# ORIGINAL ARTICLE



# 'Nothing happened': Legal implications of false denials among abused children

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### **Abstract**

People lie on a frequent basis. However, when a victim of maltreatment lies by denying the abuse, lies can become forensically relevant. We have reviewed the relevant literature on the prevalence and memory consequences of such false denials. The way forensic interviewers proceed in the face of denying children will be shaped by their beliefs about the frequency with which truly abused children deny abuse. We discuss that estimates of the prevalence of false denials among abused children vary but that such false denials do happen. When falsely denying children eventually come forward with their experiences, a second issue lingers: how valid are maltreated children's statements after a false denial? We review the literature indicating that false denials can negatively affect memory for the investigative interview during which the lie was told. Yet, memory for the denied experience itself seems to be mostly preserved, and some research even found potential protective effects of false denials. We conclude that denials should always be handled with care in the court room, since the ground truth usually is not known, but that statements should not be dismissed based solely on previous denials.

### KEYWORDS

child sexual abuse, false denial, lying, memory validity

# **Key Practitioner Messages**

- Researchers disagree on the prevalence of false denials during interviews but agree denials do occur among some child abuse victims.
- False denials may negatively influence memory for previous conversations during which a denial took place, but memory for the denied experience itself is mostly preserved.
- When a person discloses abuse after an initial period of denial, statements should not be automatically dismissed, and interviewers must entertain different explanations.

During investigations concerning abuse, children's reports made during forensic interviews typically comprise the central evidence in the case (Leander, 2010; London et al., 2020; Lyon et al., 2020), since typically no physical evidence is present (Lamb et al., 2011, but see also Herman, 2010). For example, in cases of suspected physical maltreatment, a child's statements are needed to clarify whether they broke their wrist when falling off their bicycle or when their father kicked them during a fight.

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The goal of child forensic interviews is to conduct an objective fact-finding interview (Orbach et al., 2000). During forensic interviews, two main possibilities exist regarding abuse status: The child was abused (i.e. a valid case) or not abused (i.e. and thus interviewed for unfounded concerns). Additionally, the forensic interview can culminate in one of two main outcomes: The child either discloses or does not disclose (e.g. claims they do not want to talk about the events or outright denies the events). The purpose of this paper is to provide an overview of the literature on the occurrence of abuse denials among maltreated children and consequences of such false denials on memory.

# DISCLOSURES AND DENIALS AMONG ABUSED AND NON-ABUSED CHILDREN

Because child abuse investigations are heavily reliant on children's verbal reports, investigators often face major challenges. One such challenge for child maltreatment investigators is the fact that not all children who get evaluated for abuse were in fact maltreated. Some non-abused children may be interviewed when people in an informal setting misunderstood what purportedly happened with children, leading possibly to suggestive questioning of them. A second challenge to investigators is that not all truly maltreated children disclose during interviews (e.g. London et al., 2005, 2008). Disclosures, but also denials, can come from both abused and non-abused children. Among children who fail to disclose maltreatment during the interview, some unknown proportion of the non-disclosing children is making true denials (i.e. they were not abused), and some unknown proportion is making false denials (i.e. they really did experience abuse despite their non-disclosure). In terms of false denials, denial and non-disclosure among abused children can occur during formal assessment for myriad reasons including both cognitive (e.g. forgetting) and socioemotional (e.g. wanting to protect the perpetrator) reasons (Eisen et al., 2021). In the present paper, we focus on intentional false denials where children remember the abuse but selectively decide not to report it.

False denials of child maltreatment can become relevant at two time points during investigations. They can occur during initial forensic interviews when children are questioned by authorities (e.g. the police, prosecutors). At this time point, interviewers might ask how often non-abused or truly abused children deny that abuse happened, and so the issue of how prevalent such false denials are becomes pertinent (Figures 1, 2.1). The second time point occurs later in the interviewing process, when children might eventually come forward with sexual abuse allegations after a period of denial (Figures 1, 2.2). When allegations are preceded by false denials, an important issue is how their memory and statements might be affected by initial denials. In this article, we review the extant scientific literature surrounding the issue of false denials (i.e. among abused children) at both time points. Specifically, we conducted a narrative review in order to give a comprehensive overview of the extant scientific body. This means that instead of using pre-determined inclusion or exclusion criteria to determine a full set of studies to analyse, we decided to highlight some of the most important recent literature regarding both the occurrence and memory consequences of false denials.

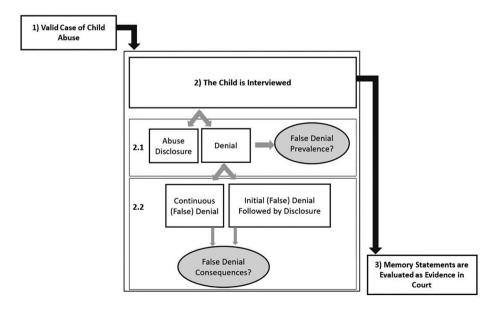


FIGURE 1 False denials in the legal process of a valid child maltreatment case *Note*: For reasons of parsimony, we only show denial and disclosure while other patterns (e.g. delayed disclosure and recantations) are omitted. Note that this model addresses cases where abuse truly took place, though ground truth is rarely known in actual forensic settings

# METHODOLOGICAL ISSUES IN ESTIMATING THE PREVALENCE OF FALSE DENIALS DURING FORENSIC ASSESSMENTS

Debate exists regarding the frequency with which denials occur among valid child sexual abuse cases (e.g. London et al., 2020; Lyon et al., 2020). The debate was initially ignited by the psychiatrist Ronald Summit who coined the *Child Sexual Abuse Accommodation Syndrome* (Summit, 1983). He argued that child victims of familial sexual abuse are helpless to the abuse and, to continue to function, must *accommodate* the perpetrator because no one will believe them. Summit proposed the accommodation would lead almost all sexually abused children to behaviours of *secrecy* such as delaying disclosure, denying the abuse, and retracting any prior disclosures. Because his theory was derived from clinical intuition based on his adult psychiatric patients, scholars focused their attention on (false) denials and their prevalence (e.g. London et al., 2020; Lyon et al., 2020). However, it is important to note that in any case, the ground truth is usually not known, and thus denials during forensic interviews might also be correct denials where no abuse actually occurred. To keep within the scope of the current article, we simply refer to 'denials' for both true and false denials while examining the prevalence rates. Doing so reflects the uncertainty stemming from the ground truth problem in real cases and acknowledges that denials in such cases might be true or false.

One of the primary arguments against high prevalence rates of denials is the lack of scientific evidence that sexually abused children often deny their experiences when asked (e.g. Question: 'Did someone touch you inappropriately?') (London et al., 2005, 2008, 2020). London et al. (2005, 2008) analysed studies that examined how children disclosed sexual abuse in interviews with authorities. They found that the denial rates greatly varied across studies (4%–76%) with a mean denial rate of 36 per cent *among all children* coming before authorities for abuse assessment (London et al., 2005). One factor that may explain the large range of denial rates reported by London et al. (2005) is the validity of the abuse cases in the studies. Indeed, when considering only cases of which the London et al. (2005) reasoned were verified abuse cases, a 15 per cent denial rate emerged. A limitation of this work is that these disclosure and denial rates are based on studies of children undergoing treatment for child sexual abuse. Therefore, it is sometimes not clear how cases were selected, which treatments or interviews children underwent, the true abuse status of children, and how cases were substantiated (London et al., 2005, 2008). Moreover, there might be suspicion bias (Lyon, 2007): Children who disclosed previously are more likely to come before authorities (and thus to be included in this sample), and such previous disclosures also predict disclosures in interviews (Keary & Fitzpatrick, 1994). Thus, cases coming before authorities overrepresent children who are already disclosing and continue to do so during forensic examinations.

Lyon and colleagues (Lyon, 2007; Lyon et al., 2020) postulated that, when considering the general population of abused children versus the population of children coming before authorities, rates of denials are much higher than suggested by London et al. (2005). Lyon et al. (2007) argued that more focus should be placed on denial estimates derived from studies that examined abuse cases that can be substantiated with independent corroborative evidence (e.g. conclusive medical evidence), where the children were interviewed before ever disclosing. Lyon (2007) examined 21 studies in which children who had not disclosed previously to authorities were diagnosed with a sexually transmitted infection. The main reason for examining these studies was because – according to the author – such infections mainly result from sexual activity. Lyon (2007) found that a large percentage of children (58%, n = 302/437) in these samples did not disclose abuse (i.e. they denied) when seen in emergency rooms.

Recently, London et al. (2020) criticised the generalisability and the validity of Lyon's approach. Most of the 21 studies were conducted in the 1960s and 1970s and involved a unique subset of abused children who suffered penetrative abuse resulting in gonorrhoea (London et al., 2020). Moreover, many of the studies were retrospective case reviews intended to explore whether gonorrhoea can be transmitted in children by nonsexual (i.e. fomite) contact. Lastly and most importantly, many of the studies did not specify how, or even whether, the children were questioned about abuse. Evidently, children cannot deny abuse if they were never questioned about it and in several of the studies reviewed by Lyon (2007), it could not be determined whether children themselves were questioned or not (London et al., 2020). Therefore, the prevalence rates of denials reported by Lyon (2007) are likely an overestimation of denial rates among children who come before contemporary forensic interviewers.

A recently published study by Eisen et al. (2021) addressed some of the methodological shortcomings of both London et al.'s (2005, 2008) and Lyon's (2007) work surrounding prevalence rates of denials. Both London et al. (2005, 2008) and Lyon et al. (2020) reviewed previously published studies in which it was not always clear how (or in some cases even whether) children were interviewed (i.e. the reviews were based on case file reviews and not direct video recordings of the interviews). However, Eisen et al. (2021) reviewed video recordings of interviews conducted with children (N = 132) in cases of substantiated sexual abuse (n = 54) and physical abuse (n = 58), or both (n = 20) from 1994–1996. The authors investigated (i) how consistently children disclosed abuse when directly asked and (ii) how frequently they denied substantiated abuse. Denials were coded only if the child denied the abuse throughout the entirety of an interview. Cases were 'substantiated' when the Department of Children and Family Services had documentation available, and the court ruled that the abuse was founded. Of note, the authors did not clarify what exact documentation this entailed or what evidence 'substantiation' claims were based on.

Eisen et al. (2021) found that 39.2 per cent (n = 29/74) of children denied substantiated sexual abuse claims, whereas 44.4 per cent (n = 36/81) of children denied substantiated physical abuse claims. Interestingly, these rates are in between those cited by London et al. (2005, 2008) and Lyon (2007). A possible limitation proposed by the authors was that the analysed interviews were conducted from 1994 to 1996. Thus, they are rather old, and many interviewers were perhaps not using up-to-date best-practice guidelines. Moreover, it is somewhat unclear how generalisable the sample is, because the children included in the study were held as inpatients in the hospital for several days. According to Eisen et al. (2021), this reduced outside influence during the assessment process, but it is quite uncommon during investigations of abuse claims. Eisen et al. (2021) did not specify the reason that children were held as inpatients. A possible reason might be that these cases represent complex cases where authorities had high suspicions that abuse took place, yet the children had not readily disclosed. Higher rates of denial are usually found in studies that sample from populations of non-disclosing children (see London et al., 2005).

Methodological challenges notwithstanding, researchers are aiming to estimate false denial rates in different popula-

Methodological challenges notwithstanding, researchers are aiming to estimate false denial rates in different populations. London et al. (2005, 2008) and Eisen et al. (2021) aimed to estimate rates of abuse disclosure and denial among children coming before authorities. However, research of adult retrospective surveys shows that only around 10–18 per cent of all sexual abuse cases come before authorities (London et al., 2005). Thus, London et al. (2005, 2008) but also Eisen et al. (2021) estimated a denial rate in this subset of sexually abused children who were undergoing abuse assessment. London et al. (2005) argued that, when making inferences about the prevalence rates of denials among children who come before forensic interviewers, the samples must be representative of this population. However, Lyon (2007) argued, to understand sexual abuse disclosure, all sexually abused children need to be included in estimates. Thus, he included a sample of children diagnosed with sexually transmitted infections undergoing abuse assessment, who had not previously disclosed. To sum up, among children who come before authorities, research has found an average denial rate of 15–39 per cent (Eisen et al., 2021; London et al., 2005), whereas in children who were diagnosed with sexually transmitted infections, without any prior disclosures, the average rate of denials has been found to be higher, around 58 per cent (Lyon, 2007).

No matter what the *exact* prevalence of (false) denial is – denials are never 'diagnostic' of abuse, even though Summit's (1983) Child Sexual Abuse Accommodation Syndrome has sometimes been misinterpreted as claiming such (Lyon, 2002) and subsequently been used as a 'weapon' in court with prosecutors using it to derive that inconsistent victims are truthful (Summit, 1993, p. 157). Indeed, Summit (1983, 1993) opined that denials can be a sign that children were abused. However, he later explained that patterns of disclosure such as denials should not be used as a diagnostic tool to claim that abuse must have taken place (Summit, 1993), and that using them as such was not his intention when he coined the term. Indeed, not every child who denies has been abused, because non-abused children also deny abuse (e.g., when they come before authorities for unfounded behaviours such as showing an interest in their genitals).

Regardless of the prevalence rate of false denials during forensic interviews, the rate must be interpreted in light of denials among all children – this rate includes both abused and non-abused children. Indeed, looking at the base rates with which children who come before authorities for abuse assessment are actually abused versus non-abused can be helpful. This is because these base rates can provide us with an indication of how many denials in interviews are true versus false denials. Specifically, true denials would be those stemming from non-abused children, interviewed for unfounded concerns, whereas false denials would be those stemming from truly abused children.

To make an analogy, consider how to interpret a positive mammogram finding in detecting breast cancer. To understand the value of the positive mammogram finding, one must know the rate of how many women with and without breast cancer undergo a mammogram. Even if mammograms picked up 100 per cent of breast cancer cases, if positive findings can also arise for women without breast cancer (i.e. false alarms), that would mean out of all women testing positive, some truly have cancer whereas others do not. How many of the positive mammography findings stem from women who truly have cancer, depends on how likely it is that women have breast cancer or not when they undergo a mammogram. Assuming that it is more common that women who undergo a mammogram do not have breast cancer than that they do, even low false positive rates would equate to many positive mammography findings stemming from women who do not actually have breast cancer (i.e. false positives).

Drawing this analogy back to child abuse, making inferences about how likely it is that denials come from abused (false denial) versus non-abused (true denial) children depends on the rate of truly abused versus not abused children who are interviewed. However, due to the ground truth problem, only estimations of base rates exist (London et al., 2008). Table 1 provides an overview of prevalence rates of (false) denials from different research.

Despite the lack of consensus surrounding the precise prevalence, there is agreement that false denials can occur sometimes in child maltreatment cases – indeed, looking at the rates discussed above, denials do not seem to be exceptionally rare. However, we also have to keep in mind that ground truth is not always known in real cases, and that these denial rates likely include both true and false denials. If real cases of abuse remain undetected or get dismissed in court, detrimental consequences may ensue for the victims, and they might be placed back into dangerous situations, such as living in the care of their abuser (Romeo et al., 2018).

TABLE 1 Overview of (false) denial rates

Study	Denial rate – Sexual abuse	Denial rate – Physical abuse	Sample	Limitations
London et al. (2005) Review	Overall 36% average Verified abuse 15% average	1	Children who came before authorities for (sexual) abuse assessment (review of studies published after 1990/based in case files)	<ul> <li>Not always clear how cases were selected and substantiated</li> <li>Suspicion bias</li> <li>Unknown which treatment or interview children underwent</li> </ul>
Lyon (2007) Review	58% average (n = 302/437)	1	Children who were examined after being diagnosed with a sexually transmitted infection (review of previously published studies mostly from the 1960s and 70s/based on case files)	<ul> <li>Generalizability of the sample</li> <li>Unknown how and if children were interviewed</li> <li>Substantiation (i.e. sexually transmitted infections can be transmitted by fomite contact)</li> </ul>
Eisen et al. (2021) Study	39.2% ( <i>n</i> = 29/74)	44.4% ( <i>n</i> = 36/81)	Children who were interviewed in cases of substantiated sexual and/or physical abuse (reviewed tapings of interviews)	<ul> <li>Interviews conducted from 1994–1996: current best- practice guidelines were not always employed</li> <li>Unique sample: children were held as inpatients in the hospital for several days</li> </ul>

The importance of false denials becomes apparent when legal professionals are faced with cases wherein an alleged victim failed to disclose abuse in a previous interview, but eventually comes forward with the abuse. While one interview is sufficient for many abused children to disclose, for reluctant children (e.g. ones who deny or do not want to talk about sensitive topics) interviewers may decide to postpone the discussion of the sensitive topic and schedule a second interview (Blasbalg et al., 2021). As the studies reviewed above indicate, reluctance to disclose is not exceptional among abused children who are interviewed and – like with other serious crimes (U.S. Bureau of Justice National Crime Victimization Survey) – many sexually abused children fail to come forward in a timely manner to report the abuse (McGuire & London, 2020).

Sometimes, reluctant children are interviewed a second time, because discussions of the critical event might be postponed so as to focus on rapport building in the first interview when a child does not want to talk about, or blatantly
denies, allegations (Blasbalg et al., 2021; Eisen et al., 2021). Recent research has shown that children sometimes are
willing to disclose abuse-related experiences when they are interviewed a second time, but only if these interviews are
conducted in a supportive and nonsuggestive way (mostly in investigations of physical abuse involving family member
suspected perpetrators) (Blasbalg et al., 2021; but see also Eisen et al., 2021). Any repeated interviews must be conducted cautiously and in accordance with evidence-based guidelines because such interviews can lead to false allegations
when they do contain suggestive questions (e.g. La Rooy et al., 2010).

When faced with cases where a child initially falsely denied and later came forward with the truth, it is vital to establish the consequences of this interplay on subsequent testimonies. For example, Eisen et al. (2021) examined cases of inconsistent denials, namely cases in which children denied substantiated physical or sexual abuse in one interview with authorities, but then made allegations during another one. Specifically, they found that 17 per cent (n = 22/129) of the abused children reported on a violent offence inconsistently between two interviews. Based on such findings, the question arises concerning how reliable memory-related statements are if given after having initially falsely denied an event.

# CONSEQUENCES OF FALSE DENIALS ON CHILDREN'S TESTIMONIES

Research examining the perceptions of legal professionals about inconsistencies in memory reports has shown that police officers often deem inconsistent reports unreliable (Fisher et al., 2013). Indeed, inconsistencies were the most often cited reason that legal professionals question the validity of any witness report (Fisher et al., 2013). Of course, children who initially denied having been abused and then come forward inevitably contradict earlier statements. Laypeople often expect inconsistencies among children, especially for those abused (McGuire & London, 2017); but still, on the basis of these inconsistencies alone, allegations might be deemed noncredible and dismissed. It is imperative to understand whether – and how – false denials themselves (i.e. among valid abuse cases where interviews were conducted in line with best-practice guidelines) affect memory for the event and ultimately influence later memory statements.

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Some research has examined the effects of false denials on memory-related statements, mostly among adult samples (but see also: Otgaar et al., 2014 who found the same effects in six- to eight-year-old and 10- to 12-year-old children). The recurrent finding is that false denials can have detrimental consequences, especially for memory for the time at which the act of lying occurred (i.e. previous interviews or conversations). To study the impact of false denials on memory reports, the following procedure is frequently used (e.g. Battista et al., 2021; Otgaar et al., 2014; Romeo et al., 2019). First, participants view a stimulus (e.g. a crime video) before engaging in a memory interview about this stimulus. During the interview conversation, some participants are instructed to falsely deny details from the stimulus (i.e. 'I did not see the person steal anything'), while others are instructed to respond honestly. Finally, participants are asked to respond truthfully on a final memory test concerning details of the initial stimulus and memory interview (i.e. during which participants falsely denied). A robust finding is that lying by falsely denying having witnessed an event leads to omission errors (i.e. leaving out details, forgetting) in a final memory test (Battista et al., 2020, 2021; Otgaar et al., 2014, 2016, 2018; Otgaar & Baker, 2018; Romeo et al., 2019; Vieira & Lane, 2013). Specifically, participants (adults and children; Otgaar et al., 2014) seem to forget which details they talked about, an effect labelled as denial-induced forgetting (Otgaar et al., 2016).

The finding that false denials can negatively affect memory for conversations during which the deception occurred is in line with research demonstrating that children have a poor memory for specific statements made during conversations (Lawson & London, 2015, 2017; Stolzenberg et al., 2018). For example, Lawson and London (2015) staged a semi-structured dyadic conversation between eight-year-old children and an adult researcher. After either a one- or three-week delay (Lawson & London, 2015), and again after a one-year delay (Lawson & London, 2017), they tested children's memory for this conversation in recall and recognition tests. While children often were able to recognise their own and the adult's statements correctly from the original conversation, they recalled little information about the conversation. Details that were recalled were oftentimes correct. In a related study, Stolzenberg et al. (2018) asked four- to nine-year-old children to recall a (staged) interaction and conversation with a stranger involving a minor transgression, as well as a subsequent interview with an experimenter, after a one-week delay. In line with Lawson and London's (2015) findings, Stolzenberg et al. (2018) found that children recalled few details of the interaction including the conversation, although details that were recalled were highly accurate. Thus, although children may not remember all of the details of a conversation, the details and more general information that they remember is quite accurate.

Interestingly, the denial-induced forgetting effect shows that denials might additionally compromise children's memory for their conversations (Otgaar et al., 2014). While the effect in which false denials affect memory for the information discussed in the interviews is quite robust, findings regarding memory for the event are more mixed (Otgaar & Baker, 2018). Some studies have found that memory for the experienced event remains mostly preserved (Otgaar et al., 2014, 2016, 2018). Yet, some studies on (partial) false denials found that details of the experienced event itself might also be forgotten after denial (Battista et al., 2021; Romeo et al., 2019). Indeed, Romeo et al. (2019) found a forgetting effect of false denials on memory in undergraduate students for the experienced event using a negatively arousing stimulus in combination with the classical denial-induced forgetting paradigm: a virtual reality scene depicting an airplane crash. However, Bayes Factor analyses showed little to no evidence for this effect on memory for the event.

In another study, Battista et al. (2021) used an adapted denial-induced forgetting paradigm and found that especially complex false denials can exert a negative influence (i.e. forgetting) on memory for the experienced event in a sample of university students. Such complex false denials are denials in which not all details of the event are denied, but only certain parts of the event, while others are truthfully disclosed. Such denials are *complex* because participants have two cognitive tasks: they must keep in mind details about which to lie and also to exert the lie. Thereby, complex denials might mirror the situation in real cases of false denials of abuse in court more closely than simple false denials, in which all details of an event (e.g. abuse-related and unrelated details) are denied. This is because in abuse cases, the child might disclose some (e.g. abuse-unrelated) information, while denying other information. Thus, it is possible that in certain situations – such as when the denial is more (cognitively) complex – false denials are more likely to affect memory for the experienced event. However, this effect is not as robust as the denial-induced forgetting effect for the interview, and it is possible that instances of finding it represent false positive results.

In the studies reviewed above, the impact of false denials on errors of omission (i.e. 'denial-induced forgetting') was examined. However, errors of omission (forgetting) are only one type of memory failure. Recently, some studies examined how false denials impact *commission* errors, such as false memories (i.e. memories for details or entire events that were not experienced; Loftus, 2005). Specifically, stimuli that often induce false memories spontaneously (i.e. without any suggestion) were used in the false denial paradigm (i.e. as explained above; Otgaar et al., 2020) (Deese-Roediger-McDermott (DRM) word lists: Deese, 1959; Roediger & McDermott, 1995). These DRM word lists consist of several semantically associated words, such as 'fear', 'temper', 'hatred', 'fury' that are related to a non-presented critical lure word (i.e. in this case 'anger'). Participants (i.e. university students) who initially falsely denied information from the experienced stimuli created fewer spontaneous false memories about the stimuli (i.e. they endorsed fewer unpresented critical lures) than consistently honest participants. This research thereby shows potential protective effects of false

denials on self-generated false memories. Thus, false denials do not only have negative mnemonic effects (i.e. forgetting of discussions surrounding the experienced event) but also some positive ones: it seems that after a false denial, someone might be less likely to spontaneously report false details about the experienced event when coming forward about their experiences. If the negative effects of false denials only pertain to memory for the interview, but memory for the adverse experience itself remains intact (but see also: Battista et al., 2021), then allegations made after a false denial might be valid. Indeed, Bücken et al. (2022) recently examined whether false denials in a simulated police interview would impact susceptibility to report misleading information about a child sexual abuse narrative. To do so, they asked participants (undergraduate students) to roleplay being the victim of this child abuse narrative and then asked them to either falsely deny or respond honestly in a subsequent simulated police interview. After a week delay, participants received a summary of the police interview and an eyewitness statement about the narrative, both including misleading information. The authors found that while false denials led to increased endorsement of false information for abuse-unrelated details (e.g. what they are that day), endorsement of false abuse-related information (e.g. that the perpetrator took off the victim's t-shirt) did not statistically differ between participants who falsely denied and those who were honest. If these results generalise to actual child victims, then the results would suggest that even after false denials, memory for the most critical event (e.g. abuse) remains mostly intact. Table 2 provides an overview of these studies on how false denials can impact memory.

Memory for the critical event (i.e. abuse) is of vital importance in court cases. However, in alleged abuse cases, children are also oftentimes asked about previous occasions during which they discussed their experiences with others (Stolzenberg & Lyon, 2014). Specifically, children might be asked to provide conversational testimony, in which attorneys can ask them about the specific content of previous conversations concerning the event (e.g. with parents or the police) and the extent of previous disclosures or denials. This conversational testimony is used to investigate, for example, if there has been any external (suggestive) influence (e.g. by the suspect or the non-offending caregiver) contributing to children's allegations. Hence, the fact that false denials can affect memory for previous conversations during which false denials took place might already be problematic. This is because they can negatively impact conversational testimony and therefore may influence legal proceedings further by creating inconsistency in reporting. In turn, the child's inconsistency may affect how legal stakeholders view the credibility or the reliability of witness statements (Fisher et al., 2013). However, related research (e.g. Lawson & London, 2015; Stolzenberg et al., 2018) showed that, in general, children do not remember well the exact statements made during conversations, and they overall remember only the gist of the information or a few details. Attorneys who question children about previous conversations and disclosures in court should generally be aware of the fact that although children's memory for conversations is accurate, it is limited (see Pincipe & London, in press).

It should be noted that a limitation of the work on the mnemonic effects of false denials is that due to ethical constraints, healthy (and not maltreated) individuals have been tested to date. Nonetheless, research shows that cognitive processes are quite similar in maltreated and non-maltreated individuals (Goodman et al., 2011; Howe et al., 2004, 2011). Relatedly, the effects of false denials on memory have been studied in experimental situations. Memory for traumatic, very personal events such as abuse might differ from memory for non-traumatic or less personal events (e.g. McNally, 2003). While some of the research on the memory effects of false denials has been conducted using

TABLE 2 Overview of memory effects of false denial

Study	Type of denial	Stimulus	Sample	Memory effect
Otgaar et al. (2014)	False denial	Pictures and videos	N = 170 Undergraduate students ( $n = 57$ ) Children ( $n = 58$ 6–8 and n = 55 10–12 year-olds)	Denial-induced forgetting
Romeo et al. (2019)	False denial	Trauma-analogue virtual reality scene	N = 94 Undergraduate students	<ul> <li>Denial-induced forgetting</li> <li>Forgetting effect of false denial on memory for the event</li> </ul>
Battista et al. (2021)	Complex false denial	Video of a mock-crime	N = 159 Undergraduate students	<ul> <li>Denial-induced forgetting</li> <li>Forgetting effect of false denial on memory for the event</li> </ul>
Otgaar et al. (2020)	False denial	DRM word lists	N = 140 and $N = 128Undergraduate studentsin two experiments$	<ul> <li>Denial-induced forgetting</li> <li>Reduced spontaneous false memories after false denial</li> </ul>
Bücken et al. (2022)	False Denial	Child sexual abuse narrative	N = 127 Undergraduate students	<ul> <li>Increased endorsement of abuse-unrelated (not abuse-related) false, misleading information after false denial</li> </ul>

trauma-analogue stimuli (i.e. Romeo et al., 2019) or a child sexual abuse narrative (i.e. Bücken et al., 2022), memory for traumatic events that are personally and often repeatedly experienced, as they are in real abuse cases, might differ. Studies have found that events that are relevant or in close relation to oneself often have been found to be remembered better than events that are not as personally relevant (i.e. an effect also known as the 'self-reference effect'; Symons & Johnson, 1997). Thus, future research could attempt to replicate the findings in maltreated samples, using real cases of abuse. For example, researchers could examine memory for previous conversations in children who were interviewed for allegations of abuse in substantiated cases, and to compare memory reports of those who disclosed the abuse right away with those who initially denied it.

Another limitation is that experiments so far have been conducted mainly with adult samples (but see also: Otgaar et al., 2014, who found denial-induced forgetting in six- to eight-year-old and 10 to 12-year-old children). Therefore, future research could investigate the effects of false denials on children's memory. For example, researchers could adapt the paradigm used by Stolzenberg et al. (2018) to include a clearer explicit instruction to deny (or be honest) about the transgression, before testing their memory for the conversation and event. By doing so, false denials could be studied in children in paradigms that would closely mirror instances of children's false denials. In the future, it would also be important to conduct a meta-analysis of research on the denial-induced forgetting effect in order to assess the robustness of findings across the literature. Additionally, researchers could then also conduct a more systematic review of the literature on the memory consequences of false denials generally.

# **CONCLUSION**

In most child maltreatment cases that come before authorities, children are consistent in their reports (e.g. Peterson et al., 2001), and adults often use this consistency as a marker to assess the credibility of a statement (Fisher et al., 2013). However, research also shows that children sometimes first allege abuse and later retract their claims, or first falsely deny any maltreatment and then later come forward with the truth (e.g. Eisen et al., 2021). In our review, we show that such false denials are not necessarily a rarity, and that initial false denials can especially affect memory reports for previous conversations or interviews during which denials occurred. Such cases in which children are inconsistent in their reporting are especially challenging to investigators and factfinders.

When children do change their allegations in either direction, their new accounts should not be automatically dismissed as untrue. We rarely know the ground truth of children's accounts given during the forensic interview, and when denials occur in a forensic setting, they must be handled with great care. When faced with a child who came forward with allegations after a period of denial, legal professionals must assess the reliability of these memory statements. Recent studies indicate that when someone does falsely deny an experience, this false denial itself does not necessarily impact memory for the abuse event negatively (but see also Battista et al., 2021 who argue that in specific circumstances event memory might be affected). At the same time, memory for earlier instances where denials took place might be poor.

For any chanced report, investigators should assess whether adults placed any pressure on the child to change their report. A large body of research indicates that when pressured, non-abused children can be pressured into making false reports, meaning, at first, they would accurately deny and later falsely allege (see Bruck et al., 2006, for a review). Logic therefore dictates that if pressured by an adult, a child could also be pressured into making false statements in the opposite direction (i.e. at first they make an accurate report and later recant it). Thus, if faced with a denying child, it is important to investigate how the formal interviews were conducted and whether and how others such as parents might have asked the child about alleged events. How should investigators handle interviews with children whom they perceive are uncooperative or reluctant? Best practice guidelines have outlined behaviours that reluctant children display in the beginning of the forensic interview (Blasbalg et al., 2021). For example, children's refusal to provide information in the beginning stages of the interview (by replying *I do not know* or refusing to give responses) predicts non-disclosure during the substantive phase of the interview. Instinctively, interviewers tend to become more forceful and leading with non-disclosing children. Lamb et al. (2009) have found that the opposite approach is more effective in eliciting information from maltreated children. Rather than proceeding to the substantive phase of the interview where questions are asked about the alleged abuse, interviewers should consider the value of using the session for rapport building and schedule an interview for a later date.

The approach of focusing on emotional support might also be helpful if a child outright denies allegations during an interview. Focusing on emotional support during a first interview – before turning to the more substantive parts of it later on – is a recommended strategy of the revised NICHD protocol (Hershkowitz et al., 2021). Indeed, when reluctance is not met with support by the interviewer, a truly abused child might be even less willing to disclose experiences of abuse at a later time point in the interview (Ahern et al., 2014). According to recent research, focusing on emotional support with reluctant children (and using the revised protocol of the NICHD) seems to increase not only spontaneous

allegations, but also increases adults' later perception of the credibility of children's statements (Hershkowitz et al., 2021; Hershkowitz & Lamb, 2020). When choosing to reinterview a child, investigators and parents must remember that the concern may be unfounded. If a biased interviewer or parents repeatedly question or otherwise put pressure on the child, then the techniques are apt to elicit allegations regardless of whether the child was abused (Goodman & Quas, 2008). As much as possible, investigators must entertain different explanations that could account for the change in the child's statements. A careful triangulation of motivations on the part of the child, the caregiver, and the investigators must take place. In such cases, interviewers need to give careful attention to implicit beliefs (e.g. being convinced that the child was abused already before the interview is conducted) that may have advertently or inadvertently influenced the interviewers understanding of what happened. Interviewers should consider that factors outside of the formal interview (i.e. discussions with caregivers) could influence children's reports (see Pincipe & London, in press).

Future research could examine factors that can increase or decrease disclosure of child sexual abuse, as proposed by London et al. (2020). Relatedly, it is important to expand the scientific understanding of why both true and false denials occur. To date, literature suggests that denial rates could be related to whether certain interviewing guidelines are followed (i.e. whether predominantly open-ended, non-suggestive questions are used by the interviewer or not; Blasbalg et al., 2021; London et al., 2005). Future research might attempt to unravel if there is a relation between the occurrence of false denials and the implemented interview strategies. Beyond further exploration of the occurrence and factors influencing (false) denials, experimental work on the consequences of false denials (i.e. consequences for memory, credibility, and the legal process) is needed and should be extended to studying maltreated samples as well. In the current paper, we have described the challenging process that investigators face when children deny abusive experiences. We have discussed the phenomenology of false denials and postulated how such false denials may sometimes undermine children's memory reports. Undoubtedly, in cases where children reverse their initial allegations, an added layer of scrutiny is necessary to evaluate the changing account. Denials of abuse may originate from both abused children (i.e. false denials) and non-abused children (i.e. true denials). When denials do occur, these are not necessarily diagnostic of whether abuse happened or not. Importantly, however, our position is also that accounts should not be dismissed based solely on an initial period of denial either.

# STATEMENT OF INFORMED CONSENT

N/A

# **CONFLICTS OF INTEREST**

The authors declare no conflicts of interest.

# ETHICS STATEMENT

N/A

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# **ENDNOTE**

<sup>1</sup> When reviewing experimental laboratory-based studies concerning the effect of *false denials* on memory for the original experience, the ground truth is known. Thus, throughout the manuscript, in these circumstances we can confidently refer to *false* denials.

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