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Children with Disabilities Can Make Competent Witnesses

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Preserving the Past: An Early Interview Improves Delayed Event Memory in Children With Intellectual Disabilities

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Children with intellectual disabilities—significantly low cognitive functioning coupled with significant deficits in adaptive or everyday functioning—make up 2 to 3 percent of the population, and it's estimated that 1 in 3 children with disabilities experiences some form of maltreatment. However, in many cases, the disclosures of children with intellectual disabilities aren't investigated or taken to court, in part because of concern over whether these children can describe their experiences sufficiently and be believed by juries. A new study has found that children with mild levels of intellectual disability described their experiences as well as typically developing children of the same developmental level or mental age, especially when they were interviewed soon after the event.

The study, conducted by researchers at Lancaster University in the United Kingdom, appears in the journal *Child Development*.

"Our findings show that children with intellectual disabilities can provide accurate and detailed information about their experiences when interviewed properly," notes Deirdre A. Brown, a senior lecturer in the School of Psychology at Victoria University of Wellington, New Zealand (who was with Lancaster University when she conducted this study), and the study's lead author.

"Children with more severe intellectual disabilities (those in the moderate range) could still provide useful descriptions of their experiences, but were less able than typically developing children of the same developmental level and those with mild levels of intellectual disability. Interviewers should interview children with intellectual disabilities as soon as possible after a disclosure of maltreatment, and they should consider developmental level and severity of impairments when evaluating eyewitness testimony."

The study sought to determine how children with intellectual disabilities (compared with typically developing children) could recall an experience when they were interviewed later. Children were interviewed using a protocol very similar to that used by investigators assessing allegations of child maltreatment; the

researchers also used leading and misleading questions similar to those that might be encountered during cross examination in a court proceeding.

The study included 194 British children: Two groups had intellectual disabilities that fit with diagnostic categories of either mild or moderate impairment (as determined by an estimated IQ score based on performance on four subtests of a common test of intelligence, and whether they attended a special school or needed targeted teaching assistance in a mainstream school) and were 7 to 12 years old. The remainder of the children were typically developing children and were 4 to 12 years old.

The children with intellectual disabilities were compared with two groups of typically developing children—one group was the same chronological age, while the other was the same developmental age. For example, a 12-year-old with a mild intellectual disability may function at about the level of a 9-year-old and would be compared with a 12-year-old (chronological age match) and a 9- year-old (developmental age match).

All of the students took part in a team event made up of several activities related to health and safety (e.g., tying a bandage or learning how to care for a cut). Partway through the event, they witnessed an argument about the equipment. Half of the students were interviewed a week after the event and then interviewed again six months after the event; half were interviewed only once, six months after the event.

Children with mild levels of intellectual disability did as well as their typically developing counterparts of the same developmental level or mental age in terms of how much they recalled, how accurate their accounts were, and how they responded to suggestive questions, the study found. Children who were classified as having moderate levels of intellectual disability—those with more severe cognitive impairments—could still provide useful descriptions of their experiences, but were less able to do so than typically developing children of the same developmental level.

All of the children recalled more information in the six-month interview and were more accurate and less suggestible when they'd been interviewed previously (one week after the event) than children who had been interviewed only once, at six months. Younger typically developing children and those with mild levels of intellectual disability were very similar, with both groups recalling the event, but not recalling it as well as the typically developing children who were older. The picture was different for children with more severe intellectual disabilities: They recalled less than even the youngest typically developing children.

“There is no reason why children with mild to moderate intellectual disabilities should not be provided with the same access to the investigative and judicial processes that would be initiated when typically developing children make disclosures of maltreatment,” adds Brown. That may include repeated interviews as well as using an open-ended style of questioning, with more focused questioning delayed until later in the interview, she suggests.

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Summarized from *Child Development*, Preserving the Past: An Early Interview Improves Delayed Event Memory in Children With Intellectual Disabilities by Brown, DA (now with Victoria University, previously with Lancaster University), Lewis, CN (Lancaster University), and Lamb, ME (University of Cambridge). Copyright 2015 The Society for Research in Child Development, Inc. All rights reserved.