The eyewitness memory puzzle: is culture the missing piece?

Eyewitness evidence is a crucial part of a criminal investigation. Yet, there are cultural differences in the way that people report events, which can be a challenge for investigators. Researchers in the WEIRD Witnesses project aim to design new, culturally sensitive guidelines that will help investigators get the information they need, as **Dr Annelies Vredeveldt** explains.

Evidence from eyewitnesses plays a crucial role in criminal investigations, helping the police to reconstruct the events around a crime, identify a suspect and build a case. However, there are sometimes cultural differences in the way that witnesses report crimes, which can pose a significant challenge for investigators. "If a witness reports a rape in euphemistic language, for example, then the police officer is not getting the information they need to build a case," points out Dr Annelies Vredeveldt, Associate Professor in the Department of Criminal Law and Criminology at VU University Amsterdam. Our memories are reconstructed rather than reproduced, and so inaccurate details can creep in, which is recognised in the scientific literature on eyewitness memory. One factor that is not really considered however is an individual's cultural background, an issue Dr Vredeveldt is addressing in the ERC-backed WEIRD Witnesses project, analysing recorded police interviews, testimony provided in international criminal cases and eyewitness experiments. "Current theories about eyewitness memory take account of things like how well you were able to perceive an event, and whether you talked to other people afterwards. We believe that some of those things interact with your cultural background to influence how your memory works," she outlines.

WEIRD Witnesses project

Culture itself can mean many different things, so rather than trying to define it in a broad sense, Dr Vredeveldt and her colleagues are focusing on what culture means in the context of the specific project. "One example of a potentially relevant cultural dimension, identified by Dutch psychologist Dr Geert Hofstede, is power distance, which is about how you respond to authority. Another example is collectivism versus individualism: people from a collectivist culture may see themselves as a part of wider society, whereas in individualistic cultures, people tend to see themselves more as an independent being," she outlines. Cultural differences such as these may affect the way people report an incident. "People from more collectivist cultures may report more about the relationships between people and events, whereas people from individualistic backgrounds may report more about their own role," explains Dr Vredeveldt.

The project aims to help interviewers ask questions in a culturally sensitive way that elicits the information they need, while also assessing what information a witness might be holding back. "What would then be the best way to get that information, without manipulating the witness?" continues Dr Vredeveldt. The language, tone and manner of the interviewer are all important considerations in this respect, but ultimately the most important factor is the content of the questions they ask, believes Dr Vredeveldt. "For example, imagine if an interviewer just asks a witness; 'what happened?' The witness might respond by using language that doesn't make it clear what actually happened, so maybe that question then needs to be followed up by more specific enquiries," she says.

This is an important issue for example in South Africa, a country noted for its cultural diversity. Yet, the police in South Africa receive only limited guidance – or even no guidance at all - on how to interview people from different cultural backgrounds. "I previously worked in South Africa, where I collected 100 eyewitness interviews for analysis of a new interview technique which I was testing at the time," says Dr Vredeveldt. "I noticed that there were many instances of cultural differences in how people report crime, while I also noticed cross-cultural communication issues between police interviewers and witnesses." The first subproject entails a systematic analysis of these recorded police interviews.

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A second subproject is centred on international criminal cases, which often involve people from different cultural backgrounds. The focus here is on the International Criminal Tribunal for Rwanda (ICTR), established by the United Nations in 1994 to conduct trials of people accused of involvement in the genocide of that year, before it was eventually dissolved in 2015. The ICTR filled its ranks with staff from all corners of the world. This presented new problems, with witnesses, judges, and lawyers all trying to understand the process from unique cultural lenses. This presents a unique opportunity to study how different cultures interact in the arena of international justice. "We'll look at the testimony given at the tribunal," says Dr Vredeveldt. In some of these cases witnesses were asked to describe events which had happened over ten years ago, and the passage of time can make precise recall difficult. "First of all, we simply forget things," points out Dr Vredeveldt. "Second, there are lots of external influences, which can cause differences and errors to sneak into your memory. So, for instance, if you talk about the same incident with other people, you start reporting things that you hear from them as if you had seen them yourself. That's called social contagion. Other things like news reports can also influence how you remember an event."

In the third subproject, researchers will conduct experiments in controlled settings to look at how people from different cultural groups encode, store and retrieve memories. "We will ask people from sub-Saharan Africa seeking asylum in Europe to participate in eyewitness experiments and mock asylum interviews, and Western immigration officials to evaluate their statements" explains Dr Vredeveldt.

The way in which an asylum seeker describes their experiences in an interview can be a major factor in determining whether they are granted asylum. While people from some countries are highly likely to be granted asylum, other cases are less clear-cut, and it may depend on the way their story is presented. "If you have gone through traumatic events, or are in serious danger of persecution, then you need to report that in a way that's believable, detailed and accurate in order to be granted asylum," says Dr Vredeveldt. The researchers will compare asylum seekers' reports to a control group of Western participants, who are matched on demographic characteristics like age and gender. "We are going to ask questions that are similar to those asked in asylum interviews, but we're not going to ask them about their actual asylum application or the persecution, for two reasons. One, for comparison to the control group, because they don't have a story of persecution. The other is to remove any perception of risk for the participants," continues Dr Vredeveldt.

This will then inform the project's work in developing a theory of eyewitness memory in which culture is taken into account. The second major goal is to design and test evidence-based interview guidelines for interviewers, which Dr Vredeveldt hopes will ultimately help investigators to obtain better evidence. "We hope to identify the best way to achieve that in the research project," she outlines.

WEIRD WITNESSES

Beyond WEIRD Witnesses: Eyewitness Memory in Cross-Cultural Contexts.

WEIRD Witnesses (witnesses from Western Educated Industrialized Rich Democratic societies).

Project Objectives

The project aims to provide a nuanced understanding of the role of culture in eyewitness memory. A second aim is to design and test evidence-based guidelines for investigative interviewers in cross-cultural settings.

Project Funding

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· *Henrich, J., Heine, S. J., & Norenzayan, A. (2010). The weirdest people in the world? Behavioral and Brain Sciences, 33, 61–83. doi:10.1017/S0140525X0999152X*

· *Wang, Q. (2016). Why should we all be cultural psychologists? Lessons from the study of social cognition. Perspectives on Psychological Science, 11, 583–596. doi:10.1177/1745691616645552*

· *Combs, N. A. (2017). Grave crimes and weak evidence: a fact-finding evolution in international criminal law. Harvard International Law Journal, 58(1), 47–126.*

· *de Bruïne G, Vredeveldt, A., & van, Koppen. P. J. (2018). Cross-cultural differences in object recognition: comparing asylum seekers from sub-saharan africa and a matched western european control group. Applied Cognitive Psychology, 32(4), 463–473. https://doi.org/10.1002/acp.3419*

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