

and general trends in the area, *bring the topic to life* (via demonstrations, videos, etc.) and *encourage discussion*. You will 70 of the 80 minutes of class time for your presentations. The remaining 10 minutes I reserve for me to add comments, interpretations, anecdotes, etc though I may not always do so.

3) **Class participation:** Class participation is just that. In classes such as this one, people often attend less and less after they present their seminars. This is discourteous to their classmates and eventually erodes discussion as fewer people are available to contribute. Attendance will be taken at each class (you will not lose marks for missing a few classes but overall poor attendance will cost you). Attendance alone will not ensure all of the marks; you also need to take part in class discussions, bring up ideas, etc. Perfect attendance will guarantee 10 marks, after that, marks are earned by contributions. On the other hand, you

SSHRC outline and two examples of actual SSHRC grant applications. Note that these must be submitted in size 12 font and as PDF files.

Section 1. A title followed by a one page summary of the proposed project. You will not provide a summary so ignore this part of the SSHRC application.

Section 2. The next section is broken down into multiple subsections and you are restricted to 6 pages totally for all of it! This is your paper!

2. Title

A. OBJECTIVES

- 1) **Short-Term Objectives:** What is the question that the data to be collected directly addresses?
- 2) **Long-Term Objectives:** In the long term, how could this knowledge be applied or useful?

B. CONTEXT

- (1) **Relevant Scholarly Literature:** Briefly review the relevant literature.
- (2) **Rationale of the Proposed Program of Research:** Explain the logic of the study.
- (3) **Relationship of Proposed Program of Research to Previous SSHRCC Funded Research:**

Sample SSHRC applications

a result, Levi's approach produced no improvement in correct decisions when the target is absent from the lineup (as compared to the Lindsay and Wells 1985 procedure).

(2) Rationale of the Proposed Program of Research. If the features were presented independently, then no feature could overwhelm another. Witnesses in the proposed studies will have multiple opportunities to select various parts of the person including the face, body, and voice. Multiple independent selections of various features of the same person increase the likelihood of that person being the one who was previously encountered by the witness. Conversely, inability to select someone from more than a single lineup should indicate a lower probability of guilt.

Selection from independent lineups ought to be associated with very low rates of multiple false choices (choosing the same innocent individual from multiple, independent lineups) since the innocent suspect will rarely resemble the guilty party more than all other lineup members on all features tested. If the lineups are independent, the probability of multiple false choices can be calculated based solely on the size and number of lineups employed.

6 (pilot work suggests that large voice lineups are impractical). The probability of choosing the same innocent person by chance from all five lineups is $1/(20^4 \times 6)$ or 1/960,000 assuming that every witness chooses from every lineup, the lineups are fair, and the lineups are truly independent.

Non-choosing. Given that witnesses are not required to choose anyone, the true probability may be much lower. If only 50% of witnesses select from each lineup, the probability of 5 coincidental wrong choices would be approximately 1 out of 31 million, roughly the population of Canada!

However, the lineups also must be "fair" and "independent" for these calculations to be valid. Failing to meet these criteria would dramatically alter, and almost certainly increase, the probability of the same innocent person being selected from multiple lineups. The research will involve testing how difficult it is to achieve fairness and independence.

Lineup fairness. A lineup is fair if, on average, the suspect is no more likely to be selected than other lineup members by people who have not seen him but are aware of his description (Malpass & Lindsay, 1999). An advantage of the multiple lineup technique is that overall bias may be difficult to produce because the same innocent person is unlikely to stand out across multiple features given that the lineups are fair. Thus, an innocent suspect that stands out in a standard lineup because his face is similar to the true criminal may have a voice and body not easily mistaken for the criminal's. Descriptions of bodies and voices tend to be minimal and vague making the production of fair lineups relatively easy.

Lineup fairness measures using the "mock witness" procedure will be collected. The results will be used to calculate modified expectations of individual and multiple incorrect selections to be compared with the actual selection data. Proportion of choices from the mock witness task has been shown to "postdict" such errors with witnesses shown individual lineups and thus may provide important information for evaluating the fairness of multiple lineups as well (Lindsay, Smith, & Pryke, 1999).

Lineup independence. Independence of full face, full body, and voice lineups is easily achieved (Pryke et al., in press). Selections of full and profile faces and full and profile bodies likely will not be completely independent. However, even if the profiles were abandoned, multiple identification of an innocent person would be expected no more than 1 in 2400 times [$1/(20^2 \times 6)$]; and less if not all witnesses select from all lineups. Partial dependence still may result in a useful contribution from the additional lineups (see next point).

Partial selection. The rate of partial selection (from some but not all lineups) of both guilty and innocent suspects is important. The multiple, independent, large lineup approach will be useful only to the extent that people are able to select previously seen targets from multiple lineups of different features. The more lineups used, the more chances there are for multiple selections of both guilty and innocent suspects; thus the addition of profile lineups. It is an empirical issue whether the addition of profile lineups that are not completely independent will improve the discrimination between lineups containing d lineups contain 7 percent suspect such error(x)-

Another example follows:

Detailed Description: Pattern jury instructions re Proof Beyond a Reasonable Doubt (PBRD)

A. OBJECTIVES

Short term objectives: We will examine the use of the PBRD standard, specifically studying:

- (1) Understanding: How do legal systems, lay people, and justice system professionals understand and use proof beyond a reasonable doubt?
- (2) Current phrasing: What is the impact of the current Canadian instructions concerning PBRD (*R v Lifchus*, 1997) on the assessment of the credibility and reliability of child and adult witnesses?
- (3) Impact of errors: What is the effect of mis-stating or omitting portions of the current articulation of PBRD instructions on the assessments of the witness credibility and reliability?

Long-Term Objectives: To propose reforms to law and practice that are empirically demonstrated to have psychological validity for explaining the concept of PBRD to jurors and justice professionals, and to increase psychological knowledge about the assessment witness credibility and reliability.

B. CONTEXT

1) Proof Beyond a Reasonable Doubt: In criminal trials, it is usually impossible to determine with absolute certainty what actually occurred. The concept of PBRD has long been central to the criminal justice system, guiding decision-making in the face of uncertainty (DeLoggio, 1986; Shapiro, 1991), balancing an accused's right to freedom and society's right to be protected from crime (Hamer, 2004). PBRD is the highest standard of proof, and is an instrument for reducing the risk of wrongful convictions (*In re Winship*, 1970; Dhami, 2008). However, the higher the standard that the prosecution must meet, the greater the risk of unjustified acquittal (Arks & Malloy, 2002; Hamer, 2004).

Reasonable doubt is often the pivotal issue in a criminal trial, with the defense arguing that the evidence is insufficient to reach this standard of proof. As a result, legal systems have frequently addressed the issue of what reasonable doubt means and how best to communicate that meaning to jurors (Hemmens, Scarborough, & Del Carmen, 1997). However, reasonable doubt is a difficult concept for legal experts to define and even more difficult to explain to jurors who are untrained in legal terminology and concepts (Wright & Hall, 1997).

There is debate whether judges should even try to define the PBRD concept (*Gaines vs. Kelly*, 2000), and there is some empirical support for not doing so. In a preliminary study, one of our students, Nugent (2008), found a decrease in laypersons belief of children's reports of events from 58%, without mention of PBRD, to 36% when a

their own decision-making if there is no jury. In Canada, trial judges are required to instruct juries about the concept in their charge to the jury, and to demonstrate a correct understanding of it in cases that are decided without a jury. Trial decisions may be reversed if the judge has failed to follow an accepted pattern jury instruction (*R v Lifchus*, 1997), as the failure to follow the recommended phrasing may have resulted in decisions made using an inappropriate standard of proof

instructions produces little or no difference in understanding, while the omission of other portions is critical. Knowing which sections are critical could influence judicial practice and appellate jurisprudence.

5) Rationale of the Proposed Program of Research: Our program of research will address the significant gaps in the literature outlined above by examining the influence of PBRD instructions on credibility assessments of child and adult witnesses by justice system professionals and potential jurors. Our multidisciplinary perspective is essential to the success of the project. An interdisciplinary team can integrate the legal approach, based on an adversarial model of justice, with its legitimate concerns about the rights of the accused and fair process, with a psychological approach, with its use of experimental manipulations (e.g., counter-balancing, randomization) to rule out confounding factors. Further, given the scarcity of research on PBRD, especially in the Canadian context, *and* the lack of forensically relevant research, it is important to learn both what justice system professionals believe about the utility of PBRD instructions and their use of the principle of PBRD for assessing cases compared to laypersons' interpretations of PBRD. Most importantly, a multidisciplinary program of research bridges the gap in the literatures of both law and psychology. To date, there are serious limits both in the understanding of the effect of the PBRD standard in the justice system (e.g. lack of information on the methods and criteria used by justice system professionals for assessing PBRD), and in the psychological literature (limited research on the influence of PBRD instructions on layperson's judgments). The proposed program of research involves the multiple actors in the legal process: laypersons (potential jurors), lawyers, and judges.

6) Relationship of Proposed Research to our Previous Research: The proposed research significantly builds on our multiple SSHRC-funded (1999-2011) interdisciplinary research agenda. The findings from these research grants have led to significant reforms in the Canadian criminal law and provide strong empirical evidence for judicial practice and education (see below). Nugent's (2008) thesis was conducted as part of this research and directly led to our current interest in PBRD. The proposed program of research builds upon and significantly extends our existing work to examine important issues related to the administration of justice and forensic psychology. This research will: 1) build on our research examining factors that influence adult credibility assessments of child witnesses; 2) utilize our ability, based on previous collaborations, to generate true and false reports (using both ethically and ecologically valid methods) of criminal acts that allow for the investigation of adults' abilities to accurately judge which are true (guilty verdict appropriate) and which are false (not guilty verdict appropriate); 3) build on our expertise to generate correct and erroneous eyewitness identifications; 4) build on our expertise surveying and interviewing justice system professionals regarding attitudes and evaluations of current legal practices; 5) employ research paradigms that we have expertise using, namely, examining the veracity of reports of assault and the accuracy of eyewitness identification.

Study 1.2 will survey Canadian justice system professionals to assess their attitudes, application and understanding of PBRD instructions and related psychological issues. The study will build on our previous success in surveying Canadian judges and lawyers about child witness issues (Bala, Evans, & Bala, 2010; Bala et al, 2005). We will ask judges, prosecutors and defense counsel (N=180) for each group) questions related to PBRD instructions including common practices, subjective probability assessments, influence on assessments on cases, effectiveness of various instructions, and perceived jury understanding of such instructions. The survey will be conducted in two stages: a pilot survey in person, followed by a revised web-based questionnaire (via a password protected secure website) for targeted participants (with phone follow-up). We will use our existing database and presentations at professional education programs to recruit participants. The results of the survey will provide a context for generating hypotheses for our laboratory work and allow for appropriate interpretation of findings.

Study 1.3 will examine the impact of PBRD instructions on the understanding of appropriate reasoning by jury-eligible laypersons (N=200). We will present a series of scenarios in which hypothetical jurors explain why they decided to, or not to, vote guilty based on their understanding of PBRD (e.g., “eyewitness can (can’t) be relied on to be accurate”);. Participants, given either (a) no definition or (b) current PBRD Canadian instructions, will be asked about whether the juror’s reasoning is an appropriate or inappropriate application of the PBRD criterion. We will compare participants’ ratings across scenarios and in the two instruction conditions.

Project 2: Witness Assessments: In court cases, “ground truth” is not known, but in experimental manipulations we can test PBRD instructions in the context of cases with known “right” and “wrong” answers. We will assess the effects of different PBRD instructions on the decisions of professionals and mock jurors in cases with adult and child witnesses in two of the most common types of issues in the criminal courts: (a) an eyewitness identification by a bystander, and (b)

doubt is expected to vary with presence vs. absence of reasonable doubt instructions to estimate the subjective probability of guilt associated with reasonable doubt (e.g. Dane, 1985).

Study 2.2 Laypersons' assessments of assault reports. Adult laypersons (N=360) will view videos of true or ons

