

APPROACHES TO RESEARCH ON VULNERABLE WITNESSES

CURRENT FINDINGS AND FUTURE
DIRECTIONS



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Plan of the session

1. Research findings on witness skills in children with:

- Autism
- Intellectual disabilities
- Down syndrome

2. Do intermediaries improve the performance of vulnerable child witnesses?

- Young children with typical development
- Young children with autism

3. An interview study exploring the police-RI relationship



Research on witness skills in children

VULNERABLE WITNESSES



Background - the vulnerability of memory for personally experienced events

Remembering relies on three stages: encoding; storage; and retrieval

Problems can occur at any stage because remembering events is vulnerable to error

Encoding may fail (or partly fail) because a child does not understand the event – it is meaningless to them, therefore unmemorable

Storage may fail because there is a long delay before recall, and/or the event has not been refreshed in the meantime

Retrieval may fail because the 'cue question' does not sufficiently bring to mind the event- it does not 'unlock' the memory

The experimental approach to studying witness skills

Phase 1 – children witness or take part in an ‘event’ live or watch a video.

- This allows us to control for absolute truth – we can tell whether witness reports are accurate
- But events may or may not be ‘ecologically valid’ and applicable to real life



Phase 2 – after a period of delay, children are interviewed about the event.

- Interviews may be scripted, based on key interviewing principles (e.g. Achieving Best Evidence), or adapted from well-established techniques.



Phase 3 – there may be another interview and / or other phases such as an identification lineup or a cross-examination.



Comparison groups for research on children with developmental disabilities

Usually we compare two groups, one with typical development and one with a developmental disorder

If the group with a developmental disorder has average levels of ability (i.e., average IQs)

- Comparison group = age and IQ-matched typically developing children

If the with a developmental disorder has below average levels of ability (i.e., IQs below 70)

- Comparison group = 'mental age matched' (i.e., typical children of younger chronological age at a similar developmental level)



Autism

Autism spectrum disorder – henceforth autism – is characterised by two key features:

- Persistent deficits in social interaction and communication
- Restricted repetitive and stereotyped patterns of behaviour

Autism is common – 1 per 100 of the population, i.e. 1%

Up to half of those with autism have intellectual disabilities; many have significant language difficulties

So far research has ONLY considered witness skills in children who have average levels of IQ



Witness skills in children with autism

Children with autism can recall forensically useful information about witnessed events (live or video)

Several studies show children with autism **remember fewer details** about witnessed events than typically developing children of comparable age and IQ

- But not always – with more structured interviews performance can reach age-expected levels

The information they report is often just as **accurate**

Children with autism are **no more suggestible** than their TD peers, and are not more likely to confabulate

MSc project = few differences in narrative competence (story grammar, length, semantic diversity) in groups matched for age, IQ and receptive language



Intellectual disabilities (ID)

Intellectual disabilities - a disorder of early onset that causes impairments in general mental abilities

- Impacts adaptive functioning in several areas (i.e., intellectual, social and practical abilities; IQs < 70)

Often called 'learning disabilities' in the UK

Common – 10.4 cases per 1000 population, i.e. 1%

Children can have both a developmental disorder and an intellectual disability (e.g., most children with Down syndrome, around half of children with autism)



Witness skills in children with ID

Children with mild (IQ 55-70) to moderate (IQ 40-54) ID can recall forensically useful information about witnessed events (live or video)

Mental age level = reasonably good guide to recall levels in response to free recall, general and specific open-ended questions

- Some reports that those with mild ID can do even better than this

Free recall often highly accurate, although lower accuracy sometimes reported in children with moderate ID

Suggestibility often in line with mental age, although greater suggestibility sometimes reported in children with moderate ID

Children with ID, mild or moderate, seem **vulnerable to repeated questions** – more likely to change responses than typical children matched for mental age

Down syndrome

Down syndrome (DS) is the most common cause of intellectual disability that can be easily identified

Key cognitive feature an intellectual disability (IQs usually in 25-70 range)

Prevalence estimated at 1 in every 700 to 1,000 live births

Several areas of speech and language generally impaired (expressive language, articulation, phonology, vocal imitation, and mean length of utterance)



Witness skills in young people with DS

We could only identify one relevant study:

Young people with DS recalled as much information about a witnessed event (on video) as mental age matched children with typical development

They did not show higher levels of suggestibility in response to misleading questions

Groups did not differ on accuracy

MSc project = few differences in narrative competence (story grammar, length, semantic diversity)



Do intermediaries improve the performance of vulnerable child witnesses?

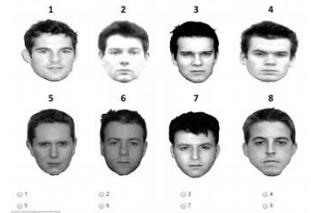
SOME INITIAL FINDINGS

Children with typical development

The provision of a registered intermediary increased the **volume of correct details recalled** about a witnessed event, without compromising accuracy (Henry et al., 2017 – see poster)

The provision of a registered intermediary **improved lineup performance** – children made more correct identifications of the perpetrator (and were somewhat more likely to reject lineups when the perpetrator was not present) (Wilcock et al., 2018 – see poster)

Intermediaries helped children to **resist cross-examination challenges** when questioned on a ‘defence statement’ by an experienced barrister via Skype (although all children were vulnerable to changing responses) (Henry et al., in preparation)



Children with autism

The provision of a registered intermediary did not make any difference to the volume of correct details recalled about a witnessed event (Henry et al., 2017 – see poster)

There were no negative effects either...

We speculate that intermediaries may help more broadly for children with autism (in ways we could not assess in our study)

- Helping the child to give any evidence at all – many may be completely unable to take part in interviews, court appearances without an intermediary
- Managing anxiety (our study was necessarily non-traumatic)
- Overcoming barriers to the child giving evidence (e.g., persuading a judge to allow the presence of the child's dog)



Discussion points



What are the priorities for future experimental research?

How can we make research relevant to real cases?

What information is most useful for police officers and courts to have about children with developmental disorders?

Are there barriers to the use of intermediaries?

An interview study exploring the police-RI relationship

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Current Research

Three studies- mixed methods design

Study 1- Exploring experiences of RIs of working with police officers and adult witnesses with intellectual disability (ID)

Study 2- Exploring experiences of police officers of working with RIs and adult witnesses with ID

Study 3- Examining the attitudes of police officers towards ID

Background

Officers who interview vulnerable witnesses are trained in ABE interviewing (Griffiths & Milne, 2012).

Prior to the introduction of the WIS, the responsibility to identify vulnerability and appropriately interview such witnesses wholly lay with the police.

This practice was often criticized- growing realization that the manifestation of vulnerability is different for each individual and thereby, the support provided to them needs to be personalised (Crane et al., 2015), which officers were neither skilled nor qualified to do (Henshaw & Thomas, 2012).

Often the first point of contact- officers work closely with vulnerable witnesses and now, RIs. They work with the RI during assessment and interviewing of the vulnerable witness.

Officers need to know about the working of the scheme for it to be accorded to the witnesses.

While theoretically there may be policy and protocols in place, the practicalities depend on the professionals who are working with each other.

Aim of the study

Important to understand police officers' experiences of and attitudes towards RIs and the witnesses, as they play an important role in the efficient working of the scheme.

An understanding of their experiences will provide their perspective of working with RIs and perhaps identify the factors essential for building the RI-police relationship.

Methodology

- Conducted semi-structured interviews with 11 police officers.
- Officers were interviewed at three different police stations in North-west England.
- Sample consisted of Detective Constables and a specialist interview advisor.
- All participants had used RIs and had worked with adult witnesses with ID.
- Used Interpretative Phenomenological Analysis (IPA) to analyse their experiences
- IPA is a qualitative method based on understanding how individuals experience phenomena and the meanings they attach to their own experiences

Research findings

Lack of awareness about RI's role

Waiting for RIs is frustrating

RIs influential in safeguarding
vulnerable witnesses

I am trained and I have experience

RI's presence is comforting

Recommendations based on findings

All officers, irrespective of rank, should have information about RIs. Educating officers about RIs should form an important part of their training, particularly ABE training.

There should be direct input from RIs and examples of how they have contributed to specific cases.

Officers who have used RIs could speak about their benefits such as the feelings of reassurance and comfort during the interview, their contributions in facilitating communication, and their importance in helping witnesses in court.

More RIs must be recruited to keep up with the increase in referrals and to minimize waiting times.

The advertising strategy to recruit RIs should be reviewed, as it must be proactive to ensure that it is effectively reaching the target populations.

Conclusion

First empirical work that explores the experiences of police officers.

The analysis revealed the nature of the relationship between the police and RIs.

The findings will help initiate a dialogue between the Witness Intermediary Scheme and police and take steps towards making the scheme more efficient and beneficial for the vulnerable witnesses.

Discussion points



What needs to be done to increase awareness about RIs among different ranks of officers?

How can the relationship between police and RIs be improved?