

CHAPTER THREE
THE DEVELOPING CHILD

3.1 INTRODUCTION

As discussed in chapter two, it is clear that the legal system demands a wide range of cognitive, social and emotional skills from its participants. Child witnesses are expected to encode, store, and retrieve memories, then communicate memories through the spoken word in a strange or foreign context. The system requires reliable and trustworthy, detailed, oral evidence, that is not tainted by the suggestions of others. Questions call for sophisticated reasoning skills and a fairly well developed knowledge base. The events that bring the child into contact with the legal system are stressful and traumatic. They require an emotional maturity and advanced coping skills. Without an understanding of developmental underpinnings of the child's testimony, even a simple question can create confusion and misunderstanding by all concerned (Westcott, Davies & Bull, 2002:3).

This chapter will provide an overview on the following areas of development of the child: brain, cognitive, language, social-emotional, and moral development of the child. Special emphasis will be placed on the child between the age of four and eight years as, during this age, major changes take place. However, development in other age groups will also be discussed, where necessary, for the purpose of this study as section 170A of the Criminal Procedure Act, 1977 (Act 51 of 1977) makes provision for a child up to the age of 18 years to testify with the assistance of an intermediary, as described in Chapter 2.

3.2 DEVELOPMENTAL PHASES OF THE CHILD

Development is the pattern of change that human beings undergo during their lifetime, beginning at conception and continuing through the life cycle until the person's death. For the purpose of organization and understanding, development is frequently described in terms of phases (Berk, 2003:5). These phases are: the toddler phase (birth to two years), early childhood (two to six years), middle childhood (six to

12 year, and adolescence (12 to 18 years). Each of these phases is described in terms of physical, emotional, cognitive, moral, and social development.

From the above it is clear that the intermediary should have a working knowledge and clear understanding of the phases and issues of the child's development in a number of areas.

3.3 THE BRAIN OF THE DEVELOPING CHILD

One of the most important aspects of physical development during childhood is the development of the brain. By the age of 5 years, the brain has reached 90% of its adult weight (Santrock, 1995:235).

The brain is divided into two hemispheres that develop at different rates. The right hemisphere plays a more dominant role in functions such as visual recognition, musical ability and emotional expression, whilst the left hemisphere plays a more dominant role in verbal functions such as speech, reading, and writing. The left and right hemispheres, however, have to function together in an integral, coordinated and interdependent way (Louw, D.A., Van Ede, D.M., & Louw, A.E., 2004:236).

3.3.1 Functions of the brain

One of the core functions of the brain and nervous tissues is to store information. All areas of the brain store information related to the functions they intercede. The outer area, called the neocortex, is the seat of language, attention, working memory, and motor skills. This area stores cognitive information like names, faces, events, and facts. This area of the brain comprises 99% of the two cerebral hemispheres and regulates most of the functions that are important for the child when he testifies in court (Myers & Perry, 1987:463). The limbic system stores emotional information such as fear, pleasure, sadness, taste and memory. The midbrain or cerebellum stores motoric information, for example, the skill to type, play the piano, or ride a bicycle. The basic life sustaining functions such as breathing, digestion, and metabolism

regulation are also found in the cerebellum (Myers & Perry, 1987:462; Mader, 2004:700).

The anxiety or arousal states associated with a traumatic event can be stored in the brain stem (The Amazing Human Brain..., 2002:1).

3.3.2 Brain development

At birth, the baby's brain has all his nerve cells (neurons). The rapid growth of the baby's brain over the next few years is reached through the production of two cerebral components, namely, synaptic connections between neurons and glial cells. The glial cells are responsible for nourishing the working neurons. They are further responsible for the development of the myelin sheaths that protect the neural fibres. According to Perry and Wrightsman (1991:60), myelin begins to coat and protect the neural fibres as the child's brain develops. These have the function of reducing the random spread of impulses from one fibre to another. The last structure to myelinate (at about ten years) is the corpus callosum, which consists of a band of fibres connecting the right and left hemisphere of the brain. One of the major functions of the corpus callosum is to transfer information from the one hemisphere of the brain to the other. This enables the child to make inferences. Although most of the myelin sheaths are completed by the age of two years, some, like the corpus callosum, continues to develop into adulthood (Myers & Perry, 1987:463; Kalat, 2004:109; Mader, 2004:701).

Because myelination plays such an important role in the ability of the child to serve as a competent witness in court, it is important to understand the process of myelination and how it affects the child's behaviour. As neurons become myelinated, the impulse is passed more rapidly and efficiently. During the early childhood phase the process of myelination of the sheaths that are responsible for integrating and interpreting the stimuli, lag behind, thereby limiting the communication amongst various parts of the brain (Myers & Perry, 1987:464).

This is particularly important when witnessing an event. The right hemisphere of the brain specialises in the perception and analysis of visual patterns, melodies, hearing

non-speech sounds, recognising faces, spatial locations, and emotions. The left hemisphere, on the other hand, specialises in the production and understanding of language. For the child to be an effective witness, it is desirable for the child to be able to:

- Perceive the event accurately (right hemisphere function); and
- Convey information about perceptions (left hemisphere function).

From the above it can be seen that communication between the hemispheres of the brain is desirable for a child to give effective testimony (Myers & Perry, 1987:464). The child should however not be withheld from testifying only because he is less than ten years old.

3.4 DEVELOPMENT OF PERCEPTUAL SKILLS

According to Myers & Perry (1987:465) the most basic perceptual processes are those involving the five senses. These perceptual processes function on an adult level even though the child is still an infant. Some aspects of perception however do change with age. These changes are:

- As the child grows older, his perceptions become more purposeful and selective
- As the child learns to identify subtle aspects of stimuli, his perception becomes more sensitive;
- The child becomes increasingly able to distinguish between critical and non-critical information from a stimuli;
- The child becomes more aware of what his perceptions mean; and
- The child becomes more skilful at generalising perceived meanings from one situation to another.

The developmental changes in perceptual skills were demonstrated by an experiment done by Zinshenko and Ruzskaya (Myers & Perry, 1987:466). Children from the age of three years were presented with abstract shapes. The children were allowed to

touch objects but not to see them. The children's visual recognition of the objects they had explored with their fingers was tested. Whilst the child under the age of five years struggled with this exercise, the older children showed markable increased accuracy. This can be attributed to maturing of brain structures and functions (Myers & Perry, 1987:466; Louw, 2004:3).

From the above it can be seen that the young children's perceptions grow as they mature. If the young child pays attention at the time that the event occurs, the child is capable of observing what is happening, especially in a straightforward occurrence. These are the occurrences the young child must testify about in court. Most young children, at the age of four years, already possess the perceptual skills needed to give accurate testimony (Myers & Perry, 1987:468; Louw, 2004:3). The way the child perceives the events at the time they occur is how he will relay them, even years later.

3.4.1 Ordering and interpreting of perceptions

According to Myers & Perry (1987:468), young children under six years have basic perceptual skills, which enable them to give accurate testimony about simple, factual events. They may however experience difficulty when they have to:

- Testify about complex situations;
- Recognize relationships;
- Testify about emotions; and
- Identify intentions.

During the aforementioned, the child has to be able to arrange and interpret his perceptions. The ability to do this only reaches the standard of adult reliability at the age of 12 years (Myers & Perry, 1987:468).

For the child to be able to arrange and interpret what he has perceived, the child must understand the concept of time. It is generally acknowledged that a child's understanding of the concept of time only develops at the age of seven to eight years (Myers & Perry, 1987:469).

3.5 COGNITIVE DEVELOPMENT

Cognitive development refers to the changes in the inner processes of the mind that leads to “knowing”. It includes all mental activities and behaviours – attending, remembering, symbolizing, categorizing, planning, reasoning, problem solving, creating, and fantasizing, through which knowledge of the world is attained and processed. The intellectual capacities of the child that change in the cognitive structure and functioning that takes place, will be discussed (Berk, 2003:217; Myers & Perry, 1987:472).

One of the major tasks a child has to master is that of understanding the world in which he lives. The maturation of the brain and the development of skills in the area of perception and paying attention, paves the way for his understanding of the world (Myers & Perry, 1987:471).

Cognitive development is therefore the development of the thinking and organizing systems of the brain. It involves language, mental imagery, thinking, reasoning, problem solving, memory development, changes in the child’s intellectual abilities, and knowledge of the world throughout the child’s development (Myers & Perry, 1987:472).

Jean Piaget, a developmental biologist, studied the development of the child’s understanding, emphasising developmental changes in the organisation of intelligence. He contributed largely to the understanding of the cognitive development of the child and is known for constructing a highly influential model of child development and learning. His theory is based on the idea that the developing child builds cognitive structures, which he called mental “maps” or “schemes”. (Myers & Perry, 1987:472).

Piaget outlined several principles for building cognitive structures. Influenced by his biological background, Piaget saw cognitive development as an adaptive process in which thinking gradually adapts to the child’s external world (Berk, 2003:218). During all the developmental phases, the child experiences his environment, using whatever mental maps he has constructed so far. If the experience is a repeated one, it

is assimilated into the child's cognitive structure so that he maintains mental "equilibrium", and changes his cognitive structure to accommodate the new conditions. By doing this the child can erect increasingly adequate cognitive structures (Piaget, 2001:2).

Piaget's particular insight was the role of maturation in the child's increasing capacity to understand his world. Piaget was further of the opinion that the child cannot undertake certain tasks until he is psychologically mature enough to do so. He also proposed that the child's thinking does not develop smoothly. There are certain points at which the child moves to completely new areas and capabilities. Piaget saw these transitions taking place at the age of about 18 months, seven years, and 11 to 12 years (Atherton, 2003:1).

Piaget's key concepts consist of the following:

- **Adaptation:** This is the adaptation of the child to the world around him through assimilation and accommodation and the internalising of his world (Atherton, 2003:1). Adaptation involves building schemes through direct interaction with the environment (Berk, 2003:219).
- **Assimilation:** Assimilation refers to the taking in of new experiences through one's own system of knowledge (Atherton, 2003b:1; Child Development, 2004:1). During assimilation the child uses his current schemes to interpret the external world, for example, the child who is continuously dropping his toy, is assimilating this in his sensorimotor dropping scheme (Berk, 2003:219).
- **Accommodation:** Accommodation refers to the adjustment of the knowledge base according to environmental demands. Assimilation and accommodation are the processes in which the child learns to cognitively adapt to the environment. Piaget spoke of schema or schemata that were defined as specific cognitive structures with a behavioural pattern. Sucking and grasping are examples of early schemata, which are later referred to as operations (Atherton, 2003b:2; Child Development, 2004:1). During accommodation the child creates new schemes or adjusts old ones after noticing that his current thinking does not capture the environment completely (Berk, 2003:219).

- **Mental representations:** Mental representations are internal visual representation of information that the mind can manipulate. Mental representations consist of:
 - Images: mental pictures of objects, people, and spaces; and
 - Concepts: categories that group together similar objects or events (Berk, 2003:219).

Piaget identified and described four major cognitive developmental phases and the processes by which children progress through them. For the purpose of this study the pre-operational and concrete-operational phases will be discussed.

3.5.1 The pre-operational phase

From ages two through seven, the child understands the world in a pre-logic and intuitive manner. The child moves from information to conclusions. This is called the “pre-operational large leaps”. The child uses concepts like “here” and “now” as well as mental operations that are reality based to understand his world. By the age of six years the child uses logical systems to organise his experiences (Myers & Perry, 1987:472). The pre-operational phase is divided into two phases, namely the phase of pre-conceptual thought (two to four years) and the phase of intuitive thought (four to seven years). The most obvious change is a remarkable increase in mental representations including language, make-believe play, and drawing. In this phase intelligence is demonstrated through the use of symbols. Language matures and memory and imagination develop. Thinking is done in a non-logical, non-reversible manner.

- **Piaget’s key concepts of the pre-operational phase**

Piaget described the child’s development during the pre-operational phase by using the following terminology:

- **Egocentrism:** Egocentrism is the inability of a child to see matters from anybody else’s viewpoint. The child believes that he is the centre of the universe and that everything revolves around himself. He is “I” and “myself” orientated. The child can also not see the world as somebody else

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sees it and can therefore not adapt to it. Egocentrism is not a moral selfishness but is an early phase of psychological development (Atherton, 2003:2). Piaget referred to egocentricity as a tendency to “centre oneself”.

The egocentric child focuses on his own viewpoint and is unable to distinguish it from other people’s perspectives. Egocentric thinking still predominates. Egocentrism prevents the child from accommodation. It contributes to animistic thinking, centration, a focus on superficial perceptual appearances, and irreversibility. As a result of this the child in the early childhood phase fails in tasks like conservation and hierarchical classification (Huitt & Hummel, 2003:2; Berk, 2003:229-230). The child believes that the inanimate objects have lifelike qualities like thoughts, wishes, feelings, and intentions, just like he himself (Berk, 2003:234; Cole & Cole, 2001:339). The child, when testifying, will not be able to answer questions relating to other people’s motives, other people’s opinions or what other people think or feel. The child will primarily be concerned with his own actions and will not be able to answer questions about what other people around them are doing (Muller & Hollely, 2000:178).

- **Classification:** This is the ability to group objects together on the basis of common features (Atherton, 2003b:2; Louw, Van Ede & Louw, 2004:79). By the age of four years the child will have experienced different situations in his environment and will have more analytical powers. For some time the child will have been observing and mentally sorting objects according to their physical properties. He will be able to understand concepts like grouping and matching and will be able to organize material on his own, for example:
 - Stacking blocks and rings in order of size;
 - Identifying parts of a whole like a slice of cake,
 - Actively seeking information through “why” and “how” questions;
 - Telling his name and age;
 - Attending to an activity for a longer period of time (between five to 15 minutes);

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- Learning about observing and listening to adult's explanations; and
- Showing awareness of past and present (Thinking Skills, 2004:2).

At the end of the pre-operational phase, the child can classify an object according to one dimension, for example, colour or shape. Charlesworth (2000:327) explains classification as the skill to classify and categorize items in the environment.

- **Class Inclusion:** This is a more advanced skill than simple classification. Some classes or sets of objects are also sub-sets of a larger class. In the pre-operational phase the child is not yet capable of multiple classification, for example, both colour and shape. The child also does not understand hierarchical classification, for example, furniture has sub classes namely tables, chairs, beds (Louw *et al.*, 2004:327; Atherton, 2003b:2).
- **Animism:** Animism is the tendency of the child to see inanimate objects as being alive and having consciousness and emotions like people. The child will assume that non-living objects such as the sun or the wind have the properties of living things like motives, feelings and intentions that affect behaviour (Berndt, 1997:299). The child will say that clouds are alive because they can make rain (Louw, *et al.*, 2004:78).
- **Intuitive Thought:** Intuitive thought refers to the phenomenon that the child's thinking is not based on logic but on the perception from which conclusions are drawn. Intuitive thought is demonstrated in the inability of the child to understand conservation.
- **Conservation:** Conservation is the realization that objects or sets of objects stay the same even when they are changed about or made to look different, for example, length, quantity, volume or mass (Atherton, 2003b:2; Louw *et al.*, 2004:77).

▪ **Characteristics of the pre-operational phase**

Language is the most flexible means of mental representation. By detaching thought from action, it permits more advanced thinking. When the child thinks with words, he overcomes the limits of his experience (Berk 2003:230). During the pre-conceptual thought phase the use of verbal representation increases but speech is still egocentric. The child learns to use language and to represent objects by images and words. By the age of four years symbolic rather than simple motor play begins (Language development in Children, 2004:2).

During the intuitive phase the child's speech becomes more social and less egocentric. The child has an intuitive grasp of logic concepts in some areas. However, the child still tends to focus his attention on one aspect of an object whilst ignoring others. Concepts formed are elementary and irreversible. The child's belief in magic first increases then decreases and disappears completely at the end of this phase (Berk, 2003:233).

During the pre-operational cognitive phase, children develop the ability to use symbols and language extensively. Cognitively, the child has not yet developed the ability to use deductive reasoning. The child is not yet able to conceptualise abstractly and thinking is based on concrete physical situations.

They display magical thinking described as phenomenalistic causality, believing that events occurring together are causally linked. For example, the child in the pre-operational phase may believe that umbrellas cause rain as they always see umbrellas when it is raining. The pre-operational phase child uses symbols to represent things like objects or events. Symbolic play can be seen in the play of the child who will for example, use objects like an empty box to represent a house or piece of clothing to represent an animal (Child Development, 2004:2; Piaget, 2001:2).

Between four and six years of age the child will recognize basic colours, sort by shape and colour and count up to five objects. He will also understand taking turns and will want to know what will happen next, will be able to follow three instructions given at one time, will be able to distinguish between real and imaginary, and identify

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situations that would lead to happiness, sadness or anger (Powel, 1997:2). Therefore, once the child has mastered the above skills, he will be able to testify competently in a court.

Having developed sufficient independence and understanding to enable the child to cope away from home for a length of time, he begins preschool or even school at the age of five.

Five-year-old children understand more about concepts like space and time, but most of them are not yet able to tell the time. They can draw a person with a head, body, arms, legs and features such as eyes, nose and mouth; they can draw a house with doors, windows and a roof. They can recognize letters but do not necessarily start to read yet (Oesterreich, 2004a:1).

At the age of six years the child starts to understand the sameness and difference in various aspects of life. They understand that differences can exist side by side. The child will be able to arrange objects from smallest to largest, shortest to longest and lightest to heaviest. A six-year-old child will also understand that the quantity of things remains the same when arranged differently, for example, that a ball of clay is the same amount when flattened out and that water poured from a fat jug to a tall thin one is still the same amount of water. He will see the different perspectives on the same subject (Health Topics, 2004:2).

Make-believe play provides another excellent example of the development of representations during the pre-operational phase. Piaget believed that through pretending, children practice and strengthen newly acquired representational schemes. By using make-believe play the child will re-experience anxiety-provoking events, but with the roles reversed so that the child is in command and compensates for the unpleasant experience (Berk, 2003:231).

▪ **Learning during the pre-operational phase**

During the pre-operational phase the child is busy gathering information, learning, and trying to figure out ways in which he can use what he has learnt to begin solving

problems. The child will now start thinking specific thoughts but will find it difficult to generalize (egocentric thought). During the pre-operational phase the child will start asking questions. The “why” question gets asked very frequently. The child judges everything on the “me” basis. He is only concerned about how it will affect him. The child has no ability to go back in time and reason (Tipton, 2002:2). At this age the child has deficiencies in conservation.

The child in the pre-operational phase is unable to conserve, highlights several related aspects of his thinking. His understanding is highlighted by centration and will focus on one aspect of the situation and neglect the other important features. The child at this phase cannot mentally go through a series of steps and then reverse direction, returning to the starting point (Muller, 2002b:42). The above is of great importance when the young child has to testify. He will be able to remember the central detail of an incident but will not be able to relate peripheral information.

3.5.2 Concrete-operational phase – six to twelve years

As physical experiences accumulate, the child starts to conceptualise, creating logical structures that explain his physical experiences. Organised logical thought now becomes evident. Abstract problem solving is now possible. The child’s ability to conserve indicates that the child can decentre and reverse his thinking. Mathematic equations can be solved with numbers, not just objects. The child develops the ability to perform multiple classification tasks, order objects in a logical sequence, and comprehend the principals of conservation. The child’s thinking becomes less transductive and egocentric. The child now also becomes capable of concrete problem solving (Oesterreich, 2004c:2; Piaget, 2001:1). Operational thinking develops and egocentric thought diminishes (Huitt & Hummel, 2003:2). In the concrete-operational phase that is characterized by seven types of conservation (namely number, length, liquid, mass, weight, area, volume), intelligence is demonstrated through logical and systematic manipulation of symbols related to concrete objects.

▪ **Piaget's key concepts of the concrete-operational phase**

- **Seriation:** Seriation refers to the child's ability to arrange objects systematically in a series from small to large or from large to small. The child in the middle childhood phase will, for example, be able to indicate that his father is taller than his mother and that his baby sister is smaller than himself (Louw *et al.*, 2004:329).
- **Spatial reasoning:** Objects exist in space and their placement is often meaningful. Objects also exist in time. Changes in the relations amongst objects, over time, define events (Berndt, 1997:343). The concrete-operational child has a more accurate understanding of distance, direction and cognitive maps than the child in the pre-operational phase (Berk, 2003:242).
- **Logical operations and transformation:** These are internal actions that are reversible and that are connected with other operations in logical structures. These operations are the mental equivalent of actions in the world and are internalised actions because they take place in the mind rather than in the physical world. The child at the end of the concrete-operational phase starts thinking analytically and abstractly and searches for true facts (Berndt, 1997:306).
- **Concrete operations:** These are the first logical operations that the child constructs. This happens around the age of seven years. The operations can be applied only to concrete objects and current events. The child is thinking about things rather than simply acting in the world, but his thoughts stay on the concrete level (Berndt, 1997:307). Therefore, when the court asks the child what the difference between truth and lies is, questioning must still be done in a concrete way.
- **Centration and decentration:** This is the ability of the child to move from one system of classification to another one, when necessary. The pre-operational child centres his attention on one aspect of a task or one dimension of an object. During a numerical task the child will pay attention only to the length of a line. This is called centration. The concrete-operational child will broaden his focus which allows him to pay attention to more than one element of a task or more than one dimension of an object.

The child will now, for example, pay equal attention to the length and the density of the row. This broadening is called decentration (Berndt, 1997:308).

- **Number concept:** During the concrete-operational phase the child masters number concept. The child now understands the following:
 - ❖ Ordinal characteristics of numbers, for example, that two is smaller than three and three is smaller than four;
 - ❖ Cardinal characteristic of numbers, for example, that the number is an absolute numerical size and that it represents all the classes it consists of;
 - ❖ Numbers can be combined into different whole numbers by adding and multiplying; and
 - ❖ The conservation of numbers, for example, if you have three cookies and you don't add or take any away the number of cookies stays the same (Louw *et al.*, 2004:71; Berndt, 1997:312).
- **Transitivity:** This is the development of understanding transitive inference. This is the understanding that if one object is taller than a second and the second is taller than the third, then the first is also taller than the third (Berndt, 1997:306).
- **Operation:** Operation is the process of working something out mentally. The young child (in the sensorimotor and pre-operational phases) has to act, and try things out in the real world. He also has to work things out, for example, count on his fingers. Older children in the concrete-operational phase and adults can perform these tasks mentally (Atherton, 2003b:3).

▪ **Characteristics of the concrete-operational phase**

During the concrete-operational phase, egocentric thoughts are replaced by operational thoughts and the child can see the world from the perspective of others. Concrete-operational thought are still limited in that the child can only reason logically about concrete information that he can perceive directly. The child still has difficulty with abstractions (Berndt, 2003:266). He reasons, follows rules, and develops a set of values and norms. He can now think logically about objects and events. Conservation develops during the concrete-operational phase and allows the

child to recognize that objects stay the same regardless whether they change shape or form. He achieves conservation of numbers (age six), mass (age seven), and weight (age nine) (Atherton, 2003b:4). Piaget used many examples to demonstrate conservation with children. One example is pouring the same amount of water into two glasses that were the same size. Children who had mastered concrete operations stated that the two glasses had the same amount of water. Piaget then poured the water from one of the glasses into a tall thin glass. Children who had mastered concrete operations knew that they were still equal (Child Development, 2004:2).

Between the ages nine to twelve years the child's thinking process is influenced by his emotions and self-esteem. If he is worried or unhappy, he will not be able to concentrate and will not have the strength to overcome this until his problems are solved (Huitt & Hummel, 2003:3).

▪ **Learning during the concrete-operational phase**

The child now begins to manipulate data mentally. He takes the information at hand and begins to define, compare, and contrast this information. The child in the concrete-operational phase still thinks concretely. He is now also capable of logical thinking and still learns through his senses. He however no longer relies on learning through his senses only, but thinks about what is happening as well. The seven to ten year old is still very literal in his thinking and will take everything that he is taught at face value. He still has not mastered symbols and figurative language (Tipton, 2002:3). The child's thinking is more organized and logical in terms of concrete information. This is indicated by gradual mastery of conservation, class inclusion and seriation problems, including transitive inference. The child displays effective spatial reasoning, which is indicated by conservation of distance, the ability to give clear directions, and well organized cognitive maps.

Children in the middle childhood phase are often very excited by and genuinely interested in the outside world. They can absorb information with enthusiasm and they frequently remember remarkable detail about subjects that interest them. During this phase the child enjoys planning and building, and increases his problem solving ability. He is able to distinguish between left and right and begins to understand time

and the days of the week. The child is also able to plan ahead and evaluate what he is doing (Oesterreich, 2004c:2; Nuttall, 2002:2; DeBord, 1996:3). He has a longer attention span, but can rarely sit still for longer than 15-20 minutes for an activity. The researcher is therefore of opinion that the child should be given frequent breaks whilst testifying as his attention span is still limited.

By the age of seven to eight the child will be able to distinguish between fact and fantasy, for example, that Father Christmas is not real, understand money, read to himself, start to plan ahead, and tell the time (Oesterreich, 2004b:2).

By nine years of age the child develops preferences for certain subjects at school or particular areas of interest. He has basic skills in reading, writing and maths and the capacity to express relatively complex ideas.

The child increasingly becomes interested in reading fictional stories, magazines and how-to project books. The child still fantasizes and daydreams about the future. The child is now also capable of understanding concepts without having direct hands-on experience (Oesterreich, 2004c:1).

3.5.3 Cognitive development and the child in the courtroom

According to Mitnick (1998:3-5) the child's cognitive development influences his ability to testify in a court in the following ways:

- **Ages three to five years:**

- The child's thinking is egocentric and is not able to think about what he wants and needs. He is also not able to understand the viewpoint of anybody else. The child will therefore not be able to explain how somebody else thinks about or views the same situation or what other people think and feel.
- The child sees himself as the centre of the universe. The child will therefore blame himself for everything that happens, including abuse. Since the child views the world from his own perspective, he assumes that everybody knows what he knows. This will cause the child to omit details and explanations

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because he assumes that everybody in the courtroom knows what happened. It therefore has to be explained to the child that the magistrate was not present when the incident occurred and that the child must tell him everything so that he knows what happened. This will have to be repeated.

- During this phase the child's thinking is pre-logical. Children give explanations that are not logical to adults. The child will use the answer "because" to questions thinking that his explanation is adequate. Since the child cannot think logical, he does not realize that his answer makes no sense.
- The child's thinking during this phase involves juxtaposition. This means that the child will think that events occur one after the other and not realize that the one event is being caused by the other. This happens because the child does not understand cause and effect.
- The child's thinking is syncretic. The child will tend to fuse separate events into one event. This will result in the child incorporating various aspects of different incidents of abuse into one incident. This will happen if the abuse took place over a length of time with multiple incidents.
- The child's communication is egocentric. The child will not take the listeners needs into account. The child will assume that the listener knows what the child is thinking and will, for example, use the names of people, and places without explaining who they are.
- The child uses language that is personal, unstable and confused. The child confuses pronouns like "me", "he", "her", or "him".
- The child's communications appears disorganised and fanciful. The child will not tell the story from beginning to end. He may begin the story anywhere and go back and forth in time. In order to get the child to follow some kind of sequence, prompts like "and, what did he do then?" or "What happened before that?" will have to be used.
- The child uses transductive reasoning. The child will reason from one particular idea to another without logically connecting them (compare De Young, 1986:552).
- The child will define an object in relation to its perceived function.
- During this phase the child does not understand that objects remain the same despite a change in physical appearance (compare De Young, 1986:552).

▪ **Age five to seven years:**

- During this phase the child's reasoning is still egocentric. He thinks that the listener knows what transpires in his mind and knows what has happened to him. The child is, however, now able to distinguish between what he is thinking and what he has experienced, but he still thinks that the listener knows the difference. It is important that the person listening to the child ask the child questions in order to clarify what the child means.
- The child's thinking is still pre-logical and concrete, so questions that are put to him should be specific in order to obtain specific information. This implies that the child has difficulty explaining his own thinking and will find it difficult to answer "why" questions, for example: "Why did you not scream when John hit you?"
- Children in this age group will not be able to give proof of their statements or to explain how they came to a certain conclusion, for example: "How do you know?" The child will simply answer, "I don't know."
- The child's thinking is irreversible during this phase. The child will not be able to reverse actions in his mind. The child will, for example, take the questions "Who do you stay with?" and "Who stays with you?" as separate topics.
- The child's thinking cannot accommodate multiple topics during this phase. If a number of questions are combined, separate answers may not be forthcoming, for example: "What were you and he doing?"
- The child's thinking involves centration. The child will focus on certain aspects of a situation and ignore others, for example, the child may explain in great detail what somebody looked like but will not remember what clothes he was wearing. The child cannot think hypothetically. He has limited thinking about the future and is unable to reason from the present to the future or the past.
- The child's communication is still egocentric; meaning that the child will assume that the listener already knows what and whom he is talking about.

▪ **Ages eight to 12 years**

- Thinking now starts to become logical: “Hurting somebody is bad, therefore if somebody hurts me, he is bad.” The ability to think logically only develops towards the age of 12, so periods of illogical thinking may still occur.
- Thinking now involves forethought and planning. The child starts to understand that there are consequences to actions, for example, “If I tell the court what happened, uncle John will go to jail.”
- The child can now reverse actions, so thought becomes reversible.
- The child begins to develop a sense of time. The child begins to understand what a minute, hour, week, or year is. The child cannot, however, estimate time.
- Thinking now involves seriation. Towards the age of 12 the child can give lists of places where, for example, the various events of abuse took place.
- The child’s communication becomes more organised. The child starts to understand that a story has a beginning, middle, and an end. The child is now more likely to tell the story in sequence as it happened.

3.5.4 Cognitive limitations of young children in the court

Children develop skills that help them perceive, attend to, mentally represent, and understand the world around them. If the child is questioned on a developmental appropriate level and care is taken to alleviate the child’s stress, a child as young as three to four years can be a competent witness (Myers & Perry, 1987:480; Muller, 2005). The cognitive abilities of the young child are however limited and any person asking the young child questions should be aware of the following limitations:

- **Egocentricity:** The young child is incapable of adopting another person’s physical or mental viewpoint. Therefore, the child should be asked to tell what happened from his own perspective (Myers & Perry, 1987:480).
- **Seriation:** The young child can arrange objects in series, but cannot draw inferences about nonadjacent factors. This means that while a young child may be able to call up a mental image of the perpetrator, he may not be able to

University of Pretoria etd – Schoeman, U C W (2006)

compare that person's features to those of familiar individuals, for example, "Was he taller than your daddy?" It is best to ask for simple descriptions without asking for comparisons (Myers & Perry, 1987:480).

- **Underextensions:** The young child will be able to see that objects are alike in one aspect and differ in another. A likely explanation for this limitation is that young children tend to focus on the global image and not notice finer features or details. When questioning the young child, it may be helpful to ask him to form an image of the desired object, person, or scene, and then to direct the child to inspect specified parts of the image (Myers & Perry, 1987:481).
- **Transductive reasoning:** Young children reason from one specific circumstance to the next, rather than from the specific to the general or from the general to the specific. It is thus best not to ask the young child to provide interpretations of his images as he sometimes ignores relevant factors. It would be better to focus on detailed factual descriptions of the child's mental images and let the person questioning the child draw the relevant conclusions (Myers & Perry, 1987:481).
- **Animism:** Children believe that all things are living and have intentions, consciousness, and feelings. If a young child is asked to speculate on *why* an event occurred, it is difficult to determine whether the child's response is a valid interpretation or whether he is engaging in animism. This is in part, due to the immaturity of the corpus callosum.

The researcher is of the opinion that, from the above, it can be seen that the developmental immaturity of the younger child requires careful evaluation of testimonial competence. However, even with the above limitations, the child can testify competently about simple factual incidents.

3.5.5 Development of attention

As stated by Raubenheimer, Louw, van Ede and Louw (2004:602) when the child is bombarded with stimuli, he can only pay attention to and process a limited number of these stimuli at one time due to his limited cognitive resources. When the child pays attention, he:

- Uses his cognitive resources to perform a cognitive task;

University of Pretoria etd – Schoeman, U C W (2006)

- Only focuses on a limited number of stimuli;
- Concentrates on performing a cognitive task by eliminating all other interfering stimuli; and
- Uses his information processing skills to perform mental tasks.

Myers and Perry (1987:472) postulate that in order to perceive events, the child must first pay attention to these events. As the child matures, his attention giving skills improve. As a result of increased myelination of neural fibres, the child's ability to absorb required information is enhanced.

▪ **Mental representations**

For the child to remember people and events he has to store the information in his memory. The child must then be able to recall this memory when necessary, for example, when testifying in court. Once the stimulus has disappeared, the child can use different methods to retrieve this memory (Myers & Perry, 1987:473; Hall, Lamb & Perlmutter, 1986:247-254).

There are several types of representations, namely enactive, imaginal, linguistic, categorical, and operative representations. The very young child is only able to use a few of these representations, but as he grows older, his use of these mental representations changes and matures (Myers & Perry, 1987:473).

- **Enactive representations:** Although the enactive representations are the first form of representation found in the infant, it must be remembered that the older child, when testifying, may regress to this sensation-bound level after he has been traumatised. During this phase the child experiences his world through his five senses and therefore tries to prolong experiences so that he can interact with his environment (Myers & Perry, 1987:473). By interacting with his environment, the child manipulates objects and then records them to his existing memory so that he can remember them when they are no longer visible. If the child makes use of the above representations it would be helpful to allow the child to give evidence by making use of concrete objects, example, anatomically detailed dolls, drawings or other articles (Myers & Perry, 1987:474).

- **Imaginal representations:** By the age of two years the child uses his memory to store mental pictures as he explores his world. It now becomes technically possible for the child to be a witness assuming that the child has witnessed an event and retained it in his memory. The child between two and three years of age has difficulty in recalling memory freely. The best way to elicit memory from a very young child would be to ask simple, direct, nonleading questions that tap into detail of the stored memory of the child (Myers & Perry, 1987). Unfortunately, in the accusatorial legal system in South Africa, this seldom happens as the accused is allowed aggressive cross-examination of the witness testifying against him.

- **Linguistic representations:** Words and symbols are a powerful form of representation as they allow the child to represent experiences in memory and also to transform them. As the child starts to think about images, he also starts to draw inferences. Since words form symbolic representations, these words can also distort the memory. The linguistic representations of the young child are very elementary and he is less susceptible to distortions than the older child. However, the child's immaturity may cause problems. As a result of the above, it is important that an attorney should communicate with the child witness on the child's developmental level (Myers & Perry, 1987:475; Goldstein, 2000:2).

- **Categorical representations:** This form of representations enables the child to divide the world into manageable concepts. Seeing similar objects as a single concept is efficient and economical. Initially categorical representations are non-linguistic but later become complex and sophisticated (Myers & Perry, 1987:476).

- **Operative representations:** When the child is ready to go to school at the age of six years, his cognitive processes change and he starts using increasingly logical mental systems to organise his experiences in his memory. Piaget called this the concrete-operational phase during which the child can now use specific mental operations to organize memory that he has already stored (Myers & Perry, 1987:477).

At the age of six years the child's memory is no longer passive, but changes as a result of the child's thinking about what has happened in the past. The child becomes more skilful in making inferences and drawing conclusions but at the same time becomes more susceptible to suggestion and coaching (Myers & Perry, 1987:477).

It must be kept in mind that, although the school-age child may be able to use complex reasoning, the assumptions underlying this reasoning must be from his own experiential world. This child is not capable of abstract thinking and therefore cannot reply to an abstract question like "What if?" (Myers & Perry, 1987:478).

According to Myers & Perry (1987:479), child witnesses between the age of six and twelve years are better witnesses than younger children because of better logic reasoning, better memory encoding and better communicative skills. But it is only at Piaget's formal operational phase (12 years and older) that the child can effectively cope with abstractions. The child will now be able to:

- Reason hypothetico-deductively;
- Analyse if/then statements;
- Reach solutions by mentally deducing all the possible outcomes; and
- Test the alternatives and select the best answer.

3.6 MEMORY AND COMMUNICATION

3.6.1 Memory and the child

According to Perry and Wrightsman (1991:106) memory involves the acquisition, storage and retrieval of information. Ashcraft (1989:10) states that memory refers to the: "mental processes of retaining such information for later use and retrieving such information, and the mental storage system that allows the retention and retrieval."

The registration of information takes place on a conscious as well as unconscious level so that it is possible to recall memory of people, places, and events as well as sensorimotor and perceptual information. Memory also plays an important role when acquiring new skills and facts (Louw *et al.*, 2004:331).

University of Pretoria etd – Schoeman, U C W (2006)

The three main stages of memory strategies are encoding, storage, and retrieval. This is the process that is used to enhance memory (Louw *et al.*, 2004:334; Muller & Hollely, 2000:192).

The first strategy namely encoding strategy, include rehearsal and organization. A trace of experience becomes registered in the memory. Selection of what is to be encoded in the storage system takes place. Attention is given only to certain aspects of an event. According to Ceci and Bruck (1995:41-42) some factors influencing this selection are:

- Prior knowledge of the event;
- Interest value of event;
- Duration and repetition of event; and
- Stress level at the time of the encoding.

Encoding strategies are equally effective in children as in adults, but further processing to store the information in the short-term memory is not as effective in the child as in the adult (Louw *et al.*, 2004:334).

During the storage phase the information enters the short-term memory. Not all memories are placed into the long-term memory. Information is now either strengthened or lost (Louw *et al.*, 2004: 335).

The final phase of memory is the retrieval phase and this entails retrieving information from the memory. Some memories can, however, not be retrieved. As the child grows older his retrieval strategies improve because he uses memory cues more effectively (Louw *et al.*, 2004:336; Muller & Hollely, 2000:193).

Though storage capacity always remains the same, the memory problems that the young child experiences lie with the encoding and retrieval process (Muller & Hollely, 2000:194).

3.6.2 Models of memory

Piaget stated that memory cannot be separated from intelligence. He was of the

opinion that, to understand memory, one has to become familiar with cognitive development (Muller & Hollely, 2000:192; Myers & Perry, 1987:487).

The information-processing approach is mainly concerned with the transfer of information within the child's cognitive system (Myers & Perry, 1987:487).

According to this approach, memory is composed of

- The sensory register;
- Short-term memory, that is a temporary working memory that allows one to remember active, conscious matter; and
- Long-term memory, where information is held permanently.

Various strategies are used to remember information. Developmental differences in memory result from age related changes in the ability to use memory strategies (Myers & Perry, 1987:487). The following memory strategies are used:

- **Recognition memory:** Recognition is the simplest form of memory because it only requires that the object be perceived and recognised as an object that has previously been perceived or experienced (Myers & Perry, 1987:489; Muller & Hollely, 2000:195; Louw *et al.*, 2004:244). An example of recognition is when a child recognises a toy or place that he has previously seen or been at. Because recognition memory is based on perceptions and simple motor response, very young children are capable of remembering events. This memory capability increases rapidly as the child grows and matures cognitively (Muller, 2002b:58).

Research has shown that recognition memory is better during the early school years than at any other time during the child's development. Experiments showed that the child's memory of faces increases the most during six to ten years of age, then declines from 11 to 12 years and then again improves from the age of 13 (Carey, 1978:269). The conclusion was drawn that the six-year-old child's recognition memory is very good for simple stimuli, but not so good with more complex stimuli that required scanning and registration of information. As the child is often asked to testify about complex situations and events when in court, the above must be kept in mind.

- **Reconstruction memory:** Reconstruction memory entails the retrieving of information from the memory, which involves having to reproduce the form of such information that was seen or experienced in the past. An example of this is when the child witness has to reconstruct the incident that took place by demonstrating what happened on concrete articles like anatomically detailed dolls or drawings. However, when the task becomes complex, such as reconstructing the incident from a photograph that requires abstract thinking, the young child's performance declines (Myers & Perry, 1987:490; Muller & Hollely, 2000:195).
- **Recall memory:** According to Louw *et al.*, (2004:244); Myers and Perry, (1987:491) and Muller & Hollely (2000:196) recall memory is the retrieving of information that was acquired previously. This information has to be retrieved from the memory with few or no prompts and be verbally communicated, for example, when the child tells somebody what happened at school yesterday. Recall memory, unlike recognition and reconstruction memory, is age related. The young preschooler has a better recognition memory than recall memory, which at this age, is still poorly developed. By the age of six years when the child enters school, his recall improves and he can recall memory much as an adult does (Myers & Perry, 1987:492; Muller & Hollely, 2000:197; Louw *et al.*, 2004:244).

Research done by Myers and Perry (1987:491) has shown that all children are as capable as adults in answering simple direct questions related to an incident. They further postulated:

“In the context of a legal interview or examination, this research suggests that when children are simply asked to tell what they can remember about an event, the quality of the narrative of older children will be better than that of the younger ones, but neither will give as full a narrative as an adult. It also suggests, however, that even young children (kindergarten-first grade) have sufficient developed ability to remember past events and that simple, direct (non-leading) questions or recognition recall appear to be viable means of finding out factual information from them. Using those methods, their answers apparently are no less credible than those of an adult, absent other influences.”

From the above it can be seen that very young children have a poor recall memory, but once they reach school going age their recall memory develops to the point where they have the similar ability as an adult to recall events. There are, however, still gaps in the child's recall.

3.6.3 Retention and retrieval of memory

It has been established through research that the capacity to retain and retrieve information increases with age until adulthood. According to McGough (1994:54) there appears to be a physiological reason for this diminished capability of the young child. The source of recall is thought to lie in the brain's corpus callosum, a bundle of fibres that connect the perceptual right hemisphere to the verbal left hemisphere of the brain and carries information between the two (see 3.3.2). The development of this connection and integration of the brain's unequal functions do not reach maturity before the age of ten years (McGough, 1994:54). Therefore, although a younger child may accurately encode or store sensory perceptions of an incident that the child witnessed, he will lack the critical linkage necessary to "translate perceptions into accurate verbal representations". (Compare McGough, 1994:54; Ceci & Bruck, 1995:41-43.)

3.6.4 Strategies for remembering

When a child under the age of six is asked to remember an event, he possesses limited memory strategies and without these strategies he experiences problems with recalling events. The child will therefore only be able to testify in court if he does not need these advanced memory strategies (Myers, 1987:493).

According to Myers & Perry, (1987:493) the most common memory strategies are:

- **Rehearsal:** This strategy refers to the repeating of information that has to be remembered mentally and verbally. Young children under six years of age have not mastered this technique, so they do not make use of it spontaneously, but the older child does. As the child matures, his capability to use rehearsal techniques improves. Very young children can, however, be taught to use rehearsal

strategies, for example, using nursery rhymes and computer games. (Oyen & Bebko 1996:184; Myers & Perry, 1987:493).

- **Imagery:** Imagery is a memory strategy where the child uses his imagination to help him remember information (Louw *et al.*, 2004:245). Imagery involves mentally picturing a person, place or object, or visually associating two or more objects that must be remembered, for example, when a person wants to remember a date of an event, he can link it to another important date like Christmas or a birthday. Children usually discover this strategy much later than they do the other strategies of remembering. Some people however never learn this technique (Myers & Perry, 1987:494).
- **Organisation:** Organisation as memory strategy means that items are grouped around meaningful units or common themes. Very young children do not organise material as effectively as the older child, but as they grow older and learn to categorise, they become aware of relationships between items of information (Louw *et al.*, 2004: 245). When items are therefore presented to the young child, one category at a time, they will be able to remember the categories, for example, toys, colours, shapes. But when items are presented randomly, most young children will not recognize the information well (Myers & Perry, 1987:494).
- **External cues:** Aids, for example string around a finger to remind the child to call her friend that afternoon, can be used to help the child to recall an event (Myers & Perry, 1987:495; Louw *et al.*, 2004:246).

3.6.5 Maximizing the child's memory

According to Myers and Perry (1987:504-506) there are several steps that can be taken to maximize a child's memory recall after experiencing an abusive event like:

- The interview should take place as soon as possible following the event. Memory is the strongest at the time of the first interview;
- The child should be allowed to freely relay what happened during the incident. Although unstructured statements tend to be incomplete, the account usually draws out accurate information; and
- The child should be helped by the prosecutor during consultation to organise the information, for example, when the abuse happened over a period of time. The

child can organize it according to what happened during a specific event, such as Christmas, birthday, and school holidays.

The researcher is of the opinion that stress at the time of the event, influences the child's ability to store information and therefore decreases the quantity and quality of information the child can recall. When interviewing the child, care should be taken not to influence the child's memory by asking leading questions or making statements.

3.7 LANGUAGE DEVELOPMENT

3.7.1 Oral language components

Speech and language are tools that humans use to communicate or share thoughts, ideas, and emotions. Language is the set of rules, shared by the individuals who are communicating and that allows them to exchange thoughts, ideas, or emotions. Communication starts long before speech is established. According to McCaul (2000:1) communication is the synthesis of three different components, namely:

1. Receptive language, which is the comprehension of information based on what one sees and hears or what one understands;
2. Expressive language, which refers to how information, namely thoughts and feelings, are expressed; and
3. Non-verbal skills, which consist of facial gestures and expressions. Gestures and facial expressions as well as body language influence how others perceive a message. Children learn to use nonverbal language skills long before they are able to verbally produce words that convey meaning to their listener.

The researcher is of the opinion that the intermediary must be aware of nonverbal communication and convey any gestures or facial expressions made by the child to the court whilst the child is testifying.

There are many languages in South Africa. Each includes its own set of rules. Oral language, the complex system that relates sound to meanings, is made up of four

subsystems or components, namely phonology, semantics, grammar, and pragmatics. These subsystems occur in all languages spoken in South Africa. The researcher is of the opinion that it is important that the intermediary should have a thorough knowledge of the language the child will use when testifying so that he can convey the general purport of the question in a manner the child can understand.

The four subsystems in a language are:

- **Phonology:** Phonology is the speech sounds. This component involves the rules for combining sounds and governing the structure and sequence of speech sound (Genishi, 2004:2; Language development in children, 2004:1; Berk, 2003:354).
- **Semantics:** This component is made up of morphemes, the smallest unit of meaning that is used for word formation that may be combined with each other to make up word, for example, dog + s are the two morphemes that make up dogs. A dictionary contains the semantic component of a language, as well as these words that are important to the speakers of the language (Genishi, 2004, 2; Language development in children, 2004:1). Semantics is the component of language concerned with understanding the meaning of words and word combinations (Berk, 2003:354).
- **Syntacs:** In language, syntax is a traditional term for the study of the rules governing the combination of words and how they are placed together in sequence to form an acceptable sentence or phrase (Bowen, 2004:1; Charlesworth, 2000:344). This component consists of the rules that enable us to combine morphemes and form sentences. As soon as a child uses two morphemes together, as in “more cookies”, the child is using a syntactic rule about how morphemes are combined to convey meaning. Like rules making up the other components, syntactic rules become increasingly complex as the child develops. From combining two morphemes, the child goes on to combine words with suffixes and inflections, for example, -s or -ing, as in houses and sleeping and eventually creates questions, statements, and commands (Genishi, 2004:2; Mussen, Conger, Kagan & Huston, 1990:230-231).
- **Pragmatics:** Pragmatics deals with the rule of appropriate language use. The rules are part of the child’s communicative competence, his ability to speak

appropriately in different situations, for example, in a conversational way at home or in a more formal way at a court case (Genishi, 2004:3; Charlesworth, 2000:345).

The researcher is of the opinion that children may appear to be relatively articulate, but in fact may have poor comprehension of spoken language. Limited listening comprehension may imply that the child cannot understand and make use of information presented to him when being questioned. The intermediary should assess the child's language development so that she will know on what level to communicate with the child. This information can be given to the prosecutor so that he knows how to formulate the questions put to the child.

3.7.2 Language development milestones

The development of oral language is a child's most natural and impressive accomplishment. It must, however, be kept in mind that each child is unique and has an individual rate of development (Genishi, 2004:1).

Almost all children learn the rules of their language at an early age through use and without formal instruction. One component of learning language must therefore be genetic. The environment is, however, also a significant factor. Children do not, however, learn only by imitating those around them. As the child grows older, he moves through linguistic rules. The child eventually learns the conventional forms of language as he becomes aware of the exceptions to the rules of syntax (Genishi, 2004:1).

The child is not only born to speak, but also to interact socially. Even before they use words, he uses cries and gestures to convey meaning and they often understand the meanings that other people convey. Language skills involve speaking, using body language and gestures, communicating, and understanding what others say (Boyse, 2004:1). It can therefore be said that language occurs through an interaction among genes, environment, and the child's own thinking abilities.

Children usually say their first words between 12 and 18 months of age. They begin to use complex sentences by the age of four to four and a half years of age. By five years the child knows most of the fundamentals of his language (Genishi, 2004:2).

The most intensive phase of speech and language development for humans is during the first three years of life, a phase when the brain is developing and maturing. These skills appear to develop best in a world that is rich in sound, sights, and consistent exposure to the speech and language of others (Speech and Language..., 2001:1).

Children of virtually all cultures progress through the phases of language development in the same basic order. Even newborn babies are capable of communicating with their caregivers by means of the first phase of language development, namely crying (Perry & Wrightsman, 1991:124).

Every child develops at a different pace. It is important to remember that while a child may chronologically fit within a certain age category, additional factors like the nature of the abuse, socio-economic status, cultural issues and mental and emotional delays must be kept in mind when assessing the child's language development level. Most children are however capable of uttering simple sentences by the time they are three years old (Perry & Wrightsman, 1991:125; General information..., 2004:1).

There is increasing evidence suggesting that there are "critical phases" of speech and language development in infants and young children. This means that the developing brain is best able to absorb any language during these phases (Berk, 2003:363).

- **Language development: Four to eight years**

By the age of four years the child has a word for almost everything and starts talking about activities at school. People outside the family can now understand him. He uses sentences that have four or more words and usually talks easily without repeating syllables or words. The child makes comments and requests, and tells others what to do. He can talk about things that have happened and can make up stories. The child should have an active vocabulary of 300 or more words. He is still learning to use pronouns like "I", "me", "mine", and "you". These are difficult concepts to grasp

University of Pretoria etd – Schoeman, U C W (2006)

because they indicate where the child's body, possessions or authority ends and someone else's begins (American Speech-language-hearing association, 2004:2; Newman & Newman, 1997:353; Berk, 2003:391).

The child will be able to pronounce most of the sounds in the English language, with the following exceptions: "f, v, s and z". These will probably remain difficult for him until midway through the age of five, and he may not fully master "sh, l, th and r" until the age of six or later (Communication, 2004:2). By the age of five years he can speak clearly. He uses sentences that give a lot of detail, communicates easily with other children and uses the same grammar as the rest of the family (American Speech-Language-Hearing Association, 2004:1-3; Age 4-5..., 2000:1). The child knows the names and sex of family members and other identifying detail. He will play with words and make up silly words and stories (What many children do, 2004:2; Berndt, 1997:243).

Between the ages of four to six years the child can use adult speech sounds, has mastered the basic grammar, and relates a story (Child Development Institute, 2004:1). The child now adds a variety of complex constructions to his language. Certain forms, like passive voice and subtle pronouns however, continue to be refined into middle childhood (Berk, 2003:391).

According to Powell (1997:3) the child will start to:

- Talk about actions in conversation;
- Enjoy nonsense and rhyming words;
- Use regular past tense and verbs, for example, "pulled, walked";
- Use "a", "an", and "the" when speaking;
- Ask direct questions, for example: "May I?" or "Would you?";
- Want explanations of "why" and "how";
- Relate a simple experience he has recently had;
- Understand "next to"; and
- Know his age and town where he lives.

Most five year olds have a good command of their native language although they still

have difficulty explaining complicated events or ideas and may omit important bits. They misunderstand complicated directions. The child can also say his name, address, age and birthday (Age 4-5: Language... 2000:2).

It is, however, important to remember that the pre-school child's thinking is still pre-operational, whereas his speech will be very adult like. His speech might be quite articulate, but his reasoning will still be pre-operational. Pre-school children take language in its most literal sense and during this phase do not have the more abstract concepts that they will acquire as they approach adulthood, for example, the child will not see living in a flat as the same as living in a house. Children make up their own interpretations (Charlesworth, 2000:351). This literal interpretation by young children must be kept in mind when communicating with them. The adult and the child may be using the same words, but with different meanings. This is especially important to keep in mind when a child is testifying in court.

The vocabulary of a child in the early childhood phase may be lacking behind his ability to understand and his reasoning may be more advanced than his ability to communicate clearly. The younger child is often oblivious to the finer nuances of the language. The child may not comprehend what he has seen, heard, or read and yet be totally unaware of this fact. This implies that adults who work with children must be very careful in providing instructions to them and be tolerant of their lack of recognition of their own lack of understanding (Charlesworth, 2000:352).

As the child progresses in school, both his comprehension and use of language will become more sophisticated. Usually, he will understand more vocabulary and concepts than he can express. Vocabulary growth in middle childhood exceeds that of the preschool years. The child learns figurative meanings of idioms and other literary devices. The school-age child can grasp word meanings from definitions, and comprehension of metaphor and humour expands (Berk, 2003:91). The child can now engage in narrative discussions and share ideas and opinions in clear speech with others (Berndt, 1997:243).

By the age of seven years the child should be speaking fluently and easily in his mother tongue. He will be able to express various ideas and complicated happenings.

The child will also know past, present and future tenses (Health Topics, 2004:2).

At this phase most children are competent witnesses but their developmental limitations must still be taken into account.

Table 3.1 provides an overview of the development of special lexical skills during early to middle childhood.

Table 3.1: Specific Lexical Skills during early to middle childhood

Feature	Age
Adjectives <ul style="list-style-type: none"> • Comparatives (for example, more, bigger, earlier, later, deeper, and wider) • Superlatives (for example, most, biggest) • Ability to make complex comparisons in response to question (for example, “Which tree is taller than it is thick?”) 	4-5 years 3-6 6-8
Articles <ul style="list-style-type: none"> • Full mastery of contrast between “the” and “a” 	About 8
Adverbs <ul style="list-style-type: none"> • Reliable distinction between before/after • Frontward, sideward, backwards 	7+ about 7
Prepositions <ul style="list-style-type: none"> • In, on (first to be acquired) • Off, out (of), away (from) • Toward, up • In front of, next to, around • Beside • Down • Ahead of, behind 	1½ - 2½ 2 to 3 3 - 3½ 3½ - 4 4- 4½ 4 - 4½ 4½ - 5 4½ - 5½
Pronouns <ul style="list-style-type: none"> • Possessive: <ul style="list-style-type: none"> - My, your, mine, his - Their, her(s), his, its, our(s) • Deictic (pointing) pronouns “this” vs. “that” • Reliable matching of a pronoun to a following noun, (for example, he John) • Verb contrasts between come-go; bring-take • Tell-ask 	By age 3½ 3 – 5 7+ About 10 7 - 8+ 7 - 8

	7 - 8
WH questions (What, Where, Why, How, When) <ul style="list-style-type: none"> • Appear in child’s speech • Appropriate grammatical response to “WH” questions • Appropriate cognitive response to “Why”, “How”, “When” 	2½ - 4½ by age 5½ about age 10
Syntactic Skills <ul style="list-style-type: none"> • Passive: with action (for example, Hit, push: “Were you hit?”) • With all verbs, including non-action (for example, “Were you liked by?”) • “Tag” questions (for example, “..., isn’t it?”) • Combined with negatives in the assertion (for example, “That is not what I said”: “is that no so?”; “isn’t that true?”) 	5+ 7 - 13+ 4+ Confusing into adulthood
Conversational Skills <ul style="list-style-type: none"> • Taking turns: first to be mastered • Asking contingent questions (questions that indicate that something just said is not fully understood, such as “What did you say?”) • Ability to report basic elements of typical events (for example, “What happens at church?”) • Ability to describe, relate, and inform in adult satisfactory way 	2 – 6+ 3 3 May still be developing in adolescence

Adapted from Copen (2000:45-46).

3.7.3 Developmental difficulties children experience when testifying in court

Some types of grammatical constructions are not mastered by young children, but are commonly used in the courtroom. It is through the spoken word that children are required to express their memories. Even when a child’s memory is accurate and strong, efforts to elicit reliable reports from the child can be hampered by developmental limitations on communication (Myers, Berliner, Briere, Hendrix, Jenny & Reid., 2003:356).

Developmental limitations can be categorized into the following age groups:

- **The pre-schooler (Three to six years)**

In court the child witness is often asked questions like: “How many times did he abuse you?” or “How long did it take?” It must be remembered that the very young

child (two to four years) has a limited vocabulary of between 300 and 3 000 words. He can form a three to four word sentence. He has no understanding of pronouns (he, she) and only a basic grasp of prepositions (in, on, off, out, away). Most toddlers can count, but they do so from memory and cannot use numbers as estimates of quantities in a rational sense without an understanding of numerical concepts (Bourg, Broderick, Flagor, Kelly, Ervin & Butler, 1999:106; Muller 2002b:92). As a result of the above, the young child who is a victim or witness to an event, may have a clear picture of what occurred, as experienced by him, but may have difficulty expressing thoughts or providing detail, and is unable to draw conclusions or inferences based on what was witnessed. Young children are however able to relate their experiences in detail if they have the vocabulary and are specifically and appropriately questioned (Massengale, 2001a:2; Muller, 2002b:56).

By pre-school age (five years), the child has a vocabulary of 13 000 to 21 000 words. This may appear equivalent to an adult level. It must however be kept in mind that pre-scholars often use words without fully understanding their meaning. It has been found that most abused children showed a good understanding of truth and lies by five years of age, despite serious delays in receptive vocabulary (Lyon and Saywitz, 1999:22; Muller, 2002b:138). Some children had mastered this by the age of three years if the testing was done in a very concrete manner (Muller, 2005). By the age of five the child has also started to learn to use most prepositions (up/down, ahead/behind, next to) and has started to master adjectives (Bourg *et al.*, 1999:106). Perry and Wrightsman (1991:180) caution that many children will use these concepts in sentences before they are capable of responding to questions containing these words.

The child has not yet mastered the use of pronouns, object nouns (this, that, he, she) and locatives (here, there), as these parts of speech require the child to simultaneously process the question and figure out what the pronoun is referring to. Pronouns are words that are used to refer to something or someone without repeating its name. Most often they are used to refer back to something already mentioned (Perry & Wrightsman, 1991:176; Muller, 2002b:92). It is therefore better to repeat names of people, places and objects rather than to use pronouns, for example, “her”, “she”, or “him”, when questioning the child witness (Bourg *et al.*, 1999:110).

Although the pre-schooler may understand both intellectually and linguistically that an adult is bigger than a child, or that a tree is far away from the house, that same child will probably not yet have developed the abstract thinking required to measure and quantify how much bigger or how far away a person or object is or was.

The pre-schooler continues to be egocentric and concrete in his thinking. He can still not see things from somebody else's point of view. He reasons, based on specifics he can visualize and has importance to him as opposed to generalities and abstract concepts, for example, "gun" instead of "weapon". When questioned, pre-schoolers can generally express "who", "what", "where", and sometimes "how", but not "when" or "how many". For example, forensic questions often require witnesses to pinpoint time or location and estimate height or weight by using conventional systems of measurement (minutes, hours, days, centimeters, kilograms). Studies suggest that these skills are learned gradually over the course of middle childhood (Myers *et al.*, 2003:357). The child is also able to provide a fair amount of detail about a situation, though the child in this age range continues to have trouble with temporal order, and may appear inconsistent when relating a story because he rarely follows a beginning-middle-end approach when testifying (Massengale, 2001b:2; Muller, 2002b:86).

▪ **Middle childhood (six to twelve years)**

By the early middle childhood phase, the child starts to think logically. This means that rather than accepting what he sees as true, he begins to apply his personal knowledge and experience to a particular situation to determine whether it makes sense or not. Understanding of temporal concepts also improves and the child starts to understand time and date as a concept as opposed to a number. This is however only fully developed during adolescence. The child will practice using concepts before the usage is fully mastered (Bourg *et al.*, 1999:106).

The child now masters adverbs, for example, "before/after", "frontwards/backwards" during this age. He starts to understand the difference in articles, for example, "the" opposed to "a" and differentiates between contrast verbs, for example, "tell and ask", "bring and take", "come and go".

Most children in the early middle childhood phase (six to eight years) have acquired the basic cognitive and linguistic concepts necessary to sufficiently communicate an abusive event and can imitate adult speech patterns. It is therefore easy to forget that the child in the early middle childhood years is still not fully cognitively, emotionally and linguistically developed (Massengale, 2001a:3; Muller, 2002b:86).

The beginning of abstract thinking takes place when the child is about nine years old. The child now learns to extend his reasoning beyond his personal experience and knowledge and starts to view the world outside of an absolute black/white, right/wrong perspective. Interpretive abilities, as well as cause and effect sequences, develop.

The child in the late middle childhood phase (nine to 12 years) has a full comprehension of pronouns, including the ability to identify a pronoun placed before a noun. He is able to answer “who”, “what”, “where”, and “when” questions, but may still have problems with “why” questions. The child in this age group now has a basic understanding of the purpose and methodology of the legal system.

Even though abstract thinking generally starts between the age of eight and 12 years, the child is still developing this method of reasoning and is still not able to infer a motive or reason hypothetically (Massengale, 2001a:4; Muller, 2002b:48).

▪ **Adolescents (13 – 17 years)**

By the time the child reaches his teens, his cognitive developmental level is fairly close to that of an adult, though the ability to describe, relate, and inform about a past event in an adult-satisfactory way is still developing through the late teens. Most adolescents are able to reason hypothetically and can make inferences based on behavior and situations. They can also answer “why” questions (Muller, 2002b:44).

The adolescent has a full comprehension of passive voice, and starts to use tag questions, but can still have problems with negatives or long, complex questions (Muller, 2002b:44).

Table 3.2 provides an overview of the language acquisition for the age groupings pre-school, early primary, late primary, and early adolescence.

Table 3.2: Guidelines on language acquisition for the four age groupings: pre-school, early primary, late primary and early adolescence.

Receptive and Expressive Language Acquisition in Children of Different Ages				
Language skill	Preschool (3-5)	Early Primary (6-9)	Late Primary (10-12)	Early Adolescence (13-14)
Conversational skills	Minimal	Yes	Yes	Yes
Understanding of grammatical rules of language	No	Unsophisticated	Yes	Yes
Total lexicon of words	Limited	Adequate	Yes	Yes
Understanding of higher order referents	Minimal	Developing	Yes	Yes
Understanding of complex sentences	No	With difficulty	Yes	Yes
Proper use of prepositions	Minimal	Developing	Yes	Yes
Availability of adjectives and adverbs	Limited	Developing	Yes	Yes
Familiarity with different tenses	Limited	Yes	Yes	Yes
Fluidity of speech, proper pronunciation	Varies greatly	Yes	Yes	Yes

Adapted from Dezwirek-Sas (2004:2)

3.8 MORAL DEVELOPMENT

3.8.1 Moral development in the child

Moral development entails a person's conduct and attitude towards other people in society. It is the following of societal norms, rules and laws. In terms of children, it describes the child's ability to distinguish between what they perceive as what is right and what is wrong, good or bad, as well as changes in the way he makes moral judgements. The child learns the principles whereby he judges the society's behaviour

(Huxely, 2004:1; Louw, 2004:12). The qualitative changes that take place in moral development are almost parallel to the changes in cognitive development (Myers & Perry, 1987:483).

In contrast, DeBord (1996:3) postulates that moral development is more difficult to discuss in terms of development milestones as it occurs through experience, over time. Due to the rapid mental growth of the child, many positive as well as negative interactions take place between adults and children during middle childhood influencing the child's moral development (DeBord, 1996:4). Even as adults, there are often grey areas when it comes to making decisions about right and wrong.

The older child's moral development coincides with the beginning of formal operations that can continue to develop up to the age of 16 years of age (see 3.4). The older child's view is more relativistic. He understands that it is permissible to change rules if everyone agrees and that rules are not sacred and absolute, but are devices that humans use to *get along* together with each other. Older children also base their moral judgement on intentions. The child will judge wrongness in terms of the motives underlying the act (Crain, 1985:119).

Piaget and Kohlberg, the two most prominent pioneers in the field of moral development, suggest that individual's progress through several phases of moral development, with each successive phase establishing a more complex and balanced approach to the moral-social world. They postulated that the child's reasoning about moral issues depends on his level of development. During moral development the child passes through the developmental phases in a sequence. Children of different cultures show similarities as they pass through these phases (Myers & Perry, 1987:483; Muller & Hollely, 2000:181; Bukatko & Daehler, 1992:540).

The first signs of moral development in early childhood are prosocial behaviours such as empathy, altruism, caring, helping, comforting, and sympathising (Louw *et al.*, 2004:372).

3.8.2 Moral development during early and middle childhood

According to Myers and Perry (1987:485) the child in the early childhood phase uses

University of Pretoria etd – Schoeman, U C W (2006)

egocentric judgement where he judges good or bad on the basis of what he likes, wants or what helps him. He decides to do what is right according to what he wants to do or can do without getting into trouble. The child's concept of good and bad is not yet well defined and he may be persuaded to stray from the truth. Bad is therefore judged on the basis of what he does not like or what hurts him. He has no concept of rules or of obligations to obey or conform independent of his wish (Kenyon, 2004:3).

By the age of five years the child becomes more interested in other children and is more aware of himself as an individual. He shows some understanding of moral reasoning (see 3.6) and starts to compare himself with others. He now experiences the feelings of responsibility and guilt (Age 4-5: Social... , 2000:1).

The child further develops a feeling of pride. He models morally relevant behaviours and will show empathy-based guilt reactions to breaking of rules. The child will show sensitivity to the intentions of the other person when making moral judgements. The child can now also distinguish between different moral rules and what is expected socially.

At the end of the early childhood phase (\pm 8 years), the child shows differentiated understanding of the authority figure's legitimacy and bases distributive justice on equality (Berk, 2003:503).

By middle childhood the child will start exploring ideas about fairness and good or bad behaviour, but it must still be borne in mind that the child has a simplified sense of morality. When obeying rules it is not necessarily because he understands and agrees, but because he wants to avoid punishment (Social skills milestones, 2004:2).

The child will start choosing his own friends, start playing simple table games, for example, snakes and ladder, start playing competitive games and engage in cooperative games, role assignments and fair play (Social skills milestones, 2004:2).

Norms of good behaviour, including prosocial standards are internalised by the child. He now takes more variables into account when distinguishing between moral rules, social conventions and matters of personal choice. The child also includes merit and

eventually kindness in distributive justice reasoning. He adapts the concept of fairness to each situation and has understanding of moral reasoning and explores ideas about fairness and good or bad behaviour. They also start comparing themselves to others (The Whole Child, 2004:3; Berk, 2003:486).

3.8.3 Moral reasoning versus moral action

According to Myers & Perry (1987:482) moral reasoning is concerned with what a person thinks about a situation in which some wrongdoing has occurred. The problem however is that the child often says the right thing when tested, but acts wrongly in practice. Another problem is that a child will display immoral behaviour in some circumstances and not in another. Over time children learn to be either consistent or inconsistent in their honesty. This means that the child witness may not always act in an ethical way and his morality depends on the expectations placed on him, his history of honesty and level of moral development.

3.8.4 Piaget's view on moral reasoning of the child

In Piaget's studies and writings on morality (Murray, [sa]:1), he focused and applied rules on the moral lives of children, studying the way children play games in order to learn more about the child's beliefs about right and wrong. He considered morality as a developmental process.

Piaget studied aspects of moral judgement, but most of his findings fit into a two-phase theory. He firstly regarded the child less than five years of age as premoral, meaning that the child does not yet understand the rules, for example, of a game. The child engages in games, either for the pleasure of performing them or out of habit (Muller, 2002b:49). This explains why young children are more concerned about the outcomes of actions rather than about the intentions of the person doing the acts (Murray, [sa]:2).

Between the ages of five and ten years, the child begins to understand the rules of games, and therefore moves into the phase that Piaget called the heteronomous morality phase or moral realism. Rules are now seen as "sacred" and "inviolable"

(Muller, 2002b:49). The child begins to take notice of the wrongdoer's intentions and motives (Muller & Hollely, 2000:182). He is less egocentric and is morally more flexible. He no longer believes in imminent justice, because he has learnt through experience that the infringement of social rules often pass unpunished or unseen (Louw *et al.*, 2004:375). The implications of this for the child witness is that he may be tempted to lie about a situation, hoping that it will not be detected.

By about ten years of age the child reaches the next phase of moral development, namely the autonomous morality phase or the phase of moral relativism. The movement from the heteronomous phase to the autonomous phase is related to the child's cognitive ability and social experience. There is also a reduction in egocentrism and improvement in the ability to understand other people's views. This enables him to understand another person's intentions and distinguish between right and wrong (Louw *et al.*, 2004:375; Muller & Hollely, 2000:182).

The researcher is of the opinion that the intermediary must remember that child sexual abuse is a potent source of damage to moral development. The perpetrator may convince the child that there is nothing wrong with such abuse (O'Hagan, 1993:33).

3.8.5 Kohlberg's three level moral development

Kohlberg modified and elaborated on Piaget's work. Consistent with Piaget, Kohlberg proposed that children develop ways of thinking through their experiences that include moral concepts such as justice, rights, equality and human welfare (Murray, [sa]:3). Kohlberg followed the development of moral judgement beyond Piaget's two phases and determined that moral maturity took longer than Piaget proposed (Murray, [sa]:3; Muller & Hollely, 2000:182). As the age limit of a child to test with the assistance of an intermediary is 18 years, Kohlberg's three levels and five phases will be discussed for the purpose of this chapter. Level three reasoning is usually observed during adolescence (Louw *et al.*, 2004:379).

Huxley (2004:2) states that character and moral development is based on an interaction between nature and nurture. It develops as a result of parental interaction, balanced disciplinary styles, and a child's own choices. Children learn about right

and wrong from their earliest experiences if their parents nurture them without excessive indulgence. The child develops a character that allows him to accept rules and tolerate frustrations later in life. Murray ([Sa]:2) further explains the two sides of discipline and the need for balance between them: On the one hand too much love leads to the child becoming spoilt. This also causes children to get stuck in those early phases of moral development based on selfish individualism. On the other hand, too many limits can lead to a low sense of worth and lack of self-control in the child. This usually results in an overly rebellious child or an unhealthily submissive one.

- **Level One: Pre-conventional morality**

This first level of moral thinking is generally found at elementary school level (Barger, 2000:1). At this level, the child is responsive to cultural rules and labels of good and bad, right or wrong, but interprets the labels in terms of physical or hedonistic consequences of action (punishment, reward, exchange or favours). The child assumes that powerful authorities hand down a fixed set of rules, which he must obey. He must also obey the physical power of those who make the rules and labels and must therefore behave according to socially acceptable norms because he is told to do so by some authority figure. He therefore sees morality as something external to himself (Crain, 1986:120; Murray, [sa]:2; Muller, 2002b:51).

- **Stage 0: Egocentric judgement**

The child makes judgements of what is good on the basis of what he likes and wants or what helps him, and bad on the basis of what he does not like or what hurts him. He has no concept of rules or of obligations to obey or conform independent of his wish (Crain, 1985:120; Murray, [sa]:2).

- **Stage one: Punishment-obedience orientation**

During this level the child is concerned with avoiding punishment. Five-year-olds are beginning to get enough of a sufficient view of the world to be able to understand that differences can exist side by side. They begin to understand values and they can understand that different families value different things (Crain, 1985:120).

Phase one in Kohlberg's theory is similar to Piaget's first phase of moral thought. The child assumes that powerful authorities hand down a fixed set of rules, which he must unquestioningly obey. When the child is then asked to elaborate on his answer, he will respond in terms of the consequences, for example, stealing is bad because one will be punished. The child is concerned with what authorities permit and punish (Muller, 2000:184).

Kohlberg refers to phase one as the pre-conventional phase because children do not yet speak as members of society, but see morality as something external to themselves and what adults tell them to do (Crain, 1985:120). They think what the authority says is right. Doing the right thing equals obeying authority and so doing avoids being punishment (Crain, 1985:124; Kenyon 2004:1-2). When the child testifies it is important that he is encouraged to tell about the events as they really happened. Questions should seek answers that contain simple descriptions or describe specific actions, not conclusions or inferences (Myers & Perry, 1987:485; Muller & Hollely, 2000:184).

- **Stage two: Individualism and exchange**

During this level the child concentrates on getting his own needs met. He tends to be self-serving. He lacks respect for the rights of others. The child may give to others with the assumption that they will get as much or more in return (Louw *et al.*, 2004:379; Muller, 2002b:51).

Five-year-olds will often ask permission before they do something as they are starting to learn about rules and what is right and what is wrong. "Am I allowed" can often be heard in their conversation (Age 4-5 years; Social..., 2000:2). They are keen to fit in and learn the rules.

Although children in phases one and two talk about punishment, they perceive this punish differently. In phase one the child sees punishment as a proof of having done something wrong, whilst in phase two, punishments is simply a risk that one naturally wants to avoid (Crain, 1985:121). Phase two might sometimes seem amoral; children do have some sense of right action. Their philosophy is one of returning a favour.

Children in phase two still reason at the pre-conventional level because they speak for themselves and not for society. They still do not identify with the values of the family or community (Crain, 1985:121). When a child in this phase testifies, he should be encouraged to simply report his observations rather than to evaluate them in moralistic terms (Myers & Perry, 1987:484).

▪ **Level two: Conventional morality**

At this level the child has a basic understanding of conventional morality and reason with an understanding that norms and conventions are necessary to uphold society (Murray, [sa]:3). In this phase the child's attitude is not one of conforming to his own expectations and social order, but rather of loyalty to it, of actively maintaining, supporting and justifying the order and identifying with the people involved in this social order (Kenyon, 2004:1; Muller, 2002b:51; Louw *et al.*, 2004:460).

- **Stage 3: Good interpersonal relationship**

This phase usually takes place between the ages of eight and 16. The child has now shifted from pleasing themselves to pleasing significant others, for example, parents, teachers or friends. Good behaviour is regarded as what pleases or helps others and is approved by them. The child tends to identify with these rules and upholds them consistently and acts according to what society deems to be right. The child seeks approval and conforms to someone else's expectations. Should the child be accused of doing something wrong, he will most likely justify his behaviour by saying that everybody else is also doing it (Murray, [sa]:3; Louw *et al.*, 2004:461).

In this phase children recognize that there is not just one right view that is handed down by authority. Different people can have different views (Crain, 1985:212). Any single authority no longer impresses children; they see that there are different sides to an issue and that people have different interests and viewpoints (Crain, 1985:124). They are aware that they share feelings, agreements and expectations with others (Murray, [sa]:3).

The child sees morality as being more than simple deals. They believe that people

live up to the expectations of the family and community and behave in an acceptable way. Good behaviour means having good motives and interpersonal feelings such as love, empathy, trust, and concern for others. This level is further characterized by an attitude that seeks to do what will gain the approval of others (Barger, 2000:1).

There are similarities between Kohlberg's first three phases and Piaget's two phases. In both there is a shift from unquestioning obedience to a relativistic outlook and to a concern for good motives (Crain, 1986:5). When children testify at this level, they might be quite willing to help the court if they see that something can be gained by doing so. The advantage of telling the truth should be explained to the child according to his developmental stage (Myers & Perry, 1987:484).

- **Stage four: Maintaining the social order**

This phase marks the shift from defining what is right in terms of local norms and role and role expectations to defining right in terms of the laws and norms established by the larger social system. This is the "member of society" perspective where one must obey the law and respond to duty, except in extreme cases in which the law comes into conflict with other prescribed social duties (Murray, [sa]:3; Barger, 2000:1).

In this phase the child becomes more broadly concerned with society as a whole and has learned to conform, not only to family rules, but also to society's law and customs. The child becomes more orientated toward authority, fixed rules, and the maintenance of the social order. Correct behaviour consists of doing one's duty, showing respect for authority, and maintaining the given social order for its own sake. The emphasis is now on obeying the law, respecting authority, and performing one's duties so that the social order is maintained (Kenyon, 2004:1). Morality is now synonymous with niceness and living up to the expectations of significant adults. The child wants to be seen as nice and worthy of approval. The court can appeal to the child's need for approval and so doing gaining the cooperation of the child (Myers, 1987:484).

▪ **Level three: Post-conventional morality**

At this level the individual makes a clear effort to define moral values and principles that have validity and application for himself, apart from authority of the groups of persons holding them and apart from the individual's own identification with the group (Kenyon, 2004:2).

- **Stage five: Social contract and individual rights**

During stage five the child begins to ask: "What makes a good society?" The child begins to think about society in a theoretical way, stepping back from his own society and considering the rights and values that a society ought to uphold. The existing society is evaluated in terms of these considerations (Crain, 1985:122-123).

The right action tends to be defined in terms of general individual rights and standards that have been agreed upon by the whole society. The individual defines and internalises moral values and principles independent from the groups of people who uphold these principles (Louw *et al.*, 2004:461). According to Louw *et al.* (2004:460) few children and adults reach this level of morality.

During stage one children regard correct behaviour as that which authority says is correct. The correct behaviour is to obey authority and avoid punishment. Behaviour is only wrong if the child is caught doing wrong. At stage two any single authority no longer impresses the child. They see that there are different sides to an issue. Since everything is relative, one is free to pursue one's own interests, although it is often useful to make deals and exchange favours with others. During stage three and four, young people think as members of conventional society with its values, norms, and expectation. During stage three they emphasise being a good person, which basically means having helpful motives toward people close to one. During stage four the concerns shift towards obeying laws to maintain society as a whole.

Stages five and six are less concerned with maintaining society for its own sake, and more concerned with the principles and values that make for a good society. During

stage five basic rights and the democratic processes that give everyone a say, are emphasised (Crain, 1985:118).

3.9 SOCIAL-EMOTIONAL DEVELOPMENT

Emotional development is closely related to social development and refers to the young child's feelings about himself and others and the environment in which he plays and lives. Emotions colour the experience of the young child, whether the emotions consist of delight, fury, or distress. Emotions offer a window into the social and emotional development of the young child (Social-emotional..., 2003: 12).

The infant's emotions are evoked by physical conditions like hunger, discomfort, temperature or fatigue. An infant's emotional repertoire is basic; emotional expressions ranges from cooing to crying, and is shaped by temperament (Social-emotional ..., 2003:12).

The pre-schoolers' emotions are linked to their psychological condition. The latter entails how they interpret their experiences, what they think others are doing or thinking, and their expectations about future events. The child in the early childhood phase is capable of anticipating and talking about his emotions and those of others. He can be given strategies to manage his feelings (Social-emotional..., 2003:12).

3.9.1 Early childhood

Early childhood is a crucial phase in emotional development. Young children learn to feel for themselves and recognize in others emotions such as fear, anxiety, sadness, anger, happiness and love. The attachments he makes with others serves as a foundation for taking initiative and moving towards independence. The child experiences many emotions, one of which is fear. Coping with imaginary fears helps him to gain skills needed to cope with fears that are based in reality. The young child has to learn how to handle his emotions in socially acceptable ways. During early childhood, the child gradually learns how to label, define and understand his own and other peoples emotional behaviour (Charlesworth, 2000:449).

The young child's emotions are tied to his psychological condition, how he interprets his experiences, what he thinks others are doing or thinking, and expectations about his future. The young child is capable of talking about his emotions and those of other people, and begins to use strategies to manage his feelings. At the age of four to five years, the child has become capable of experiencing emotions like pride, shame, guilt and embarrassment. He also feels empathy for other people. At this age the child is emotionally more mature than during infancy (Social-emotional..., 2003:9).

At the age of four the child will develop imaginary fears of the dark and injury (Child Development Institute, 2004:3). Working through these fears enables the child to strengthen his feelings of power in relation to the world. His vivid fantasy life will help him explore and come to terms with a wide range of emotions, from love and dependency to anger, protest and fear. The child will move back and forth between fantasy and reality and will sometimes become so involved in the make believe situation, that he will not be able to tell where fantasy ends and reality starts (4-5 years: Emotional..., 2000:1). The child becomes more aware of himself and his ability to make things happen. The child will now express a wider range of emotions and is more likely to interact with other people (Social and..., 2004:1).

Between the ages of three to five years, the child becomes interested in fantasy play and imaginary friends (see point 5). Fantasy play allows children to safely act out different roles and strong feelings in acceptable ways. Fantasy play also helps the child grow socially. He learns to resolve conflict with parents or other children in ways that will help him vent frustration and maintain self-esteem. At this time fears of unknown monsters and beasts starts to emerge.

3.9.2 Middle childhood

Children entering school with well-developed social or cognitive skills are most likely to succeed and least likely to need intervention services in later life. Children are more likely to succeed in the transition to school if they can accurately identify emotions in themselves and others, relate to teachers and peers in positive ways, and

manage feelings of anger, frustration and distress (Social-emotional..., 2003:12; Stages of social –emotional....., 2004:2).

Between seven to 12 years of age the child works through numerous issues, for example, self-concept, the foundation for which is laid by competency in the classroom, and relationships with peers, which are determined by the ability to socialize. The peer group becomes very important to the child (Schoeman, 2000:30; Louw *et al.*, 2004:345).

3.9.3 Development of basic emotions

▪ Development of love

Love is an abstract concept and children find it difficult to understand it fully. However, as the child matures cognitively, his understanding of love also increases.

The child learns about love from birth and this is shown by his attachment to his caregiver. In early childhood the child will usually show his love physically, for example, through hugs and kisses. This continues when he moves to the middle childhood phase. He then learns that there are other ways of showing his love, for example, by communication (Louw *et al.*, 2004:348).

▪ Fear and anxiety

Fear develops through a combination of genetic and learned factors. Fears have been shown to be acquired through conditioning and observational learning. Other factors to be considered are culture, experience and environment (Charlesworth, 2000:444). All children develop fears and anxieties as they proceed through the early childhood phase. The young child will, for example, be concerned about monsters and dragons under their bed. Anxiety in children is expected and normal at specific times in development. From approximately age eight months through to early childhood, it is normal for healthy children to show intense anxiety at times of separation from their parents or other significant persons (American Academy of Child and Adolescent Psychiatry, No. 47, 2000:1; Charlesworth, 2000:443). It must be kept in mind that

some children are more fearful than others. This may be due to genetic disposition, parents who are anxious, overprotective parents or a stressful event, like testifying in a court in front of strangers (Better Health, 2001:2).

▪ **Anger and sadness**

Hostility and anger are the emotions that underlie aggressive behaviour. Feelings like these seem to appear shortly after birth (Charlesworth, 2000:447).

As the child grows older and his cognitive and motor skills develop, he acquires the capacity for intentional behaviour. The older child can also better identify the cause of a painful stimulus or blocked goal. His anger then is particularly intense when a caregiver, whom he associates with warmth and love, suddenly causes him discomfort (Berk, 2003:399).

Expression of sadness also occurs in response to pain, removing an object and short separations. The emotion of sadness is less frequent than anger. The child learns through socialization that angry behaviour is unacceptable, especially in public. From the age of four this type of behaviour starts to diminish because the child has better control over his emotions. It is of utmost importance for the child to acquire emotional control (Berndt, 1997:348).

3.9.4 Development of self-conscious emotions and emotional self-regulation

At the end of the child's second year, self-awareness and the instructions of the child's caregiver or other significant adult will provide a foundation of self-conscious emotions like shame, embarrassment, guilt, envy, and pride. By the age of two, the child frequently talks about his feelings and actively tries to control them and by three to four years of age he will talk about self-regulatory strategies (Berk, 2003:401; Louw *et al.*, 2004:212).

As the child grows older, self-conscious emotions increasingly become internally governed. Rapid development in emotional self-regulation takes place during middle childhood. By the age of ten, the child will have a set of adaptive techniques for

managing emotions (Fabes, Eisenberg, Nyman, Michealieu, 1991:865; Berk, 2003:402).

The child will now make use of internal strategies to manage his emotions. This is due to the ability to reflect on his thoughts and feelings. Where guilt is often related to good, adjustment and intense shame is associated with feelings of personal inadequacy (Berk, 2003:401- 403).

The child learns to recognise his own emotions before he learns to recognise other's emotions. The child also recognise positive emotions before negative emotions. Emotional self-regulation emerges as caregivers assist the child in adjusting his emotional reactions. As motor, cognitive, and language development proceeds, children gradually acquire better self-regulation strategies. Emotional self-regulation is challenged by adult modelling and conversations with the child. The child, who feels intense negative emotions, will find it hard to inhibit his own feelings (Berk, 2003:404).

Once self-regulation is well established, the child will experience a sense of emotional self-efficacy.

3.9.5 Understanding emotions of others

As the infant develops the capacity to interpret emotional expression, he actively seeks emotional information from trusted caregivers. He will now learn that a certain emotional expression not only has meaning but invites a meaningful reaction as well. Social referencing (relying on somebody else's reactions to appraise an uncertain situation) appears at the end of the first year. Parents scan the use of social referencing to teach their child how to react to events that take place (Berk, 2003: 404-405). By the middle of the second year, the child begins to appreciate that the other person's emotional reactions may differ from his own.

In early childhood the child can understand the causes, consequences and behavioural signals of emotions. The ability to take into consideration the conflicting cues when

explaining others' feelings develops during the ages of seven to 12 years (Berk, 2003:404).

Both cognitive development and social experience will contribute to the child's understanding of emotions. A warm, relaxed parent-child relationship, conversations with family members and friends, and make-believe play are excellent contexts for learning about emotions (Berk, 2003:406). By the age of eight however, the child starts to understand that a person can experience two emotions at once.

3.9.6 Recognising emotions

Cognitive development helps the child to understand emotions. Social experiences also contribute to this. The more the mother labels emotions, for example, the more the child will use words that reflect emotion. The child in early childhood who's family talk a lot about emotions, will also be better at judging other people's emotions.

Emotional knowledge helps the child *get along* better with others. The child who has a good knowledge is inclined to be friendlier, show considerate behaviour, is willing to make amends after harming others, and is more readily accepted by his peer group (Berk, 2003:406).

3.9.7 Rules when displaying emotions

In early childhood the child has an impressive understanding of the causes, consequences and behavioural signs of displaying emotions. By the age of four to five years, the child will be able to correctly judge the causes of many basic emotional reactions. The child will deny that two emotions can exist at the same time. This is typical of Piaget's finding that the child at this age has not yet developed the concept of conservation and cannot integrate two variables. Older children recognize that people can experience more than one emotion at a time (Berk, 2003:403).

3.9.8 Temperament

Temperament refers to a relatively consistent, basic, disposition inherent in the person that underlies and modulates the expression of activity, reactivity, emotionality, and sociability (Berndt, 1997:211).

Emotions and behaviour are based on the child's developmental phase and on his temperament. Every child has an individual temperament, or mood. Some children may be cheerful and adaptable and easily develop a regular routine of sleeping, eating, and other daily activities. The child tends to respond positively to new situations. Other children are not so adaptable (Louw *et al.*, 2004:211).

3.9.9 Attachment

Attachment is a term used to describe the strong emotional relationship that develops between an infant and his primary caregiver, during the infant's first year of life. It is a relationship that develops over time and is the result of many interactions and care giving experiences; particularly those in response to the infant's needs and bids for attention, comfort and protection (Social-emotional... , 2003:6).

In early infancy, a set of built-in behaviour patterns encourages the parent to remain close to the baby. Around six to eight months, separation anxiety starts to manifest itself. Use of the parent as the safe base indicates that a true attachment has formed. As language develops, the child can better understand the parent's intentions and separation anxiety declines (Berk, 2003:433).

Virtually all young children develop deep emotional attachments to those who care for them. Secure attachment arises from the warmth and sensitivity of an adult's care. It is within the security of this relationship that a child feels safe and confident. An insecure relationship places the child at risk of social, emotional or cognitive delays (Berk, 2003:433).

When testifying in the intermediary room alone with the intermediary, the child can find it difficult to separate from his parents/caregivers to be alone with the

intermediary. It is therefore important for the intermediary to have knowledge of separation anxiety and be able to build a rapport with the child so that the child will feel comfortable with him. It is important for the child to know where his parents/caregivers are and that they will be waiting for him.

3.9.10 Self concept

Although the young child can recognise himself in a mirror and tell his name, age and sex, he does not know much about himself. He has little knowledge about his physical skills, mental abilities or personality traits and other characteristics. By five years of age the child's self esteem is typically high and consists of several separate self-evaluations. Achievement related attributions appear, but are undifferentiated, for example, "If I try hard I am smart and will succeed". By the age of six to seven years, the child has formed at least four self-esteems, namely academic, social, physical/athletic competence and physical appearance. These self-esteems become more refined as the child grows older (Berk, 2003:448; Louw *et al.*, 2004:286).

By ten years of age the child's self-esteem becomes hierarchically organised, and separate self-evaluations are integrated into one, overall self-image. The child's self-concept changes from a focus on characteristics and emotions that can be perceived to an emphasis on personality traits as well as positive and negative characteristics and social comparisons (Berk, 2003:472). The child's self-esteem will rise and fall as he makes social comparisons. By the age of 12 the child's self-esteem will continue to rise or fall and achievement related attributions reflect the differentiation of ability and effort (Berk, 2003:455). The child's self-concept, that is his ideas about himself, continues to develop and becomes more complex (Berndt, 1997:525).

According to Charlesworth (2000:459) early childhood is a critical phase for the development of the self-concept. The young child is still openly shows his feelings. As the child gets older, he starts masking his feelings. The way the child handles development in the emotional and personality areas, will determine how he add bits and pieces to his concept of himself. Charlesworth (2000:533) divides the self-concept into several dimensions:

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- Body image: How the child evaluates himself, his looks and how his body reacts.
- Social self: Racial, ethnic and religious self.
- Cognitive Self: Child's self in mental development and aptitudes.
- Self-esteem: How the child evaluates his self-concept and how much respect he has for himself. Self-esteem can be divided into 4 components, namely competence, power, acceptance and virtuousness.

The child is seen as actively involved in constructing his sense of self. The child's view of himself causes him to behave in a certain way. This behaviour then evokes a response from the environment, which the child interprets and incorporates into his self-concept. The child in the early childhood phase has incorporated a sense of self during infancy and toddlerhood. He is in a period where he is testing and evaluating his self as he strives for acceptance, power and control, moral worth, and competence (Charlesworth, 2000:469).

During the middle childhood phase, the child enters the concrete-operational phase of cognitive development. He ventures out into a new social world that contributes to his identity and feeling of competence. The child starts comparing himself to others and feelings of inferiority can develop.

3.9.11 Erikson's first five phases of social and emotional development

According to Erikson (Louw *et al.*, 2004:49-50), a psychologist in the 20th century, each individual passes through eight social developmental phases. These eight phases were formulated through wide ranging experiences in psychotherapy, including extensive experiences with children and adolescents from lower-, as well as upper-, and middle-social classes. Each phase is characterized by a different psychological "crisis" which arise and must be resolved by the individual before the individual can move on to the next phase. Satisfactory learning and resolution of each crisis is necessary if the child is to manage the next and subsequent ones satisfactorily (Child Development Institute, 2004:1-3).

Erikson further maintained that children develop according to the epigenetic principle meaning development takes place in a predetermined order. He focused on how the child socializes and how this affects the child's sense of self (Erikson's Eight Stages..., 2004:1; Erikson's stages..., 2003:1). If the person fails to successfully complete a phase it can result in a reduced ability to complete further phases and result in a more unhealthy personality and sense of self. These stages can however be successfully be resolved at a later stage. To Erikson, the sequence of the stages is set in nature (Erikson's Eight Stages..., 2004:1; Newman & Newman, 1997:61-63; Erikson's stages..., 2003:1). For the purpose of this study only the first five stages will be discussed as these stages have reference to the childhood years. The other stages are found during adulthood.

- **Phase One:**

INFANCY – AGE 0 - 1 year

Crisis: Basic Trust versus Basic Mistrust

Develop: HOPE

Description: In the first year of life, the infant depends on others for food, warmth, and affection, and therefore must be able to blindly trust the parent or caregiver to provide those.

Positive outcome: If the infant's needs are met consistently and responsively by the parents, the infant will not only develop a secure attachment with parents, but will learn to trust his environment in general as well.

Negative outcome: If the needs are not met, the infant will develop mistrust towards people and things in his environment, even towards himself (Erikson's stages..., 2003:1; Child Development Institute, 2004:1; Erikson's Eight Stages..., 2004:).

From the above it can be seen that the infant, when well handled, nurtured, and loved, develops trust and security and a basic optimism. He feels secure to bond with other important people and trust them. When badly handled, he becomes insecure and mistrustful.

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When a child is abused, this trust is broken and the child will find it difficult to trust anybody. The intermediary must be aware of this fact and not tell or expect the child to trust her (Muller, 2005).

- **Phase 2:**

TODDLER – AGE 1 – 2 years

Crisis: Autonomy versus Shame

Develop: WILL

Description: From age one to two the toddler learns to walk, talk, master bowel and urinary control, and do things for himself. His self-control and self-confidence begins to develop at this phase.

Positive outcome: If parents encourage the child's use of initiative and reassure him when he makes mistakes, the child will develop the confidence needed to cope with future situations that require choice, control, and independence.

Negative outcome: If parents are overprotective, or disapproving of the child's acts of independence, he may begin to feel ashamed of his behaviour, or have doubt of his abilities (Erikson's stages..., 2003:1; Child Development Institute, 2004:1; Erikson's Eight Stages..., 2004:1).

The "well-parented" child emerges from this phase sure of himself, elated with his newfound control, and proud rather than ashamed. Autonomy is not, however, entirely synonymous with assured self-possession, initiative, and independence but can also include a stormy self-will, tantrums, stubbornness, and negativism.

- **Phase 3**

EARLY CHILDHOOD – AGE 2 – 6 years

Crisis: Initiative versus Guilt

Develop: PURPOSE

Description: The child has newfound power during this phase as he has developed more refined motor skills and becomes increasingly engaged in social interaction with people around him. He now has to learn to achieve a balance

between eagerness for more adventure and more responsibility, and learning to control impulses and childish fantasies.

Positive outcome: If parents are encouraging, but consistent in discipline, the child will learn to accept without guilt that certain things are not allowed, but at the same time will not feel ashamed when using the imagination and engaging in make-believe role plays.

Negative outcome: If the parents are not encouraging, the child may develop a sense of guilt and may come to believe that it is wrong to be independent (Child Development Institute, 2004:1; Erikson's Eight Stages..., 2004:1).

This psychosocial crisis occurs during what Erikson calls the “play age” or late preschool years (3½ to 6 years). During this phase the child learns:

- To imagine, to broaden his skills through active play of all sorts, including fantasy;
- To cooperate with others; and
- To lead as well as to follow.

Immobilized by guilt, he:

- Is fearful;
- Hangs on the fringes of groups;
- Continues to depend unduly on adults; and
- Is restricted both in the development of play skills and in imagination (Child Development Institute, 2004:3).

If the child is sexually abused during this phase, a feeling of guilt and believing that it is his fault can originate and cause negative results (Muller, 2005).

▪ Phase 4

MIDDLE CHILDHOOD – AGE 6 – 12 years

Crisis: Industry versus Inferiority

Develop: COMPETENCE

Description: School is the important event at this phase. The child learns to make things, use tools, and acquire the skills to be a worker and a potential

provider. He does all this while making a transition from the world of home into the world of peers.

Positive outcome: If the child can discover pleasure in intellectual stimulation, being productive, and seeking success, he will develop a sense of competence.

Negative outcome: If the child does not discover pleasure in intellectual stimulation, he will develop a sense of inferiority (Child Development Institute, 2004:1; Erikson's Eight Stages..., 2004:1; Erikson's stages..., 2003:2).

Erikson believes that the fourth psychosocial crisis is handled, during what he calls the "school age", up to about and including 12 years of age. Here the child learns to master the more formal skills of life, for example:

- Relating with peers according to rules.
- Progressing from free play to play that may be elaborately structured by rules and may demand formal teamwork, such as rugby.
- Mastering social studies, reading, writing, and mathematics.
- Regarding homework as a necessity, and an increased need for self-discipline with each passing year.

The child who, because of his successive and successful solving of earlier psychosocial crisis, is trusting, autonomous, and full of initiative will learn readily to be industrious. However, the mistrusting child will doubt the future. The shame- and guilt-filled child will doubt the future and will experience feelings of defeat and inferiority.

▪ **Phase 5**

ADOLESCENCE – AGE 12 – 18 years

Crisis: Identity versus Role Confusion

Develop: FIDELITY

Description: This is the time when the child asks, "Who am I?" Erikson feels that to truthfully answer this question the adolescent must integrate the healthy resolution of all earlier conflicts. Has the adolescent developed the basic sense of trust? Has he got a strong sense of independence, competence, and does he feel in

control of his life? Adolescents who have successfully dealt with earlier conflicts are ready for the “identity crisis”, which is considered to be the single most significant conflict a person may face.

Positive outcome: If the adolescent solves this conflict successfully, he will emerge from this stage with a strong identity, and ready to plan for the future.

Negative outcome: If the adolescent does not solve this conflict, he will sink into confusion, unable to make decisions and choices, especially about vocation, sexual orientation, and his role in life in general.

During the fifth psychosocial crisis the child, now an adolescent learns how to answer the question of “Who am I?” successfully. This is a time for testing limits, for breaking dependency ties, and for establishing a new identity. Major conflicts centre on clarification of self-identity life goals, and life’s meaning (Gattis, 1995:2).

In late adolescence, clear sexual identity is established. He seeks leadership and gradually develops a set of ideals.

3.10 SUMMARY

In chapter three the developmental aspects of the child were explored. The events that bring the child into contact with the legal system are very stressful and traumatic, which require emotional maturity and advanced coping strategies. Without an understanding of the developmental underpinnings of the child’s testimony, even a simple question can create confusion and misunderstanding by all concerned.

Child development is explained in relation to the different developmental phases children go through. As the child develops, skills in the complex development of cognition, attention, communication, language, morality, memory of the child witness, increase.

The development of the brain plays a role in the development of the child. One of the core functions of the brain is to store information. In the brain stem, the arousal state

caused by a traumatic event can be stored. This is of vital importance, as the child needs to recall above events when testifying in court.

The development of perceptual skills involves the five senses. These are necessary to perceive the events taking place around the child. These perceptual skills enable the child to give accurate testimony about factual events.

Cognitive development refers to the mental activities occurring. These include attending, remembering, symbolising, categorising, planning, reasoning, problem solving, creating, and fantasizing.

The maturity of the brain, perceptual skills development, and paying attention leads to the child understanding his world. Piaget's particular insight in the role of maturation in the child's increasing capacity to understand his world made him a leading authority in his field. He identified four major cognitive developmental phases, namely the sensorimotor, pre-operational, concrete-operational, and the formal-operational phase that children progress through.

The child's cognitive development influences his ability to testify in court. The way he pays attention, stores and recalls these events plays a crucial role in court. How the child encodes, stores and retrieves memory will further determine the child's ability to testify.

Language and speech are tools that humans use to communicate or share thoughts, ideas and emotions. Language is a set of rules shared by individuals who are communicating, which allows them to exchange thoughts, ideas, emotions, and memories. Language is what the child will use to convey what happened to him to the court. Language develops as the child grows into adulthood, with the result that the child and even the adolescent experiences many linguistic difficulties when testifying in court.

Moral development enables the child to distinguish between right and wrong. This is the basic requirement of a child to be able to testify in court. He must also know that there are negative consequences to lying. If the child cannot distinguish between right

and wrong and does not understand the consequences to lying, the child cannot testify in court.

Social-emotional development contributes to the moral development of the child, as well as how he feels about himself and others. Erikson identifies eight phases of social-emotional development, which an individual must pass through in his lifetime. Satisfactory learning and resolution of each phase must take place, if the child is to manage the next and subsequent phases satisfactorily.

The above aspects of child development have a direct influence on the child's ability to give meaningful testimony in court. Cognisance must be taken of these aspects by the intermediary and the prosecutor to effectively guide the child through testifying in court.