

The tactical methods of overcoming the false testimony

Abstract

The objective of this thesis is to describe and analyse the false testimony at interrogation, its recognition and follow-up overcoming by means of tactical interrogation methods and other techniques. In the introductory part of the thesis, the elemental concepts such as the phenomenon of lie, interrogation and testimony are defined in order to gain some insight, without which it would not be well possible to dedicate to the research of detection of lie and its overcoming.

The following part deals with the lie detection in crime investigation in particular, it highlights the importance of correct identification of false testimony and it pursues the lie from perspective of the recipient of lie, whose interest is to reveal the lie. The particularities in this area regarding children are outlined as well. The subsequent part is focused on the false testimony and its detection based on the verbal, nonverbal and paraverbal tokens in conduct of concerned person. I have attempted to capture the differences between intentional communicating of untruthful information, thus lying, and unintentional communication of untruthful information caused by natural process of forgetting. In the following part, the overview of tactical interrogation methods applied for purposes of preventing the false testimony, or as the case may be overcoming it, are presented. They are divided into the acceptable ones and the ones, that are either explicitly prohibited by law or they are of controversial nature and they are commonly rejected or at least accepted with reservations.

Furthermore, the special methods of lie detection at interrogation are outlined. Among those we may mention a well-known polygraph, but also voice analysis, the serum of the truth etc. At the end, there is a part devoted to the knowledge about polygraph in investigation in some states of Latin America.

There is a whole range of tokens which may be a sign of lie and ways how to deal with the false testimony provided at interrogation, but it is necessary to take into account that every case and every interrogated person is specific and there is no generalized approach to all of them. It is significant to focus on treating the interrogated persons properly and in compliance with the law and ethical norms pervading the forensic sphere. Knowledge of lie detection and methods which may help surmount the lie, are necessary for correct decision-making on guilt and sentence and prevention of miscarriage of justice. Increasing the awareness in these issues is more than desired.

Key words:

false testimony, lie detection, tactical interrogation methods