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The effects of promising to tell the truth, the putative confession, and recall and recognition questions on maltreated and non-maltreated children's disclosure of a minor transgression

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ABSTRACT

This study examined the utility of two interview instructions designed to overcome children's reluctance to disclose transgressions: eliciting a promise from children to tell the truth and the putative confession (telling children that a suspect "told me everything that happened and wants you to tell the truth"). The key questions were whether the instructions increased disclosure in response to recall questions and in response to recognition questions that were less or more explicit about transgressions and whether instructions were differentially effective with age. A total sample of 217 4- to 9-year-old maltreated and comparable non-maltreated children and a stranger played with a set of toys. For half of the children within each group, two of the toys appeared to break while they were playing. The stranger admonished secrecy. Shortly thereafter, children were questioned about what happened in one of three interview conditions. Some children were asked to promise to tell the truth. Others were given the putative confession, and still others received no interview instructions. When coupled with recall questions, the promise was effective at increasing disclosures only among older children, whereas the putative confession was effective regardless of age. Across interview instruction conditions, recognition questions that did not suggest wrongdoing elicited few additional transgression disclosures, whereas recognition questions that explicitly mentioned

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wrongdoing elicited some true reports but also some false alarms. No differences in disclosure emerged between maltreated and non-maltreated children. Results highlight the potential benefits and limitations of different interviewing approaches when questioning reluctant children.

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Introduction

In light of increasing recognition of the extent to which abused children fail to disclose abuse when first questioned (Hershkowitz, Lamb, & Katz, 2014; Lawson & Chaffin, 1992; Lyon, 2007), researchers have turned greater attention toward identifying methods of increasing children's willingness to disclose. Experimental work has confirmed that children are often reluctant to disclose transgressions committed by themselves or others when asked recall questions and are more likely to disclose if asked recognition (i.e., yes/no) questions that explicitly mention the transgression (Bottoms, Goodman, Schwartz-Kenney, & Thomas, 2002; Pipe & Wilson, 1994; Talwar, Yachison, & Leduc, 2015). However, interviewers are warned to attempt to avoid recognition questions because they elicit both false-positive and false-negative responses (Lamb, Hershkowitz, Orbach, & Esplin, 2008) and because a small but worrisome percentage of children false alarm to recognition questions that explicitly mention transgressions (Stolzenberg, McWilliams, & Lyon, 2017). Therefore, researchers have sought to identify new methods of questioning that encourage truthful disclosures without increasing false allegations.

Two types of interview instructions have received some support. One involves eliciting a promise from children that they will tell the truth (Evans & Lee, 2010; Lyon & Dorado, 2008; Lyon, Malloy, Quas, & Talwar, 2008; Talwar, Lee, Bala, & Lindsay, 2002, 2004), and the other, called the putative confession, involves telling children that a suspect disclosed "everything that happened" and wants children to tell the truth (Lyon et al., 2014; Rush, Stolzenberg, Quas, & Lyon, 2017; Stolzenberg et al., 2017). Despite tentative support, critical issues remain about the efficacy of these instructions when combined with different types of questions, including recall and recognition questions, and about potential variations in the instructions' effectiveness with age.

We addressed these issues in the current study. We compared the effects of a child-friendly version of the oath and the putative confession. Specifically, children interacted with a friendly stranger during which half were led to believe that they had broken two toys and were admonished to keep the breakage a secret. Children were then asked about the interaction in one of three instruction conditions: promise, putative confession, or control (i.e., no instructions). The interview moved from recall questions (invitations and cued invitations) to recognition (yes/no) questions about children's interactions, ultimately explicitly inquiring about wrongdoing. We included a wide age range, 4- to 9-year-olds, and interviewed maltreated and comparable non-maltreated children.

This design allowed us to investigate how the instructions affected children's reports of wrongdoing in response to recall and recognition questions and as a function of age and maltreatment status. The work is relevant to developmental theory concerning children's understanding of promising, their awareness of referential ambiguity, and the explicitness of questions required to elicit honesty. The work is also relevant to legal settings in which practitioners seek non-leading approaches to questioning children about transgressions, especially when children may be reluctant to disclose.

Maltreated children and transgression disclosure

Research examining corroborated cases of child abuse has shown that unless children previously disclosed, they are unlikely to disclose when first formally questioned (Hershkowitz et al., 2014; Lawson & Chaffin, 1992; Lyon, 2007). Children often feel partially responsible for abuse (Quas,

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