**Child abuse: the linguistics of reliability in non-adult witnesses**

*Dr. Martina Nicklaus, Romanistische Sprachwissenschaft,*

*Prof. Dr. Dieter Stein, Englische Sprachwissenschaft,*

*both Universität Düsseldorf, Universitätsstrasse 1, 40225 Düsseldorf, Germany*

The issue of veracity of verbal evidence, of reports and narratives is at the center of many cases in forensic linguistics. The issue is the more in the center of interest where evidence given verbally is, apart from external and psychological evidence, the only or the nearly only evidence, such as is the case in child abuse cases. The main instrument in evaluating linguistically given evidence in Germany is CBCA (Criteria Based Content Analysis). However, the impression from a recent survey of work on CBCA clearly points to the necessity to include more sharply defined criteria to increase validity.

 What we wish to suggest in this paper is to not only include more psychological criteria but to also look to include technical linguistic knowledge. We will argue that linguistic knowledge should be included in veracity evaluation in two basic ways.

1. Although psychological evaluation makes use of facts of language use, there can be an issue of the linguistic-theoretical underpinning of psychological categories of analysis. For instance, modern discourse-based linguistic theory of the narrative may provide insights in how stories are generated from memory that a psychological evaluation might profitably make use of. One of the issues here is whether the non-adult narrative accessing of her/his experience is as much as possible free from external factors not related to her/his reporting the experience, such as evaluations of her current situation or possible interests in framing the story, and to what extent the narrative really factually reports what has happened.

2. Intertwined with and likely not always readily separable from 1: the interpretation of linguistic forms themselves, to the extent that a scholarly linguistic analysis, different from a psychological evaluation, has been carried out at all, may profit from more modern and discourse-pragmatics-based technical knowledge in terms of cognitive linguistics. For instance, it is too simple to state that consistency in tenses is an across-the-board diagnostic of consistency of the narrative, and therefore a diagnostic of reliability. Or the functional analysis of word order options, restarts or self-correction strategies, as they are realized in the text may yield interpretable evidence about how cognitive evidence from memory is managed. Similarly, the use of so-called “particles” (“well”, “now” in English) and what they tell us about how speakers go about the underlying knowledge structure needs to be exploited for forensic purposes in a linguistically informed way.

3. Modern studies of conversational phenomena with adults from the sociolinguistic point of view lead us to question assumptions about the validity of judgments about the reliability of repeats of stories or the role of the interviewer in re- or co-creating narratives, in all age groups.

For all these linguistic parameters, replete with interpretable information they may be in the case of adults, care must be taken of how the developmental stage of a child or adolescent allows a directmethodological “translation” from what we know about adult handling of discourse markers.

The paper discusses some of the linguistic parameters used in CBCA on the basis of ten concrete abuse cases. In all cases the veracity of the victim's statements was not confirmed by the psychological expert. The available data consists of free, experience-based narrative parts as well as offence-related parts. The transcripts therefore allow to compare individual linguistic baselines with the corresponding individual linguistic lying behaviour.