

The Effects of Cross-Examination on Children's Testimonies

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INTRODUCTION

- Cross-examination is an interview technique used to get more information from the subject.
- It is done by the opposing side's lawyer and if the subject changes details of their original testimony, they can be found to be unreliable in court.
- This is an intimidating process especially for children.

RESEARCH QUESTIONS

Do standard question and answer techniques promote errors?

What is a more non intimidating way to interview children?

Might 'play' techniques be a better way to interview with children?

PRIOR RESEARCH

Article 1

- Looked at real court cases and compared children's cross-examinations with adults.
- Leading questions and credibility challenging questions produced the most changes in both the children's and adults stories.
- All adults and 93% of children changed at least one aspect of their stories from their original statements.

Article 2

- Examined how well 12-to-15-year-olds know commonly used court terms.
- Age had the greatest effect on how well the child was able to recognize and define the legal term.

Article 3

- Examined individual factors including, self-esteem, self-confidence, assertiveness, and number of siblings to see which had the greatest effect on how well the child was cross-examined.
- Parents and teachers ranked these factors.
- Poor cross-examinations were associated with low self-confidence, self-esteem, and assertiveness.

Article 4

- Presented 5-6-year-olds with a memory event and then did a direct interview asking what happened during the memory event.
- Next children were cross-examined on the same memory event.
- Results showed that the majority of children made changes to their stories.

Article 5

- This study was the same as article #4 except this study looked at 9-10 year olds. The results indicated that although 9-10 year olds seem to be slightly less vulnerable to the negative effects of cross-examination, they are still not fully unaffected.

PROPOSED STUDY

- Prior research has shown that cross-examination does not always get accurate information from children.
- The proposed study will look at 'play' techniques in which the child is able to communicate with toys to tell their story.
- This is expected to be an easier way for the child to communicate with adults.

Hypotheses

- If 'play' techniques are used to allow children to communicate this will produce more accurate results.

Participants

- 24 children from each of the following age groups:

5-6 year olds

6-7 year olds

7-8 year olds

Procedure

Memory Event

- Children go to the store to purchase cookies
- Come back to school to make and eat cookies

Direct Interview

- Non intimidating interview
- Child will be asked what happened during memory event

Final Interview

- Control group cross-examined using leading question
- Play group using toys to communicate

PREDICTED RESULTS

- The play group will make fewer changes from their direct interviews to their second interviews as compared to the control group.

CONCLUSIONS

- The proposed study will expand current knowledge about new approaches to interviewing children besides cross-examination.
- This study will provide insight to those professionals dealing with interviewing children.
- Future research should try to use a more ecologically valid method involving time.

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