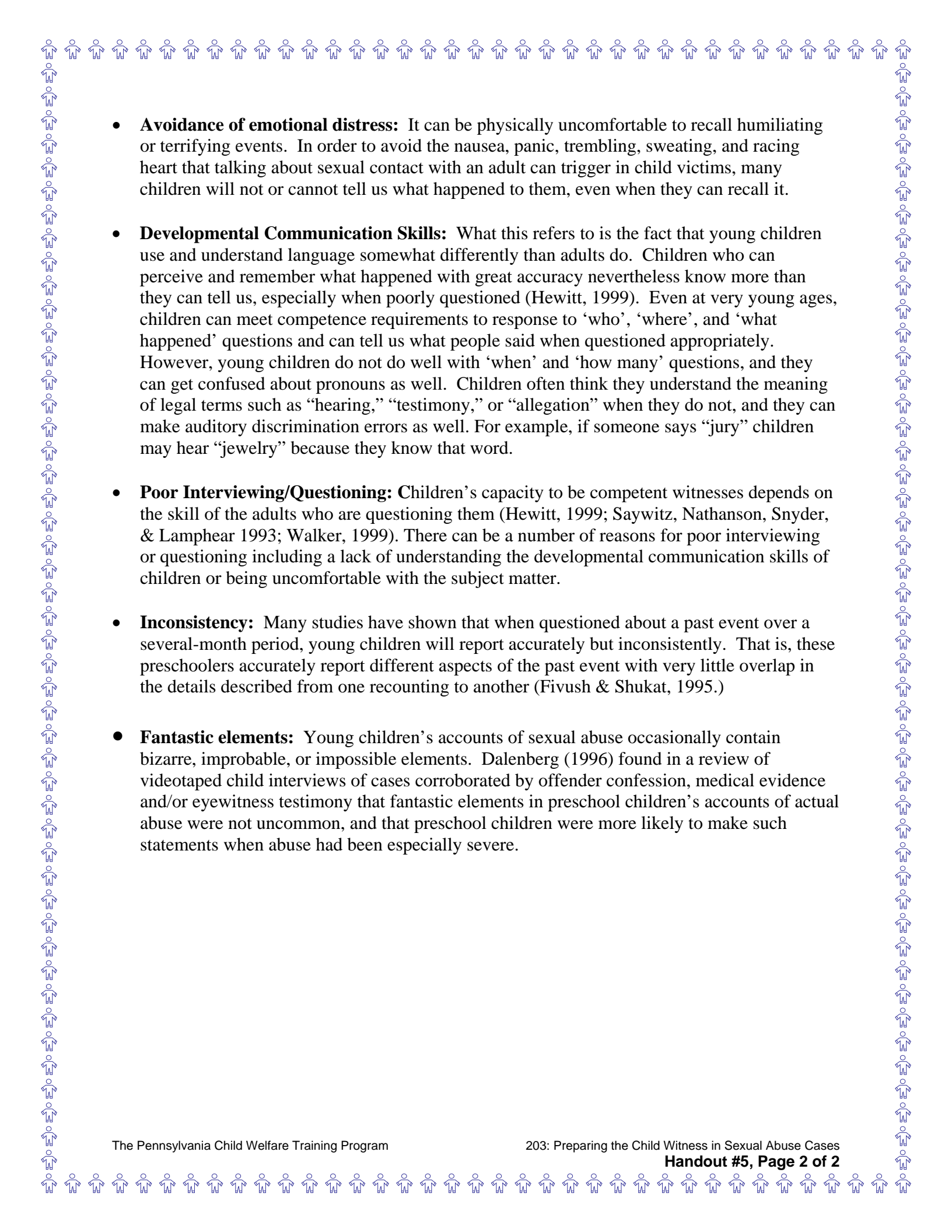


Why Children May Do Poorly

- **Modesty:** Because of modesty or to avoid being embarrassed, children may be unwilling to refer to their genitalia in public, even when genital touching was routine and non-abusive. One study has shown that in response to the open-ended questions child sexual abuse investigators are generally instructed to use (“What happened?”), the overwhelming majority of girls aged 5 and 7 did not volunteer that they had received anal and genital examinations during a pediatric physical examination. These same children were generally complete and accurate about other aspects of this examination when questioned about it (Saywitz, Goodman, Nicholas, & Moan, 1991).
- **Homosexual stigmatization:** Boys who have been molested by men may refuse to testify because of their concern that they will be labeled and stigmatized at school and in the community as homosexual or as potential sex offenders themselves (Friedrich, 1995).
- **Court-related stress:** Children who are accurate and non-suggestible in friendly and familiar surroundings may show diminished witness capacity when questioned in a courtroom. In one study, Saywitz and Nathanson (1993) found that 8-to10-year old children, questioned in a mock courtroom about a staged event, showed less complete free recall than children from the control group who were questioned in a familiar school environment. The children questioned in the courtroom also made more errors in response to direct and misleading questions than did the children questioned at school. Children who reported feeling anxious in the courtroom showed poorer recall than did their less anxious peers. Other studies have shown that young children are more complete and less suggestible when investigators are warm and friendly rather than authoritarian or condescending (Carter, Bottoms & Levine, 1996; Davis & Bottoms, 2000).
- **Control Cueing and Hostile Spectators:** Copen cites a case example of a child witness who was terrified into silence when the defendant put on a pair of sunglasses. This was an example of **control cueing**. During the past abuse episodes, this perpetrator had put sunglasses on just before inflicting physical pain on the child. Copen warns that prosecutors and court educators need to watch for these subtle **control cues** by defendants. They also need to carefully monitor the facial expressions and behaviors of any associates of the defendant who are present in the courtroom (Copen, 2000). Control cueing by the alleged perpetrator or associates can be as subtle as the clicking of a pen or the removal of a watch, or may involve more obvious gestures such as head shaking or winking.
- **Dependence on adults:** Children can be silent or inaccurate because of fear of the alleged perpetrator, love for the alleged perpetrator (who may be a father or brother), other family loyalties, ethnic pressures not to shame self or family before strangers, threats from adults, distrust of the criminal justice system based on past experiences in the child’s community, and other factors connected with children’s dependent status.

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- **Avoidance of emotional distress:** It can be physically uncomfortable to recall humiliating or terrifying events. In order to avoid the nausea, panic, trembling, sweating, and racing heart that talking about sexual contact with an adult can trigger in child victims, many children will not or cannot tell us what happened to them, even when they can recall it.
 - **Developmental Communication Skills:** What this refers to is the fact that young children use and understand language somewhat differently than adults do. Children who can perceive and remember what happened with great accuracy nevertheless know more than they can tell us, especially when poorly questioned (Hewitt, 1999). Even at very young ages, children can meet competence requirements to respond to ‘who’, ‘where’, and ‘what happened’ questions and can tell us what people said when questioned appropriately. However, young children do not do well with ‘when’ and ‘how many’ questions, and they can get confused about pronouns as well. Children often think they understand the meaning of legal terms such as “hearing,” “testimony,” or “allegation” when they do not, and they can make auditory discrimination errors as well. For example, if someone says “jury” children may hear “jewelry” because they know that word.
 - **Poor Interviewing/Questioning:** Children’s capacity to be competent witnesses depends on the skill of the adults who are questioning them (Hewitt, 1999; Saywitz, Nathanson, Snyder, & Lamphear 1993; Walker, 1999). There can be a number of reasons for poor interviewing or questioning including a lack of understanding the developmental communication skills of children or being uncomfortable with the subject matter.
 - **Inconsistency:** Many studies have shown that when questioned about a past event over a several-month period, young children will report accurately but inconsistently. That is, these preschoolers accurately report different aspects of the past event with very little overlap in the details described from one recounting to another (Fivush & Shukat, 1995.)
 - **Fantastic elements:** Young children’s accounts of sexual abuse occasionally contain bizarre, improbable, or impossible elements. Dalenberg (1996) found in a review of videotaped child interviews of cases corroborated by offender confession, medical evidence and/or eyewitness testimony that fantastic elements in preschool children’s accounts of actual abuse were not uncommon, and that preschool children were more likely to make such statements when abuse had been especially severe.