

## EYE WITNESS TESTIMONY

The language used by the police when interviewing witnesses and barristers during a trial may influence answers given by witnesses, this language may affect initial perception and subsequent recall. Both of these effects are shown in the study by Loftus & Palmer (1974).

My experiment into this field showed the leading question with the 'verb' contained the information about what the answer should be, thus language can have a distorting effect on EWT, which can lead to inaccurate accounts of the witnessed account. This was most certainly true in the study carried out, most participants gave a higher estimation of speed when the word in the critical question was changed from bumped to crashed, although a small number of participants were unable to estimate any speed at all. However the experiments were carried out by untrained experimenters which could explain possible confounding variables in the way that the experimenters could have unknowingly in their over-zealousness to prove the experimental hypothesis may have led participants by using tone of voice, facial expressions ect to respond accordingly.

Studies into ways of improving the reliability of EWT to help prevent convicting innocent people, it is essential that steps are taken to improve the reliability of eyewitness accounts. EWT has considered hypnosis in an attempt to access repressed memories, a study whether hypnosis increased participant's accuracy of recall by Putman (1979) concluded participants were more suggestible in the hypnotic state and are therefore, more easily influenced by the leading questions, however further research into this area found that some people may be more able to recall a personal traumatic event under hypnosis, if it has a deeper significance for them.

Current serving police officers of today state they use The Cognitive Interview Technique when interviewing witnesses. With this approach the witness is asked to recall details of the incident in various different orders and to recall everything they remember whether they feel it is relevant or not, recall the event from a different perspective, such as that of another witness. Before the nineties, questioning was done very much on 'critical questioning sometimes oppressive questioning which could produce unsafe information thus sometimes leading to false arrest and imprisonment, it was realised from previous studies into this field things had to change. Today the police have different policies, interviews are based on single questions and open replies and the technique changed on the advent of tape recorded interviews and change of style. Serving Police

Officers have voiced only one disadvantage of this type of interview in that it can be time consuming.

When starting an interview police go back to the time where the witness is relaxed and comfortable before the event and a picture is built up from there, police are encouraged to avoid making judgmental and personal comments, to encourage witnesses to speak slowly, minimise distractions, tailor the complexity of language to suit individual witnesses to allow a pause between the response and next question. In Police interviewing techniques of today, they are very careful not to use the bad procedures of twenty or so years ago to ensure accurate facts from witnesses.

People are very ready to believe EWT but it can be very inaccurate, lessons we could learn from this are we should be aware that EWT can be affected by bias in a number of ways; it seems to be more accurate for non-violent crimes than violent ones especially amongst the female EWT. Time is often over-estimated in how long a crime lasts. A very confident witness tends to be more believed in EWT though there is no evidence that it is more accurate. EWT is less accurate if the witness is from a different ethnic group to the person seen, say committing a crime.

Witnesses often remember more details of the crime than the criminal, reconstructing the crime will often jog their memories of the criminal.

When considering interview techniques witnesses should be asked to free recall and avoid being asked leading questions, avoid encouraging guessing, as it may consolidate a false memory. Evidence from EWT is not enough on its own and needs to be backed up with other kinds of evidence such as forensic or medical. A study by Yuille & Cutshall {1986} studied witnesses who had seen real crimes; they were accurate in recalling main events but could be misled by questions about peripheral incidents. People in general, but police officers in particular, could benefit from training in EWT and some knowledge of associated biases.

