Beliefs About Memory in the Police, Public and Memory Experts

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It was 9.30 and I remember it was a really cold evening. I remember a man, his green coat and his bright blonde hair. He ran up beside me, I can still hear his footsteps, and grabbed my bag.

I am certain, I have a very good memory and rarely forget anything.

It all happened so quickly, I can’t remember very much. I think it was around 9pm, maybe later. A man ran up beside me, grabbed my bag and ran off.
Is there one you believe more?
How have you come to that conclusion?
How are memories judged?
  • Many legal proceedings rely primarily on memory evidence
  • *Common sense beliefs*
- Common sense beliefs
  - Experience of one’s own memory
  - Memory of others
  - Cultural norms
  - Media influences?

- In the UK and US courts, judges regard the public as knowing how memory works
  - The public are sufficiently informed as to require no further advice.
“It [memory evidence] has no scientific or technical underpinnings...therefore expert testimony is not necessary...”

*State v. Coley; 32 S.W.3d 831; Tenn. 2000, cited in Lindsay, Ross, Read, J.D., & Toglia, M.P. 2007*
• But are common-sense beliefs about memory accurate?
Method
Memory is generally accurate. Generally, we remember what occurred. More details = more accuracy. A memory recalled with a lot of detail is accurate. Memories can be false. Memories can contain wholly false information. Memory is a literal record. Memory works like a video recorder.

Trauma is durable. Traumatic events are "burned in the brain."
- Metropolitan Police (all ranks)
- Memory Experts (attending ICOM-6)
- Members of the general public

- N= 853
  - 240 (28%) Memory Experts
  - 531 (62%) Police
  - 81 (10%) Public
Results
<table>
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<tr>
<th></th>
<th>Experts</th>
<th>Police</th>
<th>Public</th>
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<tbody>
<tr>
<td>Memory is generally accurate</td>
<td>D</td>
<td>A</td>
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<tr>
<td>The more details, the more accurate</td>
<td>D</td>
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<td>Memories can be false</td>
<td>A</td>
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<td>Memory is like a video</td>
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<td>Durability of trauma</td>
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Children’s memories are less accurate than adult’s memories.

People can come to remember events that never occurred.

Over time memories deteriorate and can become less accurate.

Memories of traumatic events may contain details that are false.

Experts agree

Public & Police disagree
Memories are like photographs or videos
Memory is like a movie of one’s experiences
People often accurately remember emotions and feelings
Memories from childhood are as accurate as memories from other ages.
Common Sense Memory Belief System

- Gist only
- Traumatic just as fallible
- Detail & vividness ≠ accuracy
- Representation

Scientific Memory Belief System

More detail & vividness = more accuracy

Traumatic memories = accuracy

Gist only

Representation
By “common sense” a memory is believed to be accurate if:

- ...it contains highly specific details
- ...it is vividly recalled
- ...it is of an emotionally intense experience
- ...it is of an emotionally negative / traumatic experience

Contrary to scientific understanding
• The “common sense” belief system is almost certainly held by many non-experts
  • Implicitly and non-conscious
  • Not surprising

If all there is to go on is “common sense” then judgments of memory evidence will often be flawed
What next?

- Offer training to legal professionals?
- Establish guidance for jurors?
- How can we work with the legal community?