



INTERVIEWING CHILDREN

A critical error often made in questioning children is assuming they use, process, and understand language in the same way as adults. Complex, confusing, or developmentally inappropriate questions results in poor understanding and lower accuracy in children's responses.

The children who come into court cannot function adequately without legal professionals' willingness and commitment to speaking their language. The responsibility for clear communication is ours.

General

- Recall questions (which elicit narrative) can yield 3 – 5 times more reliable information. Examples of recall questions: "Tell me more..." or "Help me understand." "You said your mom spanked you. Tell me about your mom spanking you."
- Even young children can provide accurate information if asked correctly.
- Keep questions short. Be sure that each question has one idea.
- Ask questions slowly and clearly.
- Give the child adequate time to respond. Children's response times are approximately twice as long as an adult.
- Neglected or maltreated children can experience developmental delays of approximately 13 months which may further lengthen the response time to questions.
- Children rely on structural cues (scaffolding) where adults provide a framework for their recollections. Without scaffolding, children may not understand the context of a question.
- A "do you remember..." question is actually a question that requires a yes or no response. It is not the best question to ask to determine a child's remembrance of an event. Instead use "Tell me about..."
- Tag questions are confusing. Examples: "You went to his house, didn't you?" or "Isn't it true that your mom said bad things about your dad?"
- Avoid negatives. Asking a child "Didn't you go to your grandma's house?" may result in an incorrect response because the question was not understood. Instead ask "Did you go to your grandma's house?"
- Repeating a person's name, the name of a place, or a location is always better than using a pronoun. Example: "When your Dad came into your room....?" instead of "When he came into your room....?"
- Use family names when discussing family relationships. Child understands "Grandma" not "maternal grandmother."

General (continued)

- Deictic – a word that points to a time, place, or situation. Do not ask, “Did you go over there? Instead ask, “Did you go to Bob’s house?” Instead of “Did the touching happen in there?” ask instead “Did the touching happen in the bedroom?”
- Children often use idiosyncratic words for body parts or sexual acts. Use the child’s terminology. This also can be true for adolescents. Ask if you do not understand.
- Check www.urbandictionary.com to stay current on adolescent terminology.
- Use simple, everyday words. Hearsay, altercation, and reside are words many children do not understand. For example, instead of “proceed”, use “go to.”
- Use concrete terms over categorical terms. For example, use “gun” instead of “weapon” or “cat” instead of “pet.” Children deal poorly with generalizations.
- In the same way, children may not understand they were “abused”, but may understand that they were “messed with” or “whapped”.
- Avoid asking children to speculate as to another person’s motive no matter how obvious the motive may seem.
- Sarcasm is poorly understood by preschoolers and young middle-school children.
- Preschoolers and most elementary-age children generally believe adults are telling the truth.
- Young children interpret words literally and very narrowly. An example is the word “touched”. Adults understand that “touch” can include many types of contact. Children may understand “touch” as something that only happens with hands.
- Children are often unaware they don’t understand the meaning of a word or question and rarely seek clarification if they do misunderstand. The result is often a nonsensical, incorrect, or ambiguous response.
- Avoid asking the same question more than once. Children may think their first response was incorrect which can lead to inconsistent answers.

Preschoolers

- Narrative abilities varies
- Use words for time, distance, kinship, size, etc. long before they understand the meaning of the word.
- Answer questions they don't understand
- Need outside help to organize events
- Egocentric, cannot take view of others
- Fantasy/Reality blurred – We TEACH children fantasy – Tooth Fairy, Santa Claus, zombies, monsters, etc.
- Limit questions to who, what, where
- Use an active not a passive voice. Instead of “When your mom was hit by your dad...” use “When your dad hit your mom.”
- Have extreme difficulty with yes/no questions. If a question is pertinent to the case, the question should not be phrased such that either a yes/no response is required. Instead ask a question that elicits a narrative response.
- Avoid asking the same question more than once. Children may believe their first response was incorrect and change their response. This can lead to inconsistencies in testimony.

Time

- Date (temporal location – when or temporal distance - how long ago)
 - *Clock Time: day of week, month, year, season, holiday*
 - *Today, yesterday, tomorrow*
 - Yesterday/today/tomorrow are words which represent blocks of time and are strictly defined in terms of when they are spoken. This skill is not acquired until at least 7 years of age if not later.
 - *Little while ago/long time ago*
- Sequencing – first/last, before/after, next/after that
 - Sequencing events such as “before” or “after” can be difficult for both children and adolescents. Show up in speech long before their use is mastered. Children can use accurately when used to describe familiar events but operate uncertainly in novel or stressful events.
 - For non-English speakers “after” may be acquired later than “before” and may not be acquired until the mid-teens.

Time (continued)

- Duration – seconds, minutes, hours...
- Frequency – number of times
 - Ask one time or lots of times; One time/more than one time. Never asked for the specific number of occurrences.
- Children’s understanding of time, space, and size is dependent on their development.
- When events happened repeatedly, memories of specific events tend to blend together. Children often recount “what usually happened” and are challenged to separate out specific incidents. This is true for all children.
- Even teenagers and adults have trouble with time measurements.
 - Phrases such as “2 months ago”, “3 hours”, “last Friday”, “in the spring”, “when I was in third grade” should not be taken literally without further probing.
 - Asking children or adolescents to give the number of times something occurred, how tall someone was, or the specific date an incident occurred is almost always going to result in an inaccurate response.

Competency

- Common techniques used to qualify young children often misevaluate children’s true capacities.
- <http://works.bepress.com/thomaslyon/9/>

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