

# A BRIEF EXPLANATION OF COGNITIVE DEVELOPMENT TO BETTER UNDERSTAND THE CHILD WITNESS

Submitted by the Child Witness Institute

KEY CONCEPTS	
Child Abuse	Child Sexual Abuse
Child Witness	Cognitive Development
Ability of Child to be a Witness	Impact of Cognitive Development on Testifying
Stages of Development	Understanding Child Witnesses

The function of any witness, whether as victim or offender, in the legal context, is to provide information. The same applies to situations both inside and outside the courtroom, and includes interviews or consultations. A witness is required to provide accurate information. However, this situation becomes more complex when a child being interviewed or required to testify as there are a number of factors that impact on the testimony. The following are some of the factors that will affect the information provided by a child:

- the age of the child: Children have different capacities at different ages. the capacity of a 4-year-old is very different from that of a ten-year-old or a fifteen-year-old. Younger children provide less detailed information, for instance.
- the stage of cognitive development: Children go through different stages in their development and have different abilities at each of these stages, which will impact on what type of information they can provide and what questions they can be asked.
- the stage of socio-emotional development: Children behave in different ways at different stages and this will impact on the kind and amount of information able to be obtained.
- the child's family situation: Children from dysfunctional families will behave very differently from children who are brought up in supportive family environments.
- the setting where the child is interviewed or testifies: Research has shown, for example, that children who testify in the main courtroom provide less evidence and are more traumatized than children who testify from a room outside the courtroom. A teenager interviewed in the presence of a parent is going to be influenced by the parent's presence and may not disclose certain information out of fear or embarrassment.
- the personnel involved in the process: If personnel are sensitive and trained to deal with children, they will be able to access more information than somebody who has not acquired these skills.

## STAGES OF COGNITIVE DEVELOPMENT

As children develop, they change physically, emotionally and intellectually. Development occurs through stages which have been identified, and are often referred to, as milestones. It is, therefore, necessary to be able to identify these milestones in order to have a better understanding of the general characteristics of children at any particular stage. This will improve communication with children and make it easier to access information more accurately.

Cognitive development refers to the development of the processes of the brain and refers to any action performed by the brain, like paying attention, remembering, thinking, solving problems, imagining, dreaming, fantasising. It is based on the assumption that children show similar mental, emotional and social abilities, and that these changes occur at roughly comparable ages. There are certain key features of each stage.<sup>1</sup> But it must be noted that these ages are generalised and can vary, depending on the individual child and their social background. Although many models provide age ranges, it is important to be aware of the fact that these age ranges will vary depending on the child's environment and experiences. Children, who receive a lot more stimulation, may progress through these stages more quickly, for instance.

## STAGES OF DEVELOPMENT

Jean Piaget is one of the most well-known cognitive development theorists and, although his theories have been slightly adapted over the years, he still provides a very good basis for making sense of how children develop. He identified four stages in cognitive development through which children progress:<sup>2</sup>

- Sensorimotor stage ( equates roughly to toddlerhood)
- Pre-operational stage (equates roughly to early childhood)
- Concrete operational stage (equates roughly to middle childhood)
- Formal operational stage (equates roughly to adolescence).

Each stage progresses into the next stage which results in a different level of thinking and understanding. The speed at which children progress through these stages will depend on the child's environmental experiences. So, the ages provided are, therefore, only a general guide.

### **Sensorimotor stage (birth – 2 years: infant/toddler)**

The sensorimotor stage is the first stage of cognitive development and lasts from birth until approximately two years of age. In this stage infants are focused on discovering the relationships between their bodies and the environment and they have relatively good sensory abilities. They rely on seeing, touching, sucking, feeling and using their senses to

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<sup>1</sup> Bukatko, D. and Daehler, M.W. 1992. **Child Development: A Topical Approach.** Houghton Mifflin Co: Boston. 53.

<sup>2</sup> Bukatko, D. and Daehler, M.W. 1992. **Child Development: A Topical Approach.** Houghton Mifflin Co: Boston. 319-325.

learn about the world. But as children here have minimal language skills, they do not have the capacity to be involved in court proceedings.

### **Pre-operational stage (2 years - 7 years: early childhood)**

The pre-operational stage is the second stage of development and lasts from approximately two to seven years of age, and basically equates with the period before a child enters the formal schooling system. Children in this stage exhibit the following characteristics:

- *cognitive egocentricity*

Children are said to be cognitively egocentric. This means that they view the world from their own personal perspective.

- They think about what they want and what they need.
- They cannot separate their own perspective from that of others.
- They cannot understand that other people have thoughts and feelings that differ from their own.
- They assume that others think and feel the same way they do. This means that if you ask a child in this stage what somebody else was doing, they may tell you what they were doing. If they say they saw something, they will assume that everybody else there also saw it.
- They may be unable to answer questions about what the people around them were doing or feeling. i.e. was they angry? Did they like that?
- They will often focus on what they are doing to the exclusion of everything else, and may not be able to provide information about something that occurred right beside them.
- They assume everyone knows what they know and may omit details and explanations in court or in interviews because they assume that everybody already knows what has happened.

- *communication is egocentric*

Because children are cognitively egocentric, it follows that communication will be egocentric.

- They do not take the listener's needs into account.
- They will not be able to evaluate whether the listener understands.
- They will assume the listener understands.
- The child believes that whatever they know, the listener will know, so will use names of places and people without explaining who they are, and will not realise that they are not making sense.
- Communication involves language that is personal, unstable and confused.
- If a child does not have a word to describe something, the child will make up a word, so their vocabulary will be very personal.
- Communication appears disorganised or fanciful.
- The child will not tell the story from beginning to end.

For these reasons, it is crucial that the interviewer take the lead in any interview and clarify as much as possible by asking questions.

- *inability to solve problems logically*

The second limitation relates to the child's inability to solve problems logically. At this stage, thinking is prelogical.

- Children will provide explanations that do not make any logical sense. This is because they are unable to evaluate, so do not realise that their responses do not make sense.
- Children cannot understand cause and effect. A 3-year-old will not be able to work out that if they tell what happened, the accused will go to jail whereas a 7-year-old will have this ability.
- Children cannot answer 'why' questions.
- Children tend to focus on only one aspect of a problem at a time, and should not be asked multiple questions at once. They will focus on one question and answer that question, ignoring the rest. The interviewer will not know which question is being answered.
- The child does not have the ability to reverse an action i.e. think backwards. This means that the child cannot recount a story going backwards i.e. tell us what happened before that.
- They only report the state of things at the moment, and are unable to take into account that things will change over time. A child in this developmental age will not believe that a photograph of the parent as a child is actually the parent.
- Children do not understand questions about relationships. Words like 'mother,' 'brother,' 'uncle' are names and do not indicate relationships by blood or marriage. This ability is only acquired by the age of 7.

- *unable to understand abstract*

At this stage of development, thinking is very concrete. This, together with the fact that a child has a very limited language ability, hampers their ability to communicate effectively.

- Children cannot self-reflect or evaluate their own behaviours.
- Emotions and feelings are also abstract concepts and children in this stage of development have great difficulty identifying and explaining emotions.

- *no concept of time*

Under the age of 12, children have very little concept of time. Younger children cannot even distinguish between today, yesterday and tomorrow. Yesterday refers to any day that has passed while tomorrow refers to any day that must still come. It is important to be aware that, even if children do provide time, this may not be accurate as they do not have the capacity to provide this information accurately.

- *creating elaborate fabrications*

Children in this stage of development do not have the cognitive ability to create elaborate lies. They cannot make up stories with lots of details and, when they lie,

tend to do this by leaving out information. This means that when a child in this stage provides a lot of detail, one must be aware that either they have been told what to say or they are telling what they actually experienced. This is particularly important in cases of child sexual abuse.

#### **SUMMARY OF PRE-OPERATIONAL STAGE**

- ONLY SEE THINGS FROM THEIR OWN PERSPECTIVE
- CANNOT ANSWER QUESTIONS ABOUT WHAT OTHERS AROUND THEM ARE DOING OR FEELING
- ASSUME EVERYONE KNOWS WHAT THEY KNOW
- CANNOT DO MULTIPLE QUESTIONS
- CANNOT RELATE A STORY BACKWARDS
- CANNOT EVALUATE OR DO WHY QUESTIONS
- CANNOT UNDERSTAND RELATIONSHIPS
- CANNOT DO ABSTRACT
- ASSUME LISTENER UNDERSTANDS WHATEVER THEY ARE TALKING ABOUT
- WILL NOT EXPLAIN UNLESS ASKED
- CONCRETE AND LITERAL
- CAN TELL WHAT THEY SEE, HEAR AND EXPERIENCE BUT CANNOT EVALUATE THE INFORMATION
- NO CONCEPT OF TIME
- LANGUAGE IS PERSONAL, UNSTABLE AND CONFUSED
- LANGUAGE APPEARS DISORGANISED OR FANCIFUL
- CANNOT CREATE ELABORATE DETAILED LIES

#### **Concrete operational stage (7 years - 11 years: middle childhood)**

The concrete operational stage is the third stage of development and lasts from approximately the age of 7 to 11 years. Children are usually entering formal schooling and are beginning slowly to solve the problems experienced in the previous stage. The key word here is concrete. Children cannot think in the abstract. This has the following implications:

- the child becomes less egocentric as they progress to the end of the stage
- the child is limited by what they can see, hear and feel
- the child can reverse actions and do relationships
- the child is better able to understand the perceptions and beliefs of others
- they are now better able to answer questions about the feelings of others
- thinking begins to involve a sense of time, but they are not very accurate at estimating time and the ability is only fully acquired towards the end of this age range
- communication is now more organised and the child begins to take the listener into account, and begins to offer information for the purposes of clarity.

### SUMMARY OF CONCRETE OPERATIONAL STAGE

- LESS EGOCENTRIC
- CAN THINK BACKWARDS
- UNDERSTAND RELATIONSHIPS
- BETTER UNDERSTANDING OF SEQUENCE OF EVENTS
- VERY CONCRETE
- CANNOT DO ABSTRACT OR HYPOTHETICAL
- BEGINNING TO DEVELOP SENSE OF TIME
- COMMUNICATION MORE ORGANISED
- COMMUNICATION LESS EGOCENTRIC AND TAKE LISTENER INTO ACCOUNT

### Formal operational stage (11 years – 16 years: adolescence)

This is the last stage of cognitive development and extends from about 11 to 16 years. It is the stage in which thought becomes abstract and hypothetical. This is the highest level of cognitive development. But, as in the previous stages, these abilities develop throughout the stage and are only fully acquired by the end of the stage. So an 11-year-old will still have difficulty with abstract/hypothetical concepts, but will have a much better acquisition of this skill by the age of 16. Not all people reach this final stage of development, and many tend to operate in the concrete operational stage with a few operations in the final stage.

Features of this stage include the following:

- adolescents are able to understand abstract principles and can contemplate concepts like beauty, freedom and morality
- they are no longer limited by what they can feel, hear or see so they are now able to answer hypothetical questions i.e. “what would have happened if you didn’t go there?”
- they have the capacity to evaluate and can answer questions about why they feel the way they do
- they can use their hypothetical reasoning to solve problems.

KEY ISSUES TO BE AWARE OF AT DIFFERENT STAGES	
<b>SENSORIMOTOR STAGE</b>	The child is completely egocentric and only understands their world. There is no understanding of concrete or abstract and very little language.
<b>PRE-OPERATIONAL STAGE</b>	Egocentric is still the key word here and children still see everything from their own perspective. Interviewers must enter the child’s world to access information as children do not offer it spontaneously. All questions must be concrete and very simple, because language is still limited. There is no concept

	of time. No why-questions or evaluation questions must be asked.
<b>CONCRETE OPERATIONAL STAGE</b>	Children are less egocentric and more aware of the feelings and behaviours of others. Their language abilities are also much better, which makes communication a little easier. However, they are very concrete and are not able to deal effectively with abstract or hypothetical concepts. All communication must be conducted in a concrete manner (who, what, where questions). Why-questions should be avoided until the end of this stage. Children in this stage are developing a sense of time, although they are still not very accurate in terms of estimating time or telling time.
<b>FORMAL OPERATIONAL STAGE</b>	In this stage children become more abstract and are able to deal with why-questions and hypothetical questions, although interviewers should still aim to keep questions as concrete as possible to avoid any misunderstandings.