

## **On truth, lies and muddles**

### **New ways to explore understanding of truth and lies with children**

**Ruth Marchant**  
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#### **What's the issue?**

The English legal system requires child witnesses to differentiate between truth and lies, and be advised of the importance of telling the truth. Current guidance for interviewers suggests that children are offered examples and asked to judge whether these are true or lies (Ministry of Justice 2011 para 3.19).

#### **What's the problem?**

Some children find the 'example' approach very confusing: particularly children under seven, children with learning difficulties, children with autism and children with other impairments of communication. They may actually have an understanding of the difference between truth and lies, but it can be extremely difficult to demonstrate this.

#### **Why does it matter?**

Finding ways for children to demonstrate their understanding is important because 'a lack of understanding of truth and lies by the child during the interview and any subsequent clinical assessment may seriously jeopardise the evidential value of the interview'. (MoJ 2011 para 3.20).

#### **But do all children know the difference between truth and lies?**

No, but it seems that children gain this understanding much younger than was previously thought. We know that by 18 months toddlers engage in imaginary play<sup>i</sup>; that two year olds can deliberately deceive others<sup>ii</sup>, that many three year olds know their family's words for lying, fibbing, pretending or making things up<sup>iii</sup>, and that four year olds are considerably knowledgeable about lying and truth-telling and appreciate the seriousness of lying<sup>iv</sup>.

#### **What happens now?**

Interviewers explore children's understanding of truth and lies at the start of the interview. Sometimes all goes smoothly. But sometimes it's a complete muddle. The younger the child, or the more impaired their communication, the bigger the confusion can get and the longer it can take to resolve. All of the following examples are from real interviews, and show how easily misunderstandings occur.

## Defining the difference

Some interviewers simply ask children to define the difference between truth and lies, and some children will respond confidently:

*Interviewer: Now, it is very important that you tell me the truth today about things that have happened. So before we begin, I want to make sure that you understand the difference between the truth and a lie.*

*Child: Yep.*

The problem is that this could mean 'yep' to any one of ten concepts, some of which are themselves complex (important, understand, difference, truth, lies).

## Story telling

A more common approach is to offer children examples, based on research<sup>v</sup> and in line with current guidance: 'It is inadvisable to ask children to provide general definitions of what is the truth or a lie (a task that would tax an adult); rather, they should be asked to judge from examples. The interviewer should use examples suitable to the child's age, experience and understanding' (MoJ, 2011, para 3.19).

*Let me give you an example...*

*I want you to imagine...*

*Lets pretend...*

*Let me tell you a story about...*

Many children engage enthusiastically with any request to pretend or imagine. The problem is that an investigative interview is absolutely not the time for telling stories, making things up, pretending or imagining.

If the interview begins with the adult telling a story, children may later take their lead from this and assume that stories are what is required:

*Interviewer: What have you come to talk to me about today?*

*Child: Well, once upon a time Peppa Pig was dancing in her house...*

The telling of a truth and lies story may also create confusion in itself:

*Interviewer: Let me tell you a story about John. John was playing with his ball in the kitchen and he hit the ball against the window...*

*(Later) Interviewer: So, what have you come to talk to me about today?*

*Child: Well, there was a boy called John and he broke a window....*

Picture versions of 'truth and lie' stories can be effective at engaging children and helping them explain<sup>vi</sup>, but can also create similar 'story telling' confusion.

Versions using models, eg small lego figures, a marble and a lego window, can help children follow the 'event', but the risks of pretending and imagining remain.

### **When I was a child**

An alternative approach to telling a story about a fictional character is for the interviewer to give an account of themselves telling a lie when they were younger:

*Interviewer: When I was five, I lost my shoes on the beach. I told my dad someone stole them. Was I telling the truth or a lie?*

*Child: But who did stole them?*

There are definite advantages in avoiding story telling, but this approach requires the child to understand that this example is 'real', not pretend, and also to relate it to the current situation, which can create further confusion:

*Interviewer: When I was four, I broke a plate. I told my mum it wasn't me, I said it was my sister.*

*Child: I am four. But I didn't break a plate. AND I haven't got a sister.*

### **If I said this**

Another alternative is to give an 'in the room' example:

*Interviewer: If I said you came here by helicopter today, would that be the truth or a lie?*

*Child: Oh can I go home in a helicopter? One day I saw a police helicopter!*

*Interviewer: If I said my shirt was blue would that be a truth or a lie?*

*Child: It might be a mistake?*

A lie is by definition an intentionally false statement, as the guidance points out: 'It is important that the examples chosen really are lies, not merely incorrect statements: lies must include the intent to deceive another person' (MoJ 2011 Para 3.19). It is surprisingly difficult to tell a meaningful lie to a child in a 1:1 interaction. Even if you manage it, the next problem is that you have begun the interview by telling a lie.

### **If I did this**

A similar approach is to bring an imaginary action into the room, about which an imaginary lie can be told:

*Interviewer: Imagine I took this pen and I wrote on that wall, then someone came in and I said to them that it wasn't me.*

*Child: Looks baffled. Who came in?*

This approach requires the child to process a complex sentence and also to understand that someone outside the room would not know what happened inside the room. Most children younger than four, and many children with autism or learning disability, will struggle with this because they cannot yet reliably attribute mental states—beliefs, intents, knowledge - to themselves or others. This ‘theory of mind’ typically develops robustly by age four, and much later in children with impairments of communication.

### **What could happen?**

#### **A real action and a pretend lie in the room**

A more accessible approach is to actually demonstrate a real action in the room, about which a meaningful lie can be told. When working 1:1 this again requires the child to think about what is known by another person outside the room. This gets more complicated if the child has just been shown the cameras and monitoring room, as is often the case:

*Interviewer: Tears up a piece of paper and throws it on the floor. If Dan came in now and I said I didn't do that, would that be true or a lie?*

*Child: But Dan can see you on the camera?*

To identify the statement as a lie requires the child to process a complex sentence with eight concepts, and also to understand that the person outside the room (supposedly) doesn't know what happened inside the room.

Whether actions are real or pretend, a good rule is never to implicate the child in any wrongdoing and never give a violent or destructive example:

*Interviewer: Just say I picked this chair up and threw it out of the window, and then I told someone it was you that threw the chair.*

*Child: (looking panicked) Can I go home now?*

### **What happened?**

#### **A real action and a real lie in the room**

Having a second adult (eg an intermediary) in the room makes it easier to stage a quick and convincing lie:

*Interviewer: checks the child is watching, then 'accidentally' breaks a small toy*

*Intermediary: Who did that?*

*Interviewer: (shaking head) Not me*

*Child: She did do that!!!*

*Intermediary: She did do that. And she said she didn't. Did she tell the truth or a fib?*

*Child: A fib, because she did do it.*

This approach is extremely effective and almost 100% reliable at engaging children and helping them demonstrate their understanding. Minimal language is needed, and non-verbal cues can be included.

Some children initially demonstrate their understanding non-verbally e.g. covering their own mouth; pointing at the person who lied; shaking their head; looking disapproving. This can be noticed and explored.

However, telling such an engaging real lie in the room can create new problems. The child often wants to 'have a turn' and break the toy and lie about it. Other children may be very anxious about the broken toy (which should be easily fixable). Also, it again means the interview begins with the interviewer (or the intermediary) telling a lie, before explaining that in this room no lies must be told.

### **Look - what happened? A real lie on film**

The above difficulties led us to work with children and create very brief films (15- 30 seconds) that show real children telling the truth or telling lies about events likely to engage young children (eating another child's sweet, knocking over another child's tower of bricks) or teenagers (using another teenager's phone).

The language used is simple and minimal:

*Who did that?  
Me*

Or

*Who did that?  
Not me*

The films end on a still image of both children, making it possible to point to one and ask a simple question: 'Did she tell the truth or a lie?'

These films resolve a number of problems, requiring minimal language processing, not requesting the child to imagine or pretend, and requiring no person present to tell a lie or be accused of lying<sup>vii</sup>.

The films have been tested with children from age 22 months, and with children with autism, learning difficulty and language disorders. Signed versions are also included. The films are available on a DVD or can be downloaded as an app, both with guidance on their use.

### **Telling the truth**

Once a child's understanding is established, they can be invited to make 'a promise' to tell the truth. The research is clear that a child's promise to tell the

truth is a better predictor of later honesty than the ability to distinguish truth and lies (Lyon 2011). Most under fours will not know the word 'promise' but many are familiar with the idea of rules.

The 'rule' about telling the truth can be explained/clarified in other ways, e.g. only talk about things that really happened (or) things you are sure about (or) things you saw or heard or felt; no lying, no pretending, no making things up, no guessing. Using words the child is familiar with helps the child understand and explain, often prompting them to refer back to the 'film' lie eg:

*He was telling doobie, he did knock it over.  
She is a fibber, she did eat the sweetie.*

### **If it doesn't work**

Even with these adaptations, some children cannot differentiate truth and lies. This does not mean the interview should not go ahead, but 'If a child shows no appreciation of the distinction between truth and lies during this phase of the interview consideration should be given to commissioning an expert assessment by a clinician of the child's abilities, following consultation with the CPS if necessary' (MoJ 2011 para 3.20).

### **Access to justice**

Enabling children to quickly and simply demonstrate their understanding of the difference between truth and lies means their evidence can be used, which can be crucial to justice.

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### **References**

i

ii Fernyhough 2008

iii Personal communication with many young children

iv Bussey and Grimbeek 2000.

v McCarron et al 2004

vi E.g the John and the Ball book available from [www.triangle.org.uk](http://www.triangle.org.uk)

vii E.g the truth and lies app available from [www.triangle.org.uk](http://www.triangle.org.uk)

Bussey, K. & Grimbeek, E.J. 2000 'Children's conceptions of lying and truth-telling: Implications for child witnesses' *Legal and Criminological Psychology* 2000, 5, 187–199

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**About the author**

Ruth Marchant interviews children whose evidence is needed in the criminal and family courts, and also works as a Registered Intermediary, supporting children's communication with the police and the courts. She co-directs Triangle, an independent organization leading the field in careful communication with children.

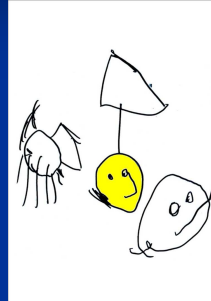
## Truth, lies and muddles

New ways to explore children's understanding of truth and lies

Ruth Marchant & Jez Prior  
& Kim Collins  
11-13 June 2013



## Triangle



Me at triangle, and my dog

An independent organisation

- working directly with children and families
- giving expert opinion to the courts
- teaching and advising parents & professionals
- providing assessment, advocacy, support and communication assistance.



## Roles children and young people hold in Triangle

- Adviser, consultee, expert on own experience
- Supporter and facilitator of younger children
- Video developer, communication demonstrator
- Trainer of professionals & parents
- Recruitment adviser
- Interior designer
- Earner



## Triangle works alongside investigating teams in several ways

- Hosting assessments, ABE interviews, trial prep and (hopefully soon) remote livelink
- Directly interviewing some children (instructed by family court or police - under 4s; children with complex communication impairments; very traumatised children)
- Providing witness intermediaries at interview and trial
- Providing intermediaries for young suspects at interview and for young defendants at trial
- Providing training and resources

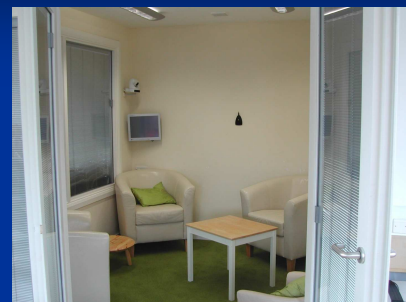


## Triangle in privileged position

- Having consulted more than 4500 children
- About their lives, their experiences, their views and the services they use



## Interview room opens directly into a playroom





**A range of child-sized furniture**



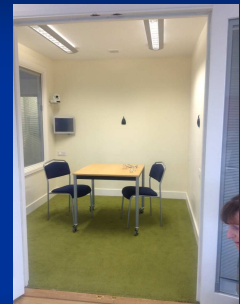
View from the interview room



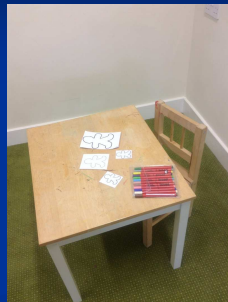
**Set up for serious physical play:  
trampoline, garden, slide on stairs**



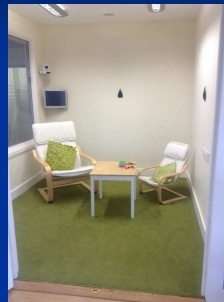
**Room set up in different ways**



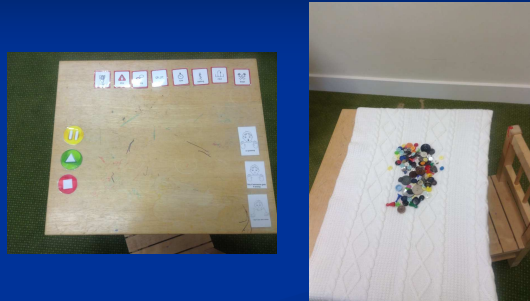
**Set up like school or nursery**



**For some children, all furniture  
removed for safety**



## Communication resources/ calming play materials



## Truth and lies and muddles

The English legal system requires child witnesses to differentiate between truth and lies, and be advised of the importance of telling the truth

## What's the problem?

We struggle to help children differentiate truth and lies, particularly children under seven, children with learning difficulties, children with autism and children with other impairments of communication.

They may actually have an understanding of the difference between truth and lies, but it can be extremely difficult to demonstrate this, presenting real barriers to justice.

## Truth and lies strategies

1. Story telling/ 'pretend' examples
2. When I was a child
3. If I said this
4. If I did this
5. What could happen? A real action and a pretend lie in the room
6. What happened? A real action and a real lie in the room
7. What happened? A filmed action and lie

## Story telling/pretend examples

Current guidance for interviewers suggests that children are offered examples and asked to judge whether these are true or lies

## Visual versions of 'stories'



### 'When I was a child'

An alternative approach to telling a story about a fictional character is for the interviewer to give an account of themselves telling a lie when they were younger.



### 'When I was a child'

Work together to explore complex ideas



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### 'What happened?'

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Having a second adult (eg an intermediary) in the room makes it easier to stage a quick and convincing lie.

This approach is extremely effective and almost 100% reliable, even with two year olds and children with autism.

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4. If I did this
5. What could happen? A real action and a pretend lie in the room
6. What happened? A real action and a real lie in the room
7. What happened? A filmed action and lie



### Brief films of real truth and lies

These difficulties led us to work with children and create very brief films (15-20 seconds) that show real children telling the truth or telling lies about events likely to engage young children (eating another child's sweet, knocking over another child's tower of bricks) or teenagers (using another teenager's phone).

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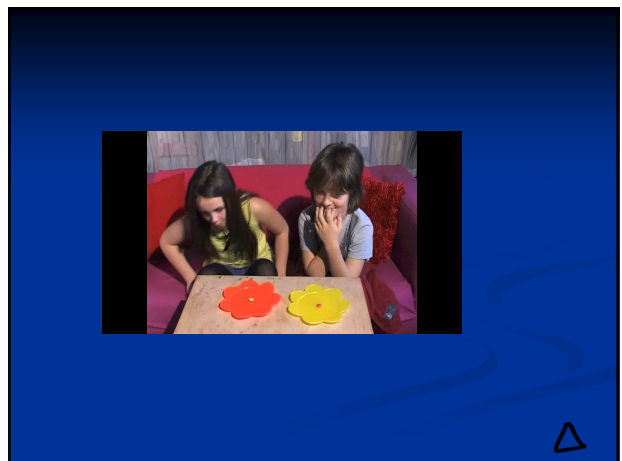
Who did that?

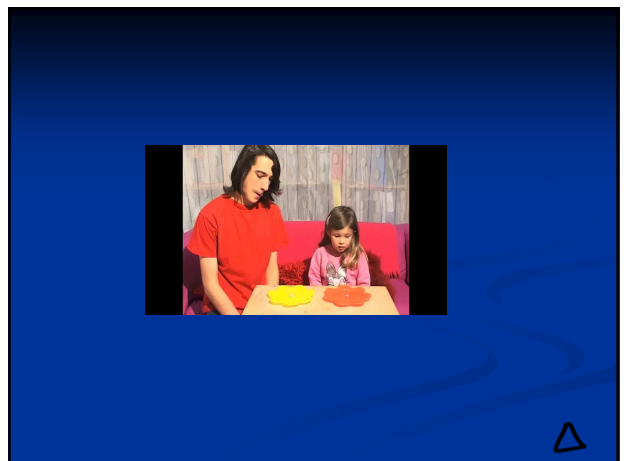
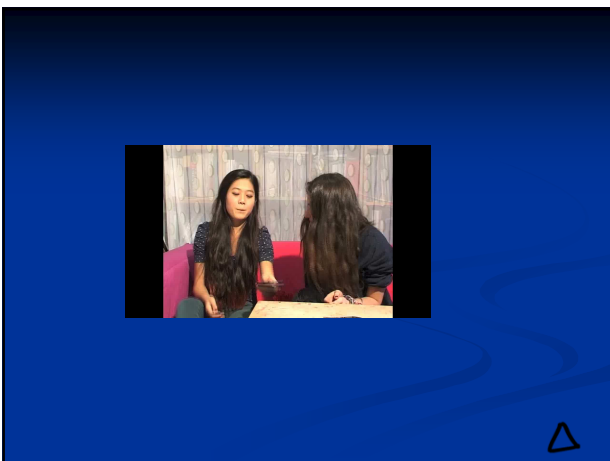
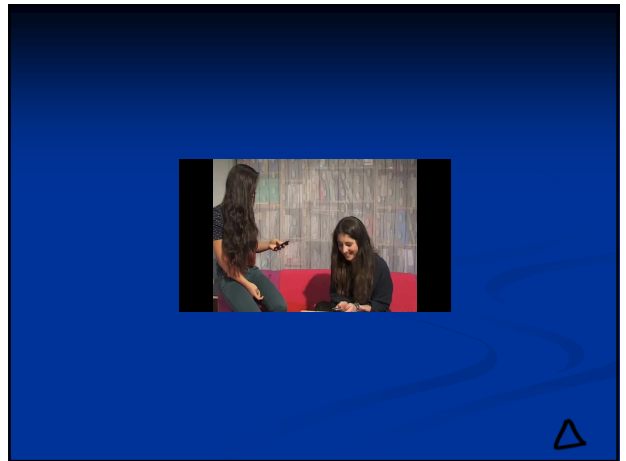
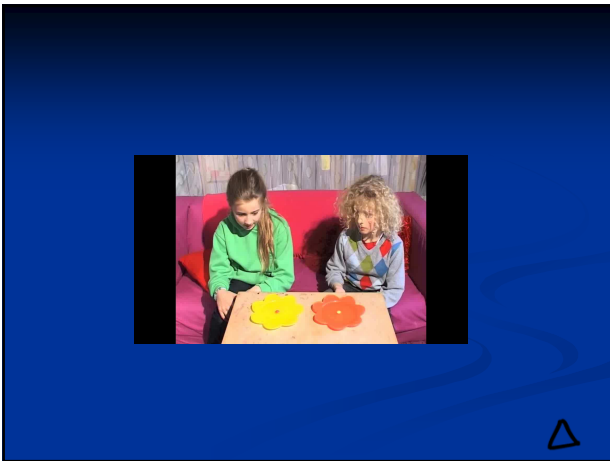
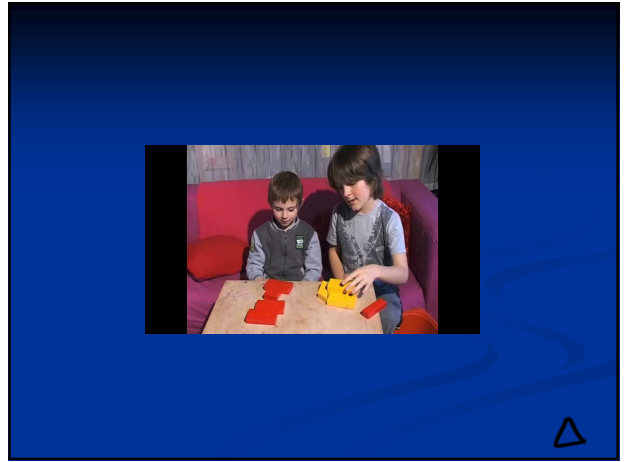
Me

Or

Who did that?

Not me





- The films end on a still image of both children, making it possible to point to one and ask a simple question: 'Did he tell the truth or a lie?'
- These films resolve a number of problems, requiring minimal language processing, not requesting the child to imagine or pretend, and requiring no person present to tell a lie or be accused of lying

### Development process

- Developed and tested with 30 children in Triangle's consultative groups, age range 2-16; wide range of impairments including learning disability and autism
- Used in 20+ investigative interviews by Triangle intermediaries
- About to be trialled by Sussex police child protection teams, with data collection by Teeside University
- Any feedback very welcome

### Research in actual ABEs

- Used these clips in a series of interviews at Triangle ( $N = 30$ ) and compared the quality of the truth and lies part of the interview with a series of interviews that didn't use the clips (and therefore used one of the other techniques).
- Police officers from three English police forces used the clips and provided feedback using a questionnaire.

Method	Mean length of T & L section in ms
clip	~900
no clip	~1700

The time it took to establish the child's understanding of truth and lies was far shorter using the clips.

Method	Mean words exchanged in the T & L section
clip	~100
no clip	~1500

There were significantly less words exchanged when using the clips

### Truth and lies video clips

- More likely to engage children's attention.
- Simple and easy to understand.
- Much quicker..
- Reduces cognitive load on both child and interviewer.
- No false information or storytelling or pretending.
- No one in the interview room needs to tell a lie or accuse anyone present of lying.
- Doesn't require understanding of someone else's beliefs.
- Doesn't implicate the child.

➢ Can buy app for iPhone, iPad or smartphone for £14.99 (single user) and DVD £140 for 10 users.  
[www.triangle.org.uk/resources/CDs, DVDs and videos/truth and lies](http://www.triangle.org.uk/resources/CDs, DVDs and videos/truth and lies)

Developing our investigative interviewing with the youngest children and children with the most complex needs will help improve our practice with all children.

Involving children in this process is essential

[www.triangle.org.uk](http://www.triangle.org.uk)

