# Prepared by Child Witness Service

Development continues during adolescence although at a less accelerated rate than for younger children. Due to their advances in cognitive, communication, social and emotional capacities there is a risk that adolescents maybe perceived as adults without the same abilities as adults. There are wide differences between adolescents in the same age group. Their rate of development is dependent on their early learning and being actively engaged in education. Up to the age of 14 or so, adolescents may have many of the cognitive and linguistic capacities as children in the middle years (7 to 10).

## Words and Language

- Many adolescents have well developed narrative and complex grammar skills developed through education and practice at school.
- Their vocabulary continues to grow, and they are more able to figure out the meaning of a word from its context, however they may not truly understand the meaning of the word.
- The adversarial process, legal phrases and jargon are unfamiliar and often misunderstood i.e, "I put it to you..."
- Difficulty with tag questions, i.e. "He didn't touch you, did he?"

## Cognitive

- Adolescents are learning to think abstractly and to understand generalisations. This increases their problem solving capacity, and ability to consider hypothetical situations.
- Adolescents are also more able to make inferences about others intentions and emotions.
- Being able to think more abstractly allows adolescents to think about ethics and answer questions about whether something was right or wrong.

#### Time and measurement



- Adolescents have a better sense of time than younger children, i.e. they are more likely to be
- able to estimate a date when something happened when they cannot remember exactly.

- Continue to struggle with complex forms of negation, i.e. multiple negatives, or phrases where a negative must be applied to a different clause in the sentence.
- Until later adolescences, they continue to have difficulty with the passive voice.
- Maybe confused by linguistic ambiguity such as jokes, metaphors and idioms.
- Often lose track of a question when it is long and complex.
- Under stress will have difficulty selfregulating their emotions. Confusing and embarrassing questions may cause an emotional outburst including refusal to answer or an angry response.
- Many adolescents will not ask for clarification of a question or acknowledge they do not understand a question.

- Much less likely, than adults to take note of dates as they pay less attention to how time progresses around them.
- Older adolescents can accurately estimate times, distances and physical dimensions using measured units.



## Things that are helpful

- Check the adolescent understanding of a long and complex question or an unusual word.
- Questions should still be no longer than the age of the witness i.e. no more than 14 words in a sentence for a 14 year old
- Offer a short break regularly or a longer break when the witness is looking confused or distressed.

• Visual cues, such as photo books or maps assist with accurate estimating of distances and physical dimensions.



#### REFERENCES

Australasian Institute Judicial Administration **Bench book for Children Giving Evidence in Australian Courts** updated 2012 http://www.aija.org.au/Child%20Witness%20Bch%20Bk/Child%20Witness%20BB%20Update%202012.pdf

Crawford, E. & Bull, R. **Teenagers' Difficulties with Key Words Regarding the Criminal Court Process**. Psychology, Crime & Law Dec 2006; 12 (6): 653-667

Sas, L. The Interaction between Children's Developmental Capabilities and the Courtroom Environment: The Impact on Testimonial Competency. Department of Justice, Canada. November 2002

Saywitz, K. & Camparo, L. (1998) Interviewing child witnesses: A developmental perspective. Child Abuse & Neglect, 22(8), pp.825-843

Schuman, J.; Bala, N., & Lee, K. **Developmentally appropriate questions for child witnesses,** Queens Law Journal, 25, 1999.

Walker, A.G (1999) Handbook of Questioning Children: A Linguistic Perspective. American Bar Association, Center on Children and the Law 2<sup>nd</sup> Edition

