Gathering eyewitness testimony
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Specification notes

AIM OF EXERCISE: to determine whether males or females are the more accurate eyewitnesses.

PRIOR KNOWLEDGE ASSUMED: little or no prior theoretical knowledge is required but a basic grounding in simple statistics may be necessary.

DURATION: this exercise can be conducted within three hours, or it can be made more complex and thus require two three-hour sessions.

LOCATION: explanation of the study and its data analysis can be undertaken in any teaching room; data gathering is straightforward and this will be conducted in a public thoroughfare.

RESOURCES: no special equipment or other resources are required.

Introduction

This exercise is designed to examine some of the factors which influence the accuracy of eyewitnesses' recollections and to highlight the problems encountered when attempting to collect and quantify such recall. Though most lay people are of the opinion that they can easily remember someone, psychologists' field studies have shown that eyewitnesses' recollections can, in many circumstances, be poor. At the present time, legal procedures and court practices are unsure as to the general accuracy of eyewitness testimony. Whilst laboratory-based studies of facial recall have generally observed the subjects to be highly accurate, field studies (out in the street, so to speak) have frequently found much poorer levels of performance. The study described here will not be conducted in the laboratory, but in a public thoroughfare. Thus not only can this study be considered as a worth-while piece of research, it can also be viewed as a useful training exercise in how to conduct 'field studies' and approach members of the public in order to gather meaningful information from them.

Comparisons will be made between the accuracy of male and female witnesses, and it is suggested that the sex of the to-be-remembered stimulus persons and/or the duration of the incident (short versus long exposure) may have an influence on whether females are more accurate witnesses than are males. One of the major reference books on the psychology of eyewitnessing is that by Clifford and Bull (1978). In order to conduct and write a report on the present exercise it is not necessary to consult such a book (of course, those interested enough may wish to do so), nor the other references listed at the end of
Gathering eyewitness testimony

this exercise (nearly all of which are summarized in Clifford and Bull, 1978).

**How accurate are eyewitnesses?**

In 1972, in response to general disquiet, the Home Secretary appointed Lord Devlin to chair an official committee to examine the laws and procedures on person identification (Devlin, 1976). The former Chief of the Metropolitan Police, Sir Robert Mark, is quoted as saying that, 'If the police, the lawyers and the courts did their jobs properly the most likely cause of wrongful convictions is mistaken identity', and Lord Gardiner that, 'Most wrong convictions were on the matter of identification' (Cole and Pringle, 1974). If such statements are valid then not only may an innocent person be found guilty, but also the true culprit could still be at large. To decide whether such views have any validity is a very difficult problem indeed. However, it is on just this type of question that those people best equipped to study human behaviour scientifically (i.e. psychologists) should have something of value to say.

It has been claimed that 'There is certainly a persuasive argument that the human memory for faces is so fallible that evidence of identification is virtually worthless. It seems likely that most people are quite incapable of remembering a face' (Cole and Pringle, 1974). Upon examination (Clifford and Bull, 1978) it appears that such claims as this are based on what amounts to anecdotal evidence. Now anecdotal evidence may eventually be found to have been correct, but scientifically rigorous studies of the powers of person identification are needed in this very important area of human behaviour.

In this respect Lord Devlin (1976) called for exploration, of a research nature, into 'establishing ways in which the insights of psychology could be brought to bear on the conduct of identification parades and the practice of the courts in all matters relating to evidence of identification'. Even though a few early psychologists (e.g. Munsterberg, 1908) had argued that sense data are fallible, recall is idiosyncratic and eyewitness testimony inherently unreliable, their views were almost entirely ignored by the legal world.

Until very recently jurors, judges and lawyers placed a great deal of faith in eyewitness testimony and only in the last couple of years have books been published (e.g. Clifford and Bull, 1978) and events taken place to counter the claim of Levine and Tapp (1973) that 'Psychologists have had little impact on the Law's unwarranted reliance on eye-witness reports'.

In the light of the evidence and arguments presented to it the Devlin Committee recommended that only in exceptional cases should a verdict of guilty be arrived at when the evidence against the defendant depends solely on the testimony of one eyewitness. Some forms of corroboration of such evidence would usually be necessary before guilt could be proven. Thus, in the last few years, judges have been required to inform jurors about the possible limitations of eyewitness testimony. As a consequence of this, some people now believe that the balance of proof has swung too much upon those wishing to prove guilt. If an eyewitness claims that he or she is sure that the person they are viewing (or hearing) is the one who committed the crime, then is it right that the suspect should be set free due to lack of corroborative evidence? Methodologically rigorous and ecologically valid investigations are obviously needed in this important area of human behaviour.

**Laboratory versus field studies**

Ecologically valid studies are ones which investigate behaviour in its true context as opposed to an artificial situation (such as a laboratory can sometimes be). For decades psychologists' research on memory blindly followed the 'nonsense-syllable' research tradition of Ebbinghaus. This arid approach was one reason why the Devlin Committee found little of value in its reading of the psychological literature. Until recently the main thrust of psychological research was orientated towards theory-testing, there being a strong emphasis on logical rigour and formal elegance. Socially relevant research on real-life problems tended to be avoided, perhaps because such research is difficult to design, conduct, analyse and discuss. The laboratory-based tradition of research in psychology often suffers 'from too severe control