

The quality of details when children and youths with intellectual disabilities are
eyewitnesses

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Abstract

The focus of the present study was to learn more about how children and youths with intellectual disabilities are able to describe their experiences of abuse in real forensic interviews. We explored the quality of details when 33 children and youths with intellectual disabilities were interviewed about their abuse experiences. Their chronological ages were between 5.3 and 22 years ($M = 12.9$ years) when the last incident of abuse occurred. Unfortunately, few invitations and a large number of directive and option-posing questions were asked. Moreover, the children tended to agree with option-posing and suggestive statements. Despite very few invitations being asked they elicited significantly longer responses compared to the other question types.

The quality of details when children and youths with intellectual disabilities are eyewitnesses

Compared to typically developing children, the children and youths with disabilities are more likely to be abused (Crosse Kaye & Ratnofsky, 1993; Sullivan & Knutson, 1998; 2000; Westcott & Jones, 1999). Children and youths with intellectual disabilities (IDs) who are alleged victims of abuse, also report more severe forms of sexual abuse than typically developing children (Hershkowitz, Lamb & Horowitz, 2007). Despite a paucity of research showing their abilities as eyewitnesses they are nonetheless viewed as less reliable informants (Henry & Gudjonsson, 2007). Courts seem to be reluctant to accept these children's testimonies because of their age and their intellectual disability (Henry & Gudjonsson, 2003). In addition, they are not interviewed properly which can imply that they are not given the opportunity to report their experiences as accurately and coherently as possible (Cederborg & Lamb, 2008a).

Courts seldom ask for expert guidance when assessing their credibility, and as a result courts can make decisions about credibility largely in ignorance of these children's capabilities, behaviour and limitations. Regardless of interviewer behaviour and insufficient knowledge about their capabilities, courts argue that credible accounts from children and youths with IDs should have the same characteristics as those from alleged victims without intellectual disabilities (Cederborg & Lamb, 2006). When these children are not understood correctly there is a risk that they are excluded from a proper legal trial (Cederborg & Gumpert, 2009).

Knowledge from research can develop professionals' understanding of capacities and difficulties of children and youths with IDs. So far, we do not know enough about the quality of details given by them in real forensic interviews, however, and this was the focus of the present study.

Research from laboratory studies has shown that children with mild IDs are less able to develop their reports compared to typically developing (TD) children of the same chronological age but that they do not differ when reporting accurate information from free recall or misleading questions. In addition, children with mild IDs do not differ in relation to suggestibility compared to TD children of the same chronological age.

However, children with moderate IDs provide less information than both TD children and children with mild IDs. They are also more suggestible although their responses to free recall questions tend to be accurate (Henry & Gudjonsson, 2003). This means that the severity of disability influences how children and youths with IDs perform, but overall, the accuracy of their accounts has been described as comparable to that of mental age-matched TD peers (Fowler, 1998; Henry & Gudjonsson, 1999; Iarocci & Burack, 1998; Michel, Gordon, Ornstein, & Simpson, 2000; Zigler, 1969). However, children and youths with IDs may change their responses when option-posing and suggestive questions are repeated in real forensic interviews (Cederborg et al., 2009).

In sum, children and youths with IDs (including those with autism spectrum disorder (ASDs) may have problems remembering the events in question, they may acquiesce to suggestions and have difficulties communicating their experiences thus making them unable to provide coherent and detailed reports of their experiences (Cederborg & Lamb, 2006). When interviewing alleged witnesses who have a variety of IDs, police officers should therefore give priority to strategies that will help possible victims provide the most accurate and complete information possible (Cederborg, Gumpert & Abbad Larsson, 2009; Home Office 2002; Jones, 2003). Interviewers should use open question types whenever possible because they maximize accurate recall from both typical and intellectually disabled witnesses. Hence, interviewers should start with open questions and then proceed to more specific questions as needed (Gordon &

Schroeder, 1995; Poole & Lamb, 1998), bearing in mind that responses from people with IDs may become less accurate when they are asked focused questions (Henry & Gudjonsson, 2003; Kebell et al., 2004).

So far, we do not know enough about how children and youths with memory and communicative difficulties are able to describe their experiences of abuse in real forensic interviews. Consequently, this was the focus of the present study. We explored the quality of central and peripheral details in interviews with 32 children and youths with IDs about their abuse experiences in relation to the quality of question asked. We first made a quantitative analysis to identify all the interviewers' question types, invitations, directives, option-posing and suggestive utterances. Second, all the children's elicited details were coded into subcategories of central and peripheral information, and third, we analysed how they responded to possible influencing prompts, that is option-posing and suggestive questions.

Method

We examined the first formal investigative interviews with 32 children and youths with IDs. When analysing the child and youth's elicited details in relation to type of questions, the focus was on two groups of question types. The first group was open questions, i.e., invitations that encourage free recall responses and directive questions refocusing the child's attention on details or aspects of the alleged incident that the child already mentioned. The second group comprised focused questions, i.e., option-posing questions that focus attention on details or aspects of the alleged incident that the child has not previously mentioned, as well as suggestive questions in which the interviewer strongly communicates what response is expected.

In order to gain insight into each witness's possible reporting capabilities, circumstances and experiences, we first conducted an inductive review of all the documents (the transcribed interviews, documents from the police investigations and the court files) in each case. Information about the different participants' test results and capacities was seldom obtained formally during the investigation and the courts were often given this information third-hand (Cederborg & Lamb, 2006). As a result, the sample involved children and youths with a diverse array of disabilities.

Data

From the limited information available, it was found that

1. 22 of the 33 cases involved children and youths who were developmentally delayed; 9 were assessed with mild IDs (1 youth was involved in two different cases) and 13 with unspecified degrees of ID.
2. Four others were reported to have Autism spectrum disorder (1 with Asperger syndrome).
3. Seven had been diagnosed with ID (2 mild and 5 unspecified) combined with ASDs (1 Asperger syndrome).

The interviews involved 24 females and 9 males whose chronological ages were between 5.3 and 22 years ($M = 12.9$ years) when the last incident of abuse was believed to have occurred, and they were between 5.4 and 23.7 years of age when subsequently interviewed ($M = 13.2$ years).

Thirty one of the participants were thought to be exposed to abuse for the first time when their chronological age was less than 18 years. One case involved, however, a girl older than 18 years of age when first being abused. She was described as having severe developmental delays. Because of the participants' IDs and presumed

memory limitations they have been referred to as children and youths throughout this paper.

Most of the children and youths were suspected victims of sexual abuse. Most of the suspected perpetrators were well known or familiar to the children and youths (see Table 1).

Insert Table 1 here

Ethical considerations

All case material was given to the first author by the prosecutors and police officers in accordance with the provisions of the Official Secrets Act in Sweden. Personal details and references to places that might permit identification were removed to ensure that none of the victims could be recognized. When the study was conducted, Swedish researchers were not required to have their studies reviewed by human subjects' protection committees, but the present study was reviewed and approved by the official at Linköping University, Sweden, responsible for monitoring research being conducted by University staff. This official ensured that the study was designed and implemented in accordance with the Helsinki declaration (1975) regarding research on human beings.

Quantitative analysis

Step 1

After checking the transcribed interviews from video recordings to ensure their completeness and accuracy, the first author reviewed the transcripts and identified each interviewer utterance that was an invitation, directive, option-posing, or suggestive, using the categories developed by Lamb, et al (1996; 2007).

Open questions

Invitations: Utterances, including questions, statements, or imperatives, prompting free recall responses from the child.

Directive utterances: These refocus the child's attention on details or aspects of the alleged incident that the child has already mentioned, providing a category for requesting additional information.

Focused questions

Option-posing: These were utterances were those that focused the witness's attention on details or aspects of the alleged incident that the witness had not previously mentioned, asking the witness to affirm, negate, or select an investigator-given option using recognition memory processes.

Suggestive: These were utterances were used in such a way that the interviewer strongly communicated what response was expected or assumed details that had not been revealed by the witness.

Step 2

All the details elicited from the children were then coded using a developed version of Lamb et al., (1996). The central details were categorized in three different subgroups and peripheral information in two different subgroups.

Central details: Description of the crime, identification of the suspect, time and place, the suspects' actions and temptations, the victims' actions and perceptions during the abuse were coded into separate categories.

Peripheral details: Descriptions of the crime not involving the abuse event and description of victims' "state" during the abuse as well as emotions and thoughts

attributed to the suspects or possible other witnesses were also coded.

Repeated details were coded only once.

Step 3

All substantial event information elicited using option-posing and suggestive prompts were categorized using two different combined response categories:

Agreement: The child or youth accepted an option proposed or detail suggested by the investigator and may have elaborated upon it.

Disagreement: The child or youth did not accept an option proposed or detail suggested by the investigator and may have proposed an alternative option.

Reliability

All 33 transcripts, in the second and third step of analysis, were coded by the second author. Twenty percent of the transcripts were randomly selected and independently coded by the first author. Inter-rater reliability was 95%. Disagreements were resolved through discussion.

Results

The types of questions used in the interviews

The 33 interviews of children and youths in this study contained a total of 4027 questions pertaining to alleged abuse with a mean of 122 questions per interview. There were equal numbers of open questions 50% (5% invitations and 45% directives) asked as there were focused questions 50% (43% option-posing and 7 % suggestive).

The numbers of central and peripheral details elicited

Table 2 shows the mean numbers of details that were elicited and were analysed using a repeated measure ANOVA and post-hoc t-tests. Similar numbers of central details ($M = 73.21$, $SD = 44.98$) were elicited as peripheral details ($M = 58.96$, $SD = 40.61$), $F(1,96) = 3.00$, $p = .09$, $\eta^2 = .08$. Most of the central details reported were descriptions of the crime including the time and place as well information about the identity of the suspect ($M = 63.78$, $SD = 40.18$) compared with details about the suspects actions ($M = 4.27$, $SD = 5.36$) and the victims actions ($M = 5.15$, $SD = 5.35$), $t(32) > 8.63$, $ps < .001$, which did not differ. The peripheral details disclosed were predominantly about the context of the abuse events ($M = 48.00$, $SD = 34.78$) compared with emotional details ($M = 10.96$, $SD = 8.75$), $t(32) = 6.99$, $p > .001$.

There was also a significant difference in the numbers of details elicited for the different question types, $F(3,96) = 41.38$, $p < .001$, $\eta^2 = .56$. A similar number of details were elicited by directives ($M = 58.21$, $SD = 41.21$) compared to option-posing questions ($M = 54.09$, $SD = 26.71$). More details were elicited by the directives and option-posing questions compared to invitations ($M = 12.45$, $SD = 23.31$), $t(32) > 6.69$, $p < .001$, and suggestive questions ($M = 7.42$, $SD = 6.57$), $t(32) > 7.18$, $p < .001$. As can be seen in Table 2, 42% of the details elicited by directives and option-posing questions were central details about the crime (21% each).

Insert Table 2 about here

The effectiveness of each of the questions types

Although there were few invitations used in the interviews their efficacy can be seen by examining the numbers of details they elicited each time they were used in the interviews. On average invitations lead to longer responses compared to the other

question types. An ANOVA revealed a significant effect of question type, $F(1, 32) = 3.38$, $p < .05$ and no other effects ($p > .6$). Pair-wise post-hoc tests showed that the difference between invitations and other question types was significant ($p < .075$) whereas the other question types produced similar amounts of details per question ($p > .22$). Table 3 shows the numbers of details that were elicited as a function of the type of questions asked. This means that the children and youths with ID were able to disclose more details on average when invitations were asked compared to the other questions.

Insert Table 3 about here

Answers to option-posing and suggestive questions

Because of the problems associated with asking focused questions we examined how the children and youths with ID answered option-posing and suggestive questions (Table 4). There were more agreements than disagreements to option posing questions $t(32) = 4.52$, $p < .001$, whether they regarded central, $t(32) = 3.46$, $p < .002$, or peripheral information, $t(32)=3.57$, $p<.001$. Agreeing to suggestive questions predominated, $t(32) = 3.67$, $p < .001$, whether they regarded central, $t(32) = 2.79$, $p < .009$, or peripheral information, $t(32) = 2.80$, $p < .009$.

Insert Table 3 about here

Discussion

So far, laboratory studies have shown that children and youths with ID, including those with intellectual and communicative disabilities, can provide important and accurate information about their experiences if interviewed appropriately (Lamb et al.,

2008). Knowledge about how these children and youths are able to report their experiences in real forensic interviews is, however, limited.

In this study we therefore wanted to contribute with further knowledge about the quality of details elicited from children and youths with IDs in real life interviews. We expected that the informants could be asked many contaminating questions and that invitations encouraging free recall information were few (Cederborg & Lamb, 2008a; Cederborg et al., 2009). Consequently, the quality of their information had to be understood in relation to the quality of question asked.

As expected, we found that few invitations were asked but that these free recall questions elicited a larger amount of central and peripheral information on average than any other question type. This is consistent with findings in studies of typically developing children (Lamb, Sternberg, Orbach, Esplin, Stewart & Mitchell, 2003; Orbach et al 2000; Sternberg et al, 2001), although children and youths with IDs report less information to open questions compared to chronological age matched peers (Henry & Gudjonsson, 2003).

From the perspective of possible influences on details elicited, it is worrying that option-posing and suggestive questions elicited almost half of the details given. The police officers' extensive use of option-posing questions may have hindered these witnesses to report their abuse experiences in detail. It is not just the fact that important details elicited from the answers to these questions may be limited because of the interviewers' question style, the informants also agreed to the interviewers' given options and suggestions most of the time. From the data available for this study it is not possible to determine why they gave affirmative answers to options and suggestions. It could be that the police officers hinted at the right details but it could also be that they did not trust their own memory and agreed because they did not want to collide with the authorities'

opinions. Whatever the reason for agreeing to options and suggestions, the content of the elicited details may be called in question because of how they were elicited.

It was encouraging that directive questions elicited a similar number of details compared to option-posing prompts. These types of questions were also frequently used by the police officers. Directive prompts encourage the respondents to reveal more specific details about events they have previously mentioned. These prompts can also help elicit a great deal of information that is more accurate than information elicited using option-posing and suggestive prompts (Lamb et al. 1996b). However, such questions offer the interviewees fewer opportunities to provide information (Henry & Gudjonsson 2003), and they can elicit inaccurate information when they are too specific (Dent, 1986; Perlman et al., 1994; Kebbell & Hatton 1999; Henry & Gudjonsson 2003; Kebbell et al. 2004). Compared to invitations, directive questions may have limited these eyewitnesses' opportunities to report important information, but the details elicited from these open prompts may be more accurate than those elicited from focused prompts (option-posing and suggestive).

Children and youths with ID may have varying abilities to remember and communicate their experiences. They may have poorer memory and be at higher risk for suggestibility compared to their TD peers (Gudjonsson & Henry, 2003). Even children and youths with impaired communicative ability, poor memory capacity, and impaired ability to cope with uncertainty or understand the purpose of the interview, they are nonetheless able to answer open questions and provide new details about their experiences, especially when directive questions are asked (Cederborg & Lamb, 2008a). The present study has strengthened this understanding in terms of their abilities and capacities to give high quality central and peripheral information in response to both invitations and directive questions. Irrespective of the fact that the children and youths

may have had individual differences in reporting capacity as well as varied motivation to report their experiences, these findings mean that police officers should start with invitations before using any other question type. They need to find out if the children and youths with IDs are able to report details without the influence of the police.

Uninfluenced central details about the actual abuse event as well as peripheral details surrounding the abuse are of importance when courts are to assess these children and youths' experiences. As long as police officers continue to rely on option posing prompts, there is a risk that the courts, without distinction, confirm their preconceptions of these victims as being incompetent in providing detailed reports. Disproportional use of option-posing and suggestive prompts may also affect the perceived credibility of interviewed children and youths (Cederborg & Lamb, 2006; Tubb et al., 1999).

Above all, this study shows that police officers working with real forensic interviews should develop their understanding of how to interview these children and youths as they may be able to report qualitatively strong and important information about their abuse experiences without the "help" from possible contaminating question types. The limitation of this study is that the nature of the sample is selective rather than representative. The sample is also heterogeneous and we did not have complete information on the informants' specific disabilities and circumstances. This means that we could not examine similarities and differences in the participants' profiles. On the other hand, this study shows that police officers need to recognise that children and youths with ID not necessarily need their options or suggestions of central and peripheral details concerning the investigated crime event.

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Table 1 *Summary of the participants' experiences, diagnoses and relationship to suspects*

Diagnosis	Type of crime		Relationship to perpetrator(s)			
	Sexual abuse	Physical abuse	Relative	Immediate family	Familiar	Unfamiliar
Intellectual disabilities	22		1	7†	9	6
Intellectual disabilities/ autism spectrum disorder	5	2		3	4	
Autism spectrum disorder	3	1		4 ††		1
Total	30	3	1	14	13	7

There were 32 witnesses and 33 interviews.

† One victim mentioned two immediate family members as perpetrators and so was interviewed twice.

†† One victim mentioned two immediate family members.

Table 2. Mean number of central and peripheral details as a function of question type

	Central details			Peripheral details		Total
	Crime	Suspects' actions	Victims' actions	Context	Emotions	
	<i>M (SD, %)</i>	<i>M (SD, %)</i>	<i>M (SD, %)</i>	<i>M (SD, %)</i>	<i>M (SD, %)</i>	<i>M (SD, %)</i>
Open questions						
Invitations	5.78 (14.28, 4%)	0.24 (0.56, 0%)	0.24 (0.93, 0%)	5.36 (10.26, 4%)	0.81 (1.50, 0.5%)	12.45 (23.31, 9.5%)
Directives	27.15 (19.00, 21%)	1.66 (3.02, 1%)	1.93 (2.12, 1%)	21.69 (22.44, 17%)	5.75 (5.17, 4%)	58.21 (41.21, 44%)
Focused questions						
Option-posing	27.33 (16.00, 21%)	2.18 (3.14, 2%)	2.39 (3.62, 2%)	18.42 (14.45, 14%)	3.75 (4.01, 3%)	54.09 (26.71, 41%)
Suggestive	116 (3.51, 3%)	0.18 (0.52, 0%)	0.57 (0.96, 0%)	2.51 (2.74, 2%)	0.63 (1.45, 0.5%)	7.42 (6.57, 5.5%)
Total	63.78 (40.18, 49%)	4.27 (5.63, 3%)	5.15 (5.35, 4%)	48.00 (34.78, 36%)	10.96 (8.75, 8%)	132.18 (71.53, 100%)

Table 3. Mean number of details (and SD) elicited per question type

Details	Open questions		Focused questions	
	Invitations	Directives	Option-posing	Suggestive
Central	0.95 (1.27)	0.60 (0.38)	0.64 (0.39)	0.52 (.049)
Peripheral	1.30 (3.40)	0.60 (0.55)	0.52 (0.72)	0.44 (0.46)

Table 4. Agreement or disagreement to risky questions in relation to type of details

	Option-posing		Suggestive		Total
	Agreement	Disagreement	Agreement	Disagreement	
	M (SD, %)	M (SD, %)	M (SD, %)	M (SD, %)	
Central	19.60 (13.62, 32%)	12.30 (8.82, 20%)	2.84 (2.84, 5%)	1.42 (2.06, 2%)	38.63 (18.32, 59%)
Peripheral	13.96 (9.71, 23%)	8.24 (8.22, 13%)	2.24 (2.68, 4%)	0.90 (1.80, 1%)	22.87 (15.58, 41%)
Total	33.54 (17.32, 55%)	20.54 (13.88, 33%)	5.09 (4.34, 8%)	2.33 (3.46, 4%)	61.51 (29.22, 100%)