absent components.
  - After 12 weeks, many “remembered” some “absent” components
- **Their memory conformed over time to their knowledge and expectations about the event.**

# A demonstration of memory!

11

- By a show of hands, please indicate whether the following words appeared in the list
  - Chair
  - Bed
  - Sleep
- rest, tired, awake, dream, snore, bed, pillow, slumber, sound, comfort, wake, night
- “chair” does not fit the script so no one “forgot,” but easy to confuse “sleep” and “slumber”

# Memory

12

## Three Stages of Memory

- **Stage 1: Encoding**
  - ✦ What gets attended to, how it gets represented in memory

## Not Everything Gets into Memory!

- Young children encode less due to limited attention and processing speed
  - ✦ These skills increase with age
- Other factors that affect encoding:
  - familiarity with event
  - “interest value”
  - understanding of the details of the event
  - stress level at time of encoding

# Memory

13

## Three Stages of Memory

- **Stage 1: Encoding**
  - ✦
- **Stage 2: Storage**
  - ✦ The “shelving” of acquired information and experience
  - ✦ Storage is divided between short term vs. long term storage

## Information in Memory is not Frozen

- decays & changes over time
  - Younger children have limited long term memory
    - More likely to encode into to short term storage
  - Older children and adults have greater capacity to transfer into long term storage
  - Infantile amnesia reflects loss of early years memories by age 10

# Memory

14

## Three Stages of Memory

- **Stage 1: Encoding**
- **Stage 2 : Storage**
  - ✦
- **Stage 3: Retrieval**
  - ✦ Accessing and recounting stored information

## Retrieval is Not Perfect

- Not every item in memory is reported
- Children's processing speed can limit retrieval
- Retrieval in children is strongly influenced by context , questioning & cuing

# Numeracy, Distance, Time

## Abstract Concepts – Know words before concepts

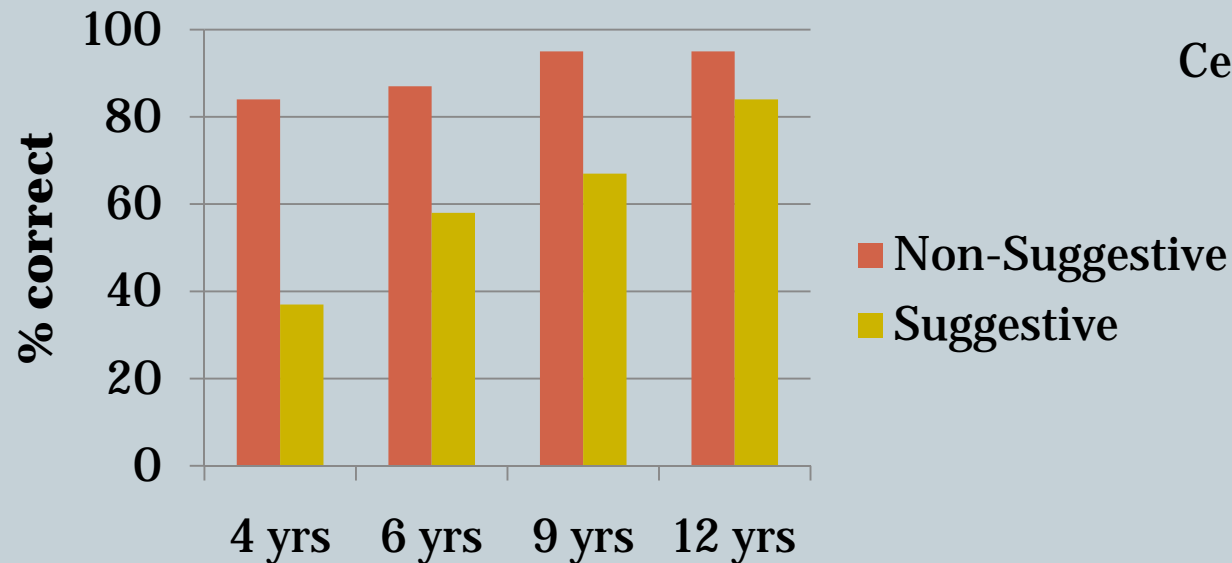
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- Eg, numbers: most children can recite numbers in order by age 5 or 6, but do not develop real numeracy until 8 or 9 years
- How many times did this happen?
  - Not a memory questions for repeated events
  - Computation question
- So expect variation, inaccuracy, “exaggeration”
  - “1,000 times” = many

# Suggestibility

16

- Questions that suggests answers can unconsciously & permanently distort memory
- **Age factor:**
  - Preschoolers are more suggestible than older children



Ceci et al 1997

- **But: *school aged children and adults are also suggestible***

# Suggestibility

17

- **Source Monitoring errors**
  - ✦ confuse memories from different sources (e.g. from real experience vs. another person)
- **Social factors**
  - ✦ Compliance with authority
  - ✦ Belief in others knowledge
  - ✦ Self-esteem
- **Interviewer Bias**
  - Interviewer prior belief affects the outcome of interview if suggestive questions are used

# Suggestibility

18

- **Interview technique**
  - **Types of Questions:**
    - ✦ **Open ended Questions**
    - ✦ **Cued recall questions**
      - **General Wh- questions?**
        - What, where when, who, why, how
      - **Specific WH- questions**
        - *“What colour were the man’s shoes?”*
      - **Recognition questions**
        - *“Did he touch you?”, “Was he angry?”*
      - **Tag or Negative-Term Questions**
        - *“Mike played with the toy, didn’t he? “Didn’t you see the toy?”*
      - **Forced-choice Questions**
        - *“Did you eat dinner or watch TV?”*



# Suggestibility

19

- **Interview frequency**
  - Repeated suggestive interviews results in false memory
  - Studies have shown reports that emerge in first interview with a neutral interviewer are more accurate
  - But repeated suggestive interviews results in highly credible testimony!
    - ✦ E.g. Martinsville, Manhattan Beach

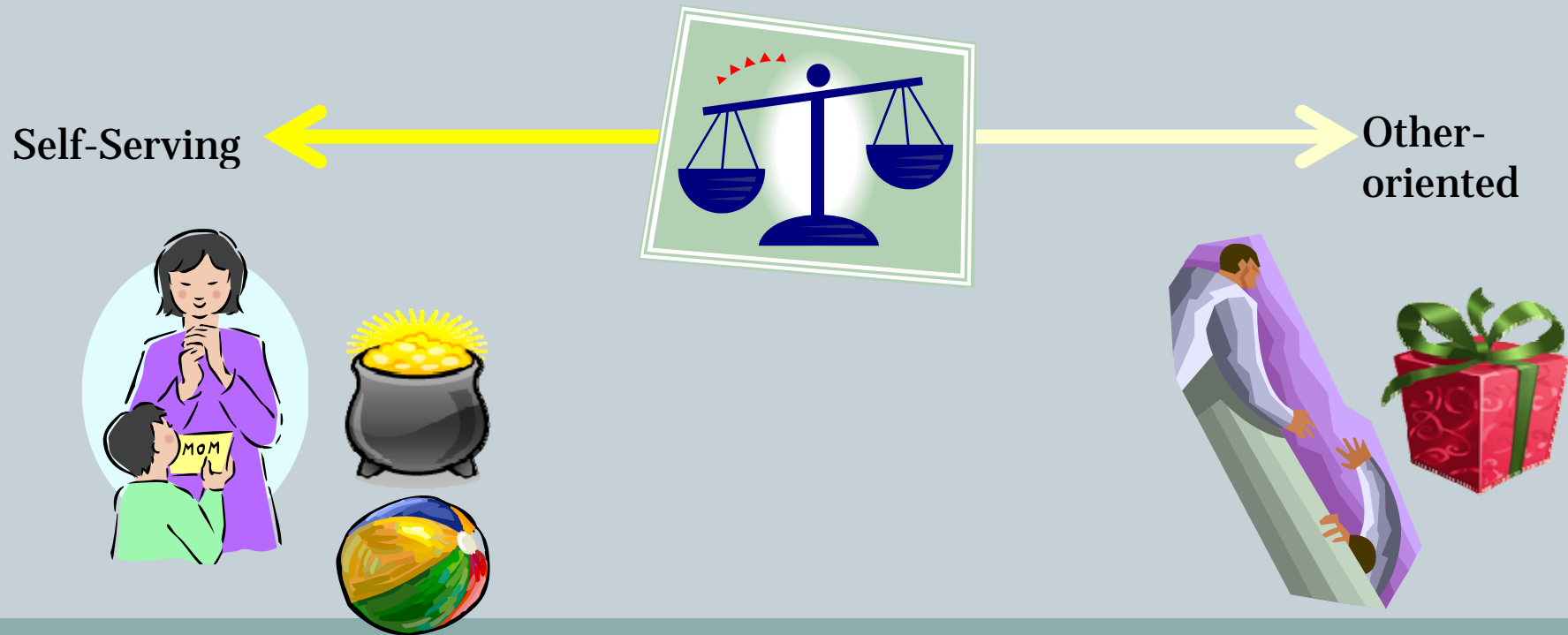
## Implications for Interviewers

- Video taping of child's report as soon as possible after allegation
- Avoid suggestive and leading questions
- Avoid repeated questions
- Use open-ended questions
  - If necessary, use directive questions
    - ✦ (e.g., "What was he wearing" instead of "Did he wear red jacket?")
- Less concern about inconsistencies compared to adults

# Children's Veracity (Honesty)

21

- A lie:
  - A statement made with the deliberate intent to deceive another



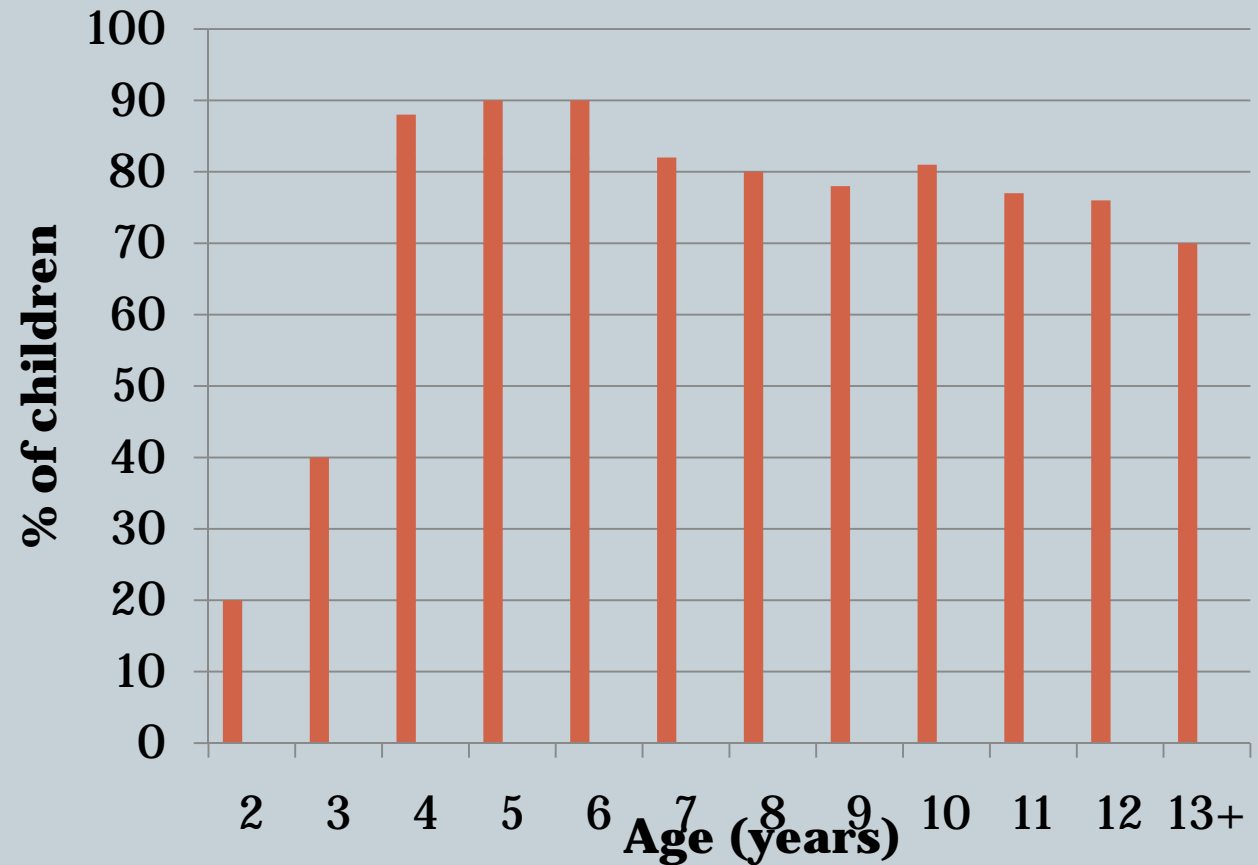
# Why do children lie?

22

- **For the same reasons as adults:**
  - To avoid negative consequences
  - For personal gain
  - For impression management
  - To help another
  - To be polite

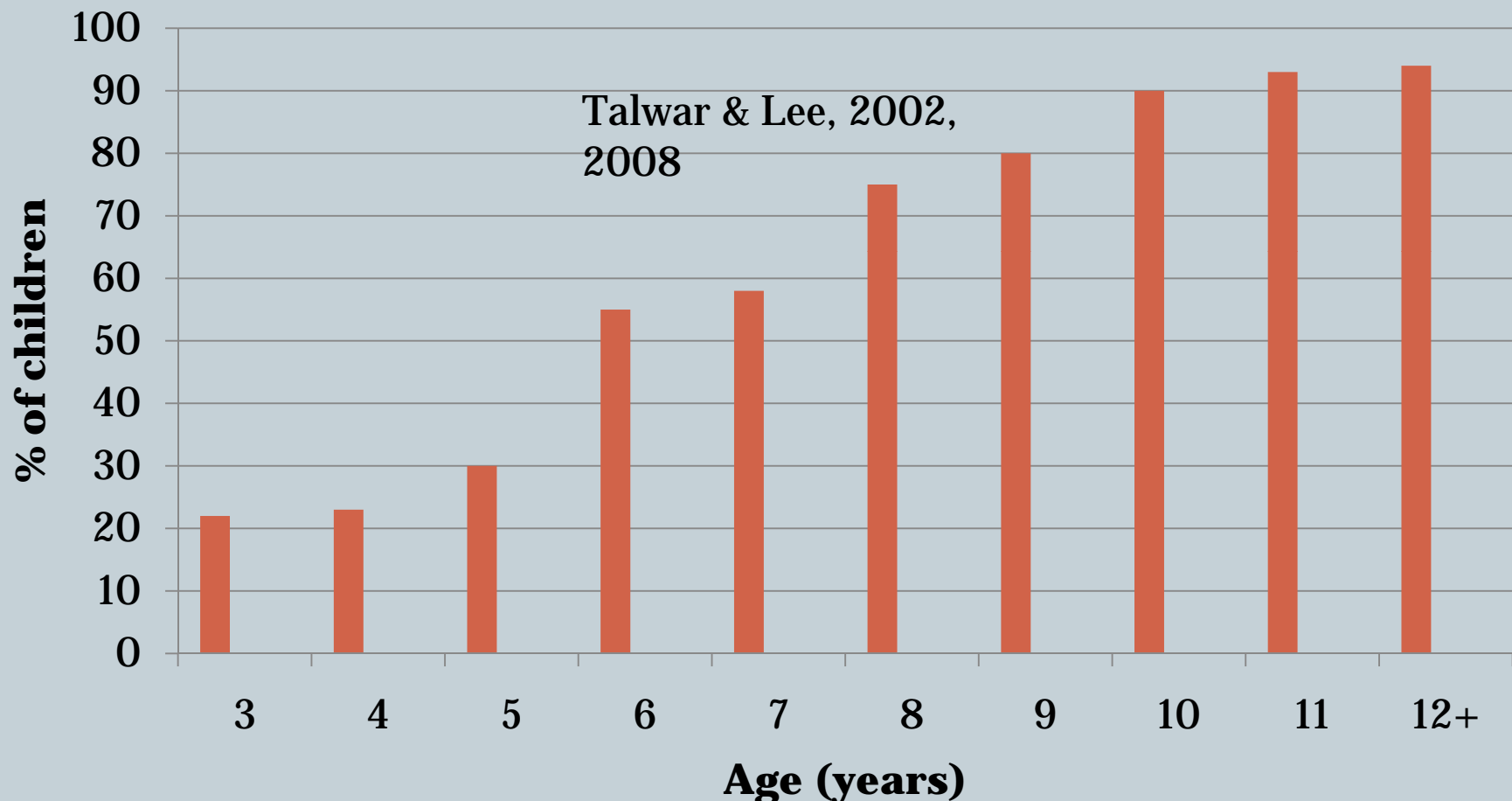
# At what age do children lie for themselves?

23



# Children's ability to maintain their lies

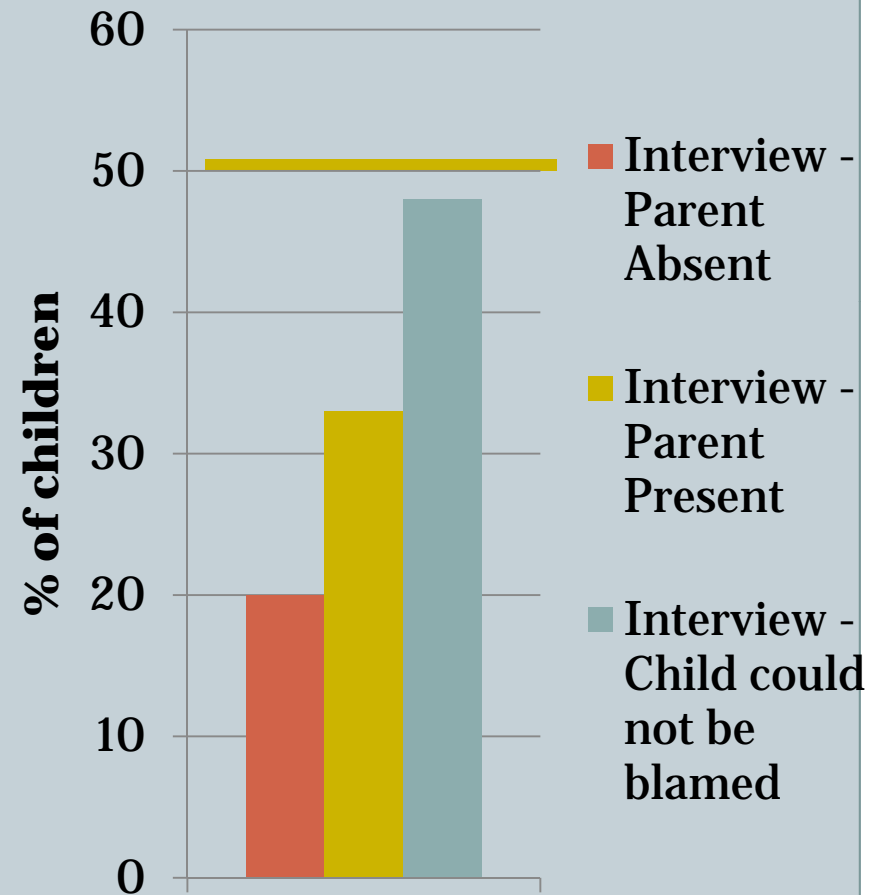
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**Young children are poor lie-tellers and have difficulty maintaining their lies when asked follow-up questions**

# Do children lie for their parents?

25



Talwar, Lee, Lindsay & Bala, 2004

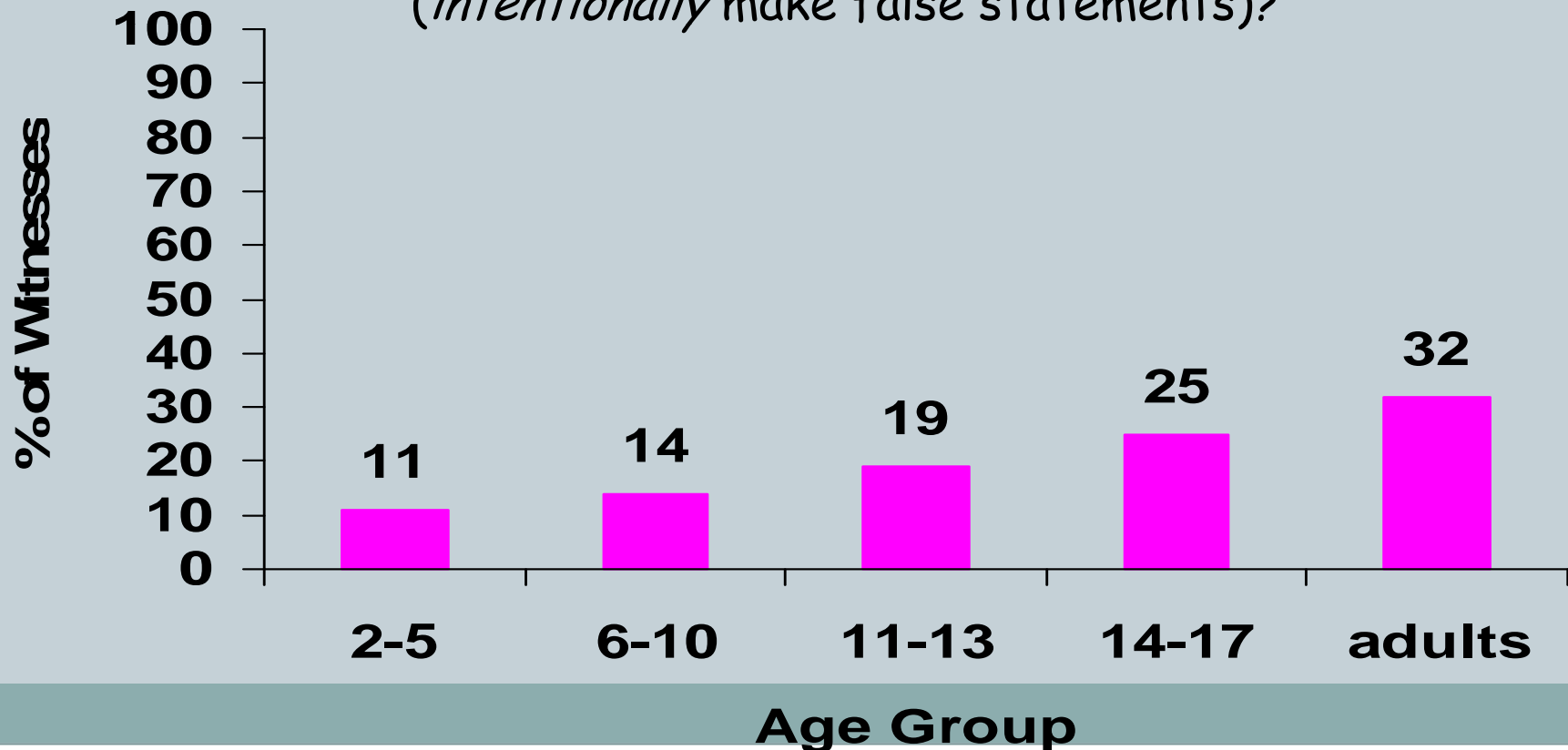
# Judicial Perception of Honesty of Witnesses

(Bala et al, 2005)

26

As age increases, perception of lying in court also increases

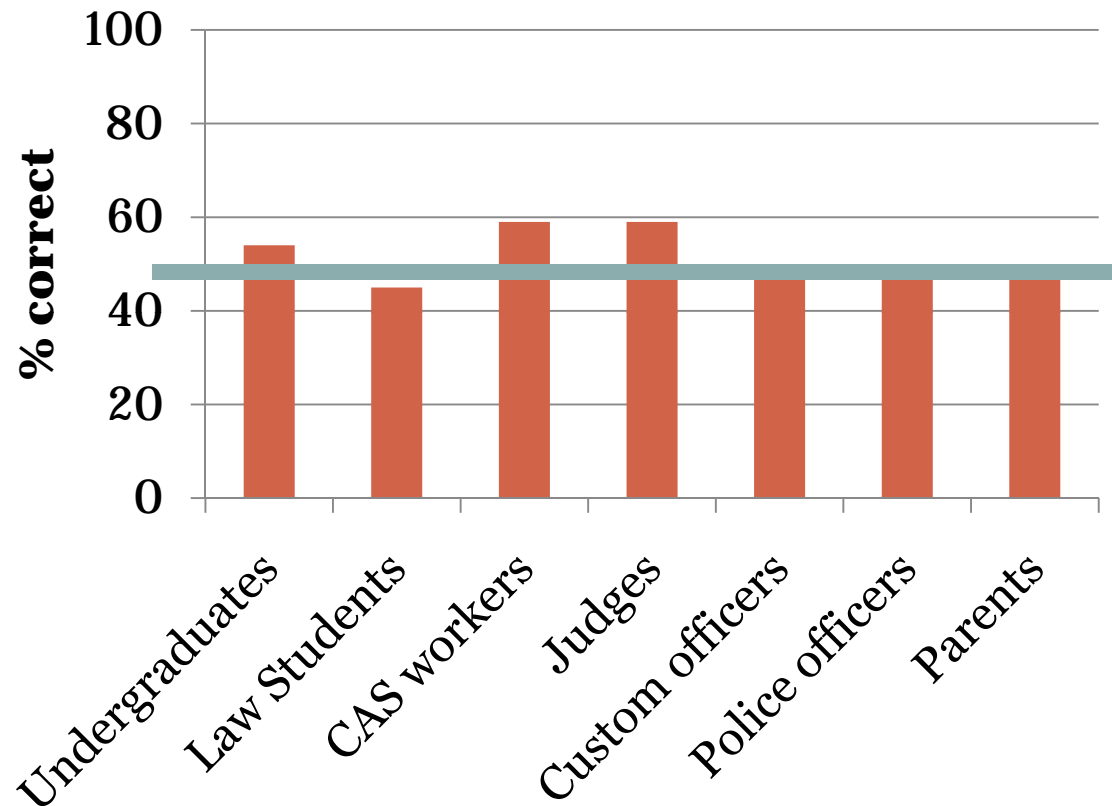
What percentage of witnesses of the following ages lie in court  
(*intentionally* make false statements)?



## Can we spot a liar?

Adults are poor at accurately detecting children's true and fabricated reports regardless of experience and profession.

(Bala et al, 2005)



# Social Context affects children's responses

28

- **Unfamiliarity and stress**
- **Authority figures**
  - Who is present?
  - Who drove child to interview?
  - Who is asking
- **Coping Strategies:**
  - Avoidance, opposition, defensiveness
- **Self-consciousness and embarrassment**
- **Rapport building**
- **Children often want to be heard!**

## Children's Statements

Children are capable of giving reliable, truthful and accurate statements

- **We must remember that young children may not understand, may not remember or may be more confused and influenced by our questions**
- **A child's age is a basis for expectations about their capability rather than as a diagnosis of competence**
- **Detail is not an indicator of reliability or credibility**

The end

Any comments or questions?



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