

Children as eyewitnesses essay



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Children as Eyewitnesses Why do eyewitness reports provide such strong evidence in criminal cases? The reason is the judicial system and the general public believes that the way in-which a person remembers an event is the way the event actually occurred. Eyewitnesses are used in numerous amounts of cases no matter the sex, race, or age of the person.

Sometimes, children are the only witness to a crime. If a lawyer believes the child's testimony will help the case, then the child will most likely testify. But, do children under the age of six possess the cognitive capacity to provide valid testimonies in the court room? There are many components that are needed to provide a valid eyewitness testimony such as discriminating between fact and fiction. For example, if you have ever asked a child what he or she did at school today and then asked the child the same question after he or she watched television or talked a friend, in many cases the child's story will change.

Therefore, I will argue that children under the age of six do not possess the cognitive capacity to provide valid eyewitness testimonies in the court of law. People often remember some aspects of an event while misremembering or forgetting others. This problem is extremely apparent with children under the age of six. Children under the age of six do not have the mentality to dissociate reality and idealism. Johnson and his colleagues (as cited in Lindsay, Johnson and Kwon, 1991) suggested that children more often confuse memories of things they had merely imagined doing with memories of things they had actually done.

If a child is an eyewitness and misremembers or dissociates the facts with idealism, artificial information could be presented to the jury. Hence, Misremembering or forgetting poses a problem in the judicial system; if a child forgets or misremembers, there is a possibility that a man or women could be wrongly accused. Not only do children not have the cognitive capacity to discriminate between reality and idealism, young children also have difficulty distinguishing real-life events and television events. According to Santrock (as cited in Thierry & Spence, 2002) the amount of television watched by children in the United States averaged 11 to 28 hours per week; more time was spent watching television than all other activities other than sleeping. The types of television shows range in subject, but many of them contain violent behaviors. If a child is watching television for such an ample amount of time he or she might stumble across violent and/or sexual behaviors.

In 2002, Thierry and Spence suggested that children under the age of six obtain knowledge about certain events from television and incorporate this information into their memories of real-life experiences. For example, if a child watches a television show containing sexual behaviors he or she could make allegations of sexual behaviors. If the child happens to be an eyewitness of a case containing sexual behaviors, the child could then misinterpret what actually happened with what he or she watched on television. In many court cases there is an ample amount of time between the actual occurrence of the crime and the trial.

During this gap of time, children are likely to watch numerous hours of television or forget the exact details of the crime which, as afore mentioned, <https://assignbuster.com/children-as-eyewitnesses-essay/>

can alter a child's memory. A child's memory is also susceptible to information that has been suggested to him or her. In 1995, Ackil and Zaragoza state that first grade children are more likely than older children and adults to incorrectly claim they had seen items that had only been suggested to them. Ackil and Zaragoza proceed to state that these age differences are not simply a function of more general age related memory or performance deficits, but instead reflect developmental differences in the tendency to confuse suggested information for actually witnessed events (Ackil & Zaragoza, 1995). During this gap of time, a child's parents or a lawyer could suggest information which in turn could alter the child's memory of the event. During a person's lifetime he or she goes through important developments mentally and physically.

People undergo changes at particular points in time. As a result, there are extreme differences between the ways younger children and older children think and between the ways older children and adults think. Piaget's stages of Cognitive Development states that the thinking of preschool and primary grade children (roughly two to seven years old) center on mastery of symbols, which permits them to benefit much more from past experiences. Preschool children are limited in their ability to use their new symbol-oriented schemes (as cited in Snowman & Biehler 2000).

As afore mentioned, children watch an ample amount of television and are easily influenced by others; these events are considered " past experiences. " Since children from age two to seven benefit from symbols and past experiences he or she is more likely to incorporate a past experience into his or her testimony. Due to the child's point in cognitive development children

under age six do not provide valid testimonies. Children as eyewitnesses has created a extremely researched topic over the years. According to Hudson (as cited in Poole & White 1999) young children are capable of providing more information about complex events than they initially volunteer and their event memories often show the same constructive organization with that adult evidence does. Just because a child shows the same constructive organization that an adult does, still does not mean children under the age of six have the cognitive capacity to provide valid testimony.

Eyewitnesses need to be able to discriminate between memories derived from similar sources and discriminate between realism and idealism. The afore mentioned studies clearly state that children do not have the cognitive capacity to perform these requirements. In conclusion, children under the age of six do not possess the cognitive capacity to provide valid testimony in the court of law. The testimony of an eyewitness plays an essential role in the criminal justice system. The decision to convict or acquit the defendant in many cases can heavily be influenced by the memories of an eyewitness.

In turn, it is extremely important that the eyewitness's testimony is accurate and concise. An eyewitness should be able to differentiate between reality and fiction. The studies afore mentioned have proven that children under the age of six do not have the cognitive capacity to meet the requirements of an eyewitness. Theirry and Spence state that young children are more susceptible to misleading information than are older children and adults, which is a contributing factor to young children's greater degree of suggestibility (Theirry & Spence, 2002). As children grow older it seems as though they learn how to differentiate fact from fiction.

But children under the age of six are not capable of performing this task. Therefore, children under the age of six do not provide a valid testimony in court cases. Works Cited Ackil, Jennifer K. , & Zaragoza, Maria S.

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