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Witness recall across repeated interviews in a case of repeated abuse☆,☆☆

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ABSTRACT

In this *illustrative* case study we examine the three forensic interviews of a girl who experienced repeated sexual abuse from ages 7 to 11. She disclosed the abuse after watching a serialized television show that contained a storyline similar to her own experience. This triggered an investigation that ended in successful prosecution of the offender. Because this case involved abuse that was repeated on a weekly basis for 4 years we thus investigated the degree to which the child's narrative reflected *specific episodes* or *generic accounts*, and both the interviewer's and child's attempts to elicit and provide, respectively, specific details across the 3 interviews collected in a 1 month period. Across the 3 interviews, the child's account was largely generic, yet on a number of occasions she provided details specific to individual incidents (*episodic leads*) that could have been probed further. As predicted: earlier interviews were characterized more by episodic than generic prompts and the reverse was true for the third interview; the child often responded using the same style of language (episodic or generic) as the interviewer; and open questions yielded narrative information. We discuss the importance of adopting children's words to specify occurrences, and the potential benefits of permitting generic recall in investigative interviews on children's ability to provide episodic leads. Despite the fact that the testimony was characterized by generic information about what usually happened, rather than specific episodic details about individual occurrences, this case resulted in successful prosecution.

Introduction

The specificity of information reported in interviews with child victims of repeated sexual abuse is important because the prevalent viewpoint in these cases is that interviewers should elicit *specific accounts* of abusive incidents (Guadagno, Powell, & Wright, 2006; Lamb, Orbach, Hershkowitz, Esplin, & Horowitz, 2007). In cases of repeated abuse it is also likely that repeated interviewing may be necessary to elicit a complete account, although the dynamics of repeated interviews are controversial (La Rooy, Lamb, & Pipe, 2009) and have only been systematically examined in a few studies of forensic interviews (Cederborg, La Rooy, & Lamb, 2008; Hershkowitz & Terner, 2007; Leander, 2010) with even fewer published case studies illustrating their effects (La Rooy, Katz, Malloy, & Lamb, 2010; Orbach, Lamb, La Rooy, & Pipe, 2012). Taken together,

☆ Editor's Note: "Child Abuse & Neglect does not intend to publish case reports except in unusual circumstances. We are publishing this article because we think it has significant teaching value."
☆☆ The project was reviewed and approved by the School of Social and Health Science Research Ethics Committee at Abertay University Dundee in advance of data collection. Minor details have been changed to protect the identities of those involved in the case.
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the combination of repeated episodes of abuse and repeated interviews heighten the complexity of such cases. In this article we contextualize some of these issues through the presentation of a case study such that practitioners, interviewers, and others involved in dealing with similar cases, might be able to recognize their own challenges and potentially enhance practice and training.

In this case study, involving allegations of repeated sexual abuse over several years culminating in successful prosecution of the offender when the child victim was 14 years old, we discuss experimental research of memory for repeated events and why the reporting of generic information (i.e., describing what happens across the series of events) is considered problematic from a legal and psychological perspective, research-based recommendations for interviewers for obtaining particularized occurrences, and our analysis of the interviews in this case. We show, using examples from the actual interview transcripts, potential alternative prompts that may have yielded additional specific information, based on experimental research. We conclude with a discussion of the importance of securing *both* specific and generic details.

Experimental research of memory for repeated events

It is well understood that memories for events that have occurred on repeated occasions differ qualitatively from memories for single-experience events (see Roberts & Powell, 2001, for a review). After one or more exposures to an event people develop a *script* or *general event representation* about what usually happens (Hudson & Nelson, 1986; Hudson, Fivush, & Kuebli, 1992). Scripts are stereotypical knowledge structures that describe event actions or objects (e.g., what happens when you go to a restaurant), and often include information about temporal sequence (Abelson, 1981; Schank & Abelson, 1977), as well as which features are necessary (e.g., the restaurant script must include some manner of payment), which are optional (e.g., one may choose to consume food or only order a beverage), and which are less tightly bound to the script (e.g., food may be ordered from a counter, a drive-through window, or a server); see Nelson, 1986, for a review.

Scripts serve a purpose in helping children to learn about the world and make future experiences predictable (Nelson, 1986). Indeed, research has consistently demonstrated that children's memories are strengthened for details that are always or often present, and they are highly resistant to false suggestions about such details (e.g., Powell, Roberts, Ceci, & Hembrooke, 1999). Thus, generic accounts of "what usually happens," despite lacking the specificity often required in legal settings, can be quite accurate and consistent.

In contrast, details that change across occurrences are often not recalled correctly with respect to *when* they actually occurred, known as *source confusion* in the psychological literature (Ackil & Zaragoza, 1995; Roberts & Blades, 1999). When Powell et al. (1999) asked 5- to 6-year-old children to recall the fourth occurrence of a repeated event the children accurately reported a remarkable 96% of details that were unchanged across the occurrences (*fixed*) but only reported 35% of details that had varied (*variable*), and they made errors with these latter details. The majority of those errors (65%) were source confusions; children reported details that truly happened, but attributed them to the wrong occurrence.

When children are asked to provide information about a *specific* occurrence of a repeated event they must engage in a decision-making process about which of the details they can recall actually happened during the occurrence in question, and filter out other information that was experienced on another occasion. This process is referred to as source monitoring (see Johnson, Hashtroudi, & Lindsay, 1993; Roberts, 2000). Source decisions for details that vary across occurrences are especially difficult because each occurrence shares very similar perceptual information. Increasing similarity across events, and decreasing age, are both associated with greater source confusions (Lindsay, Johnson, & Kwon, 1991; Roberts & Powell, 2001). Children are further impeded by their poorer temporal understanding; they may struggle to determine the order of events in time, one manner in which a source judgment might be made (Powell & Thomson, 1997).

Potential errors arising when describing specific occurrences of a repeated event are also explained by Fuzzy-Trace Theory. According to Brainerd and Reyna (2004), "verbatim traces" are integrated representations of a memory's target surface form and include contextual cues such as source. Recalling the exact features of a specific occurrence can be likened to retrieval of verbatim details. Gist information, or the general meaning/theme of a memory, on the other hand is *reconstructed* from the event experiences (Brainerd & Reyna, 1990; Reyna & Brainerd, 1995). Errors can be made when a retrieved detail that is gist consistent (e.g., "mum was always out of the house") is assigned to the wrong instance of the repeated event (e.g., saying she was at work on the last time, when she actually was at the shops) because the verbatim trace containing source information has decayed. Repeatedly experiencing the event makes the "mum was always out" gist trace stronger. Thus, there can be concern that a child using gist information to reconstruct memory for a specific incident may be retrieving the wrong verbatim trace. Psychologists who research these types of recall errors in memory have emphasized the legal implications of their work.

Legal issues regarding 'particularization'

Despite the importance of scripts to children's cognitive development and potential challenges in describing specific occurrences, there are times when a generic account of events is not desirable, such as in prosecution of child sexual abuse cases. Child sexual abuse is often repeated (Connolly & Read, 2006; Sas & Cunningham, 1995). Children are frequently the only witnesses and thus may be required to testify about their experiences (McGough, 1994). In many cases they must provide enough specific detail (e.g., time, place, clothing worn) particular to one occurrence, known as particularization (Guadagno et al., 2006; Podirsky v R., 1990; R. v B. [G.], 1990; S v. R, 1989).