

Child suggestibility: an empirical study

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Psycholegal implications

The recent attention dedicated to child protection, to improving the quality of their lives, and to respecting their rights, has inevitably influenced the legal field, and particularly, the study of child testimony, especially in sexual abuse cases.

There is indeed a great risk that forensic interviewers have their own prejudices, opinions, and expectations about an incident for which a child has been called upon to testify. Judges, lawyers, and consultants can more or less consciously influence children's depositions by suggesting what replies they want to hear, thereby indirectly inducing children to recount non-existent facts, which are usually a result of suggestibility and fantastication.

Abstract

Objective: this study investigates one of the main themes in witness psychology, that of child suggestibility, i.e., the tendency of young witnesses to recount non-existent events, based on suggestions received from adults interviewing them.

Method: we interviewed 53 children, ages 6, 7, and 8, about a particular event that had taken place in their classrooms. Children were asked 6 open-ended, non-suggestive questions, which left them free reign to respond. They were then asked 20 suggestive closed questions, i.e., questions containing the answers and suggesting false information about what had happened.

Results: analyses of children's responses revealed that generally, children interviewed with non-suggestive open questions recounted the classroom event reliably. Conversely, most children replied to the suggestive closed questions by

confirming the suggestions contained therein and thus authenticated events that had never transpired. Lastly, when children were asked certain questions twice (repeated questions), they altered their previous versions, thereby demonstrating to subscribe to the adult interviewer's version of reality, to the detriment of their own.

Conclusions: our study unveils a disturbing picture of child testimony. We generally found that children are easily misled by adults, and they often end up sanctioning the (untrue) information adults suggest, by fabricating non-existent facts. Indeed, many children, rather than saying they did not remember or did not know answer to a question would introduce false details (either inherent in the suggestive questions they had been asked or entirely fantasticated) into their versions of the episode.

Introduction

In forensic settings the testimony of minors is almost always required in sexual abuse cases, where children are not only the victims, but also often the only witnesses to the crime itself. Unfortunately, not only do they suffer the trauma of abuse, but also frequently, the added trauma of post-abuse intervention by different people (police officers, judges, parents, teachers, social workers, psychologists, etc...) who must interview the child repeatedly and for various reasons. The child's life, already hanging in precarious psychophysical balance (due to sexual and/or physical abuse, not uncommonly perpetrated by a family member), is once again perturbed during forensic interviews.

We surely all comprehend the serious consequences of a poorly-conducted trial, which leaves criminals, who have committed terrible acts against minors, free to walk. It is nevertheless just as harmful to plant the facts of an abuse (which may have never actually occurred) in children's minds, based only on suspicion, in order to obtain their testimony and proceed against an unjustly-accused adult.

Recent studies on child suggestibility indicate that children can easily be lead by adults and can even end up recounting events that have never actually taken place, based on the suggestions inherent in questions interviewers ask them. Indeed, our study is founded on just this hypothesis, to investigate children's answers to suggestive questions asked by an adult interviewer. For this reason, we had 6-, 7-, and 8-year-old children witness an event (occurring in their classrooms during class hours) and then interviewed them one week later about what had happened. We were specifically interested in analyzing how children would have answered suggestive questions (which suggested false information) and to repetitions of these questions.

Our research is broadly based on an experiment conducted by Rudy and Goodman in 1991. We chose to model our experiment on theirs, among the many others available in the US literature, because it provided the opportunity to satisfy a set of criteria we had identified as crucial:

1. To study children's reactions to suggestive questions and questions containing false information;
2. To conduct an empirical study that is ethically sound and during which participants would not be so emotionally involved as to have negative memories of the event;

3. To design a study that would help shed light on the serious issue of the testimony of minors in sexual abuse cases: are children capable of claiming that an adult touched them somewhere on theirs or their friends' bodies, if it actually never happened?
4. To conduct the study in such a way that our child participants would be as little influenced as possible by external factors and that their accounts would therefore reflect "solely" their tendencies to be misled or not by adults questioning them about events.
5. To be able to compare our results, not so much quantitatively as qualitatively, with one or more similar studies. If our conclusions had coincided with those of other authors, we could have considered them reliable; otherwise, we would have used them as a starting-point for further research.

Hence, since Rudy and Goodman's (1991) study satisfied all of these requirements, we viewed it as a valid framework within which to organize our work. We shall therefore present the most important elements of the two US authors' study here below.

Rudy and Goodman (1991)

At the University of Denver in 1991, Leslie Rudy and Gail Goodman conducted a study to investigate child suggestibility and, specifically, children's eyewitness accounts of events. The two researchers subdivided a sample of 36 4-to-7-year-old children (18 girls and 18 boys) so that half of them were "observers"

and the other half “participants” in a situation the researchers had orchestrated. Two children (an observer and a participant) were escorted into a trailer, where they were introduced to a man they had never met before (a confederate). The man asked the observer child to watch carefully; then he asked the participant child to play with him. Once they had finished playing, the stranger thanked the children warmly and left; the entire sequence lasted no more than 10 minutes. Ten to twelve days later, the children were separately interviewed by another confederate, who asked them 3 recall questions, 33 specific questions, 1 correctly leading question, and 23 misleading questions. Results were striking, even for the authors themselves: although children could have answered with “I don’t know” or “I don’t remember”, very few did; participant children were less suggestible than observer children, and older compared with younger children were less suggestible about actions that took place (Rudy & Goodman, 1991).

Historical review

The first studies on child suggestibility date back to the end of the 19th century, when several European psychologists became interested in child testimony in forensic settings. We discuss here below A. Binet, W. Stern, J. Varendonck, and O. Lipmann.

Based on his numerous studies on the topic, *Binet* (1900) concluded that children’s wrong answers are due to memory gaps, which they try to fill-in by attempting to please the experimenter, i.e., by accepting the experimenter’s opinions (transpiring from suggestive questions). Moreover, children confirm and

then store adults' versions of events in memory as an integral part of their original memory. Hence, Binet attributed child suggestibility to social factors (such as children's tendency to want to please adults) rather than to memory errors.

At the beginning of the 20th century, *Stern* (1910) also maintained that interviewers, by merely having the power to ask questions, are often responsible for false child testimony. He believed that children (of both genders) are easily lead by suggestive questions, because they perceive them as authoritative and imperative. He maintained, moreover, that children invent false information because they confuse fantasy with reality.

During the same years in which Stern was conducting his laboratory experiments, Varendonck, a Belgian psychologist, had been following a critical rape and murder trial for the rape and murder of a child named Cecile. A man in her town had been accused, and several of the little girls' friends were called upon to testify. Initially, some of the little girls declared they did not know anything, only to later recount details about the alleged murderer, even giving his name, after the judge had asked them some strongly-suggestive questions. The girls ended up saying whatever the adult interviewer thought it would have been expedient for them to say. Varendonck, who had been commissioned for a psychological assessment of the two girls' depositions, expressed his outrage about how the interviews had been conducted. Indeed, one of the girls had been induced to falsely accuse her own father of her friend's homicide. Varendonck (1911) then set about conducting a series of studies on the topic, with the specific aim of demonstrating the unreliability of the children's testimony (especially that of the two girls). In one study, he asked children to describe a person who had

approached them in their schoolyard. Although nobody had actually approached the children, most of them were easily influenced, recounting to have seen the person, describing his clothes and 17 out of 22 children even came up with a name! Varendonck thus managed to demonstrate that Cecile's two friends' testimony was unreliable. He reached the conclusion that children are not accurate observers and that their suggestibility is boundless (Varendonck, 1911).

Lastly, according to the German psychologist *Lipmann* (1911), children do not have less memory than adults, but they remember things differently because they pay more attention to certain details in a situation and overlook others. Moreover, when children are interviewed by an adult they perceive as authoritative about what the children consider to be irrelevant details of a situation, they tend to confirm information contained in the suggestive questions they are asked, in an effort to make up for their poor recall. Indeed, *Lipmann* underscored how children, rather than answering "I don't know", will recount whatever comes to mind, be it real or imaginary.

Modern studies (Ceci & Bruck, 1993; Clarke-Stewart, Thompson & Lepore, 1989; Dent, 1992; Lamb, Sternberg, & Esplin, 1998; Leichtman & Ceci, 1995; Poole & Lindsay, 1995; Saywitz, Goodman, Nicholas, & Moan, 1991; Thompson, Clarke-Stewart, & Lepore, 1997) also leave little doubt that when children are interviewed with suggestive questions, they will easily change their eyewitness testimony.

Some experts (Ceci & Bruck, 1993) have concluded that children easily succumb to suggestion when:

- They are young;

- They are interviewed over time;
- They feel intimidated by the adult interviewer;
- They are influenced by badly-formulated or intentionally misleading questions;
- Suggestion is exerted by people who are emotionally important to the child or people the child wants to please.

Some authors maintain, in fact, that memories can actually be modified in function of suggestive questions and that suggestive questions can dramatically interfere with the ability to recount past experience (De Cataldo Neuburger, 1997; Gulotta, 2002; Mazzoni, 2000).

Among the cognitive factors that seem to most influence children's tendency to suggestibility, we mention language, prior knowledge, intelligence, and memory ability. It is interesting to note that some authors (Ceci, 1994a; Goodman, 1984) maintain that observed age differences in the degree of child suggestibility are due to the fact that younger children have weaker memory traces of events than older children do and are thus more vulnerable to the intrusion of external information. Therefore, according to this hypothesis, children who have better recall of an event are more resistant to suggestibility than those who do not remember it very well.

Children usually trust other people, and they especially want to please adults, since they are seen as authority figures. In fact, children tend to consider adults always credible and competent on any matter and presume that their affirmations are more reliable than those of their peers (Ceci e Bruck, 1993). As a consequence, child witnesses can be easily influenced by adult interviewers.

Children tend to consider any information adult interviewers produce, even false information, as accurate and therefore, to confirm it. Ceci, Ross & Toglia (1987) presented pre-school age children with short stories and accompanying illustrations. Adults later provided some of the children with false information about the story, and other children received the false information from a 7-year-old boy. Results showed that children were less easily misled by the boy and much more so by the adult. Such is the power of authority!

Another theme covered in the literature is the interviewer's attitude (emotivity and helpfulness) towards child witnesses. When children are interviewed by a patient and likable adult, they tend to recount more true details (when answering non-suggestive questions) and fewer false details (when misled) than children interviewed by not particularly kind or positive adults (Warren, Hulse-Trotter & Tubbs, 1991).

One study (Garven, Wood, Malpass & Shaw, 1998) showed that by using reinforcement and social influence techniques (the same used by the psychologists interviewing child witnesses for the famous "Mc Martin case"), children recounted even more fallacies than when they were asked merely suggestive questions. Therefore, even simple positive reinforcement (rewarding, praising, congratulating, etc...) and/or negative reinforcement (punishing, disapproving, etc...) have a great influence on children, so much so as to greatly influence their recall (Ceci, Loftus, Leichtman, & Bruck, 1994b).

In forensic settings, various people in succession frequently question a child witness, who is already victim of a very serious crime. In one pertinent study (Clarke-Stewart *et al.*, 1989), children were questioned by two different adults

who provided false and completely contradictory information about an event. The children ended up changing their versions of the facts, in function of the interviewer's questions. Furthermore, when they were later asked to tell their parents about the episode, they reported the false information the two adults had provided, i.e., a combination of the two proposed versions.

There is a general consensus in the international literature that small children consider adults credible and competent, especially if adults are either important to them (their parents, for instance) or, somehow authoritative for them. This is why children frequently tend to respond in function of the expectations they think adults have of them (Gulotta, De Cataldo, Pino, & Magri, 1996).

Frequently, however, the cause of child suggestibility can also be attributed to the questions adults ask them. Indeed, questions serve not only to acquire new knowledge, but to influence answers as well, to persuade and to make others say what one wants them to say (Moston, 1990; Poole & White, 1991).

In essence, this is exactly what *suggestive questions* do, i.e., they state more than they ask and induce the interviewee to respond in such a way as to confirm the question's premises (Gulotta, 2002). This does not mean, however, that an interviewee will necessarily accept a question's premises. In fact, the following conditions can induce greater susceptibility to suggestion (Gulotta, 2002), i.e., when:

- Witnesses are uncertain and insecure about their memories of events and tend to let the interviewer lead them, rather than answer "I don't know" or "I don't remember";
- Witnesses are sensitive to the interviewer's authority;

