

# IMPLEMENTATION OF MENDEZ'S PRINCIPLES IN OFFICIAL FORMS OF COMMUNICATION *IN PERSONAM* BY REPRESENTATIVES OF STATE AGENCIES IN THE REPUBLIC OF SERBIA<sup>1</sup>

**Zvonimir Ivanović, PhD<sup>2</sup>**

**Valentina Baić, PhD**

University of Criminal Investigation and Police Studies, Belgrade, Serbia

## INTRODUCTION

If we are considering holding conversations with citizens that are generally with representatives of state agencies or representatives of the executive or judicial authorities, it is necessary to state that such forms of communication must be specifically conducted by persons professionally trained for it. It also needs to be analysed and it is of great significance to draw certain conclusions from such an analysis. Namely, it is a specific form of communication between representatives of different forms of state power, administration - which implies the direct enforcement of the powers provided by law to these agencies towards citizens. It is about the immediate form of enforcement of the powers of state authorities in connection with direct interaction with users of services, but also the targeted subjects of the application of such powers by those state authorities. In this sense, the principles of applying the powers of state authorities in democratic societies imply respect for the principles and full respect for the human rights and freedoms of citizens when applying such powers. Such forms of communication and general communication of these authorities must be at a significantly high level in the form of meeting the minimum conditions that correspond to the frameworks created by the existing constitutional and legal frameworks. In this sense, it is very important to define certain principles, guidelines regarding the approach to citizens by such bodies that apply instruments of state power, so that there is no abuse of power or authority of such agencies. This does not mean solving these problems directly, but establishing a certain framework for such a thing, which would have to be a guarantee of protection for all participants in such a relationship. These principles are related to the communication and general relationship of state authorities with citizens regarding certain tasks and relations regarding the application of the legally defined powers of state authorities towards citizens. The basic dimension of the principle is related to the right of citizens to be treated in accordance with the norms of a democratic society, to respect human rights and freedoms, as well as to treat citizens in such a relationship in accordance with the preservation of their personal dignity and respect for their privacy. In this concept, it is also important to respect national, racial and ethnic, as well as cultural differences, and approaches differed on several levels during the development of democratic societies. Primarily, it is important to think about the existence of differences in the procedures in question, from the administrative (e.g. misdemeanor) up to criminal proceedings, which differ according to the subject on which the relationship is established - administrative, misdemeanour or criminal matters. When we contemplate about the relationship of state authorities to citizens, it is important to underline the

<sup>1</sup> Acknowledgement: This article is based upon work from COST Action CA22128 (ImpleMéndez), supported by COST (European Cooperation in Science and Technology)

<sup>2</sup> zvonimir.ivanovic@kpu.edu.rs



obligation of state authorities in relation to citizens as users of the services of state officials and objects of actions of state authorities. It is a relationship that is defined by the laws and rules of procedures that are in question on the given relationship - administrative, misdemeanour or criminal, which also defines rights and obligations, as well as duties, i.e. coercive activities and powers of state authorities in predefined conditions, circumstances and situations. The subject of our analyses in this paper will be the criminal procedure and the application of Mendez's principles in the application of powers.

## THE ETHICAL APPROACH

The development of an ethical approach to the interrogation (or police questioning) of suspects was introduced in 1984 in Great Britain with the adoption of new legislation (the PEACE3 Act) which prescribes the conditions for conducting interviews with different categories of persons by members of the police and the mandatory audio recording of conversations, and then with the adoption of the PEACE model of investigative interviewing in 1992 (Canter and Youngs, 2009). Then, a departure is made towards the earlier unsystematized and unscientific approaches in talking with different subjects and the modern British approach is established in a non-invasive ethical approach with the application of the PEACE model in conducting interviews (Forensic Interview Solutions [FIS], n.d.). The introduction of mandatory audio recording and later video recording (in 2010), this system has more opportunities for insight by independent subjects in the forms of preventing torture and the application of various forms of violence against persons, which, in any capacity, generally with representatives of state bodies and institutions. This form of insight and the possibility of supervision by specialized and independent bodies makes the approach very resistant to the use of torture methods and various forms of illegal access (Milne and Powell, 2010). The result of many illegal activities in the previous period by members of the police and improper procedures that resulted in wrong and unfair convictions of suspects who admitted to committing crimes under duress, in the form of a series of acquittals in various proceedings in Great Britain, led to the introduction of this method and a radical turn in the application of police powers. The PEACE interviewing model was introduced in 1992 as a new technique for questioning suspects, which takes place in five stages (Investigative Interviewing | College of Policing, 2013):

- (i) Preparation and Planning.
- (ii) Engage and Explanation.
- (iii) Account, Clarification, and Challenge.
- (iv) Closure.
- (v) Evaluation.

The basic version of the PEACE model has evolved over the years to provide operatives with the most precise recommendations for implementation and to emphasize the importance of implementing certain tactics and skills.

These principles - the Mendez principles (*Principles on Effective Interviewing for Investigations and Information Gathering* | APT, n.d. ), Méndez, J. (2016). have become one of the significant mainstream and supporting forces on a global scale where most democratic countries are beginning to implement them in their legal and penal systems, for example in the systems of Canada, the United Kingdom, the Republic of Ireland, Norway, New Zealand, Australia and Singapore (Bull and Soukara, 2010; Méndez



and Drummond, 2021a; Chin et al., 2022; United Nations Development Programme, 2022; Forensic Interview Solutions [FIS], n.d.) and they are followed by those such as Hong Kong, Malaysia, United Arab Emirates, Iraq, Morocco, Indonesia, South Africa, Mexico and Fiji. In this direction, the initiative started by the delegation of Chile to the United Nations (UN) on October 14, 2022, is extremely important. With a publicly published statement of commitment to the application of Mendez's principles, which was supported by 77 delegations of representatives at the UN at the 77th session of the UN Assembly in New York. The support provided by the two largest international organizations in the world that deal with this issue has further strengthened the importance of applying the principles in conducting conversations and any live communication with state authorities. These are the UN Association for the Prevention of Torture (APT), as well as the Committee of the Council of Europe for the Prevention of Torture and Inhuman or Degrading Treatment and Punishment (CPT), which is repeatedly repeated in the cooperation of these institutions and all forms of organization for the application of Mendez's principles. Among other things, with the IMPEMENDEZ project Cost action no. 22128, whose authors are members.

## INTERNATIONAL LAW

The main legal standards underlying the principles are firmly grounded in international law, relying on international common law, treaty obligations, peremptory legal norms (*jus cogens*), and international, regional and domestic judicial practice (which, as is well known, does not represent sources of law, but are a very significant source of opinions and practical solutions within the framework of scientific doctrine). The framework of international law primarily consists of human rights standards, first the Universal Declaration of Human Rights, General Assembly Resolution 217 A (III) of December 10, 1948; International Covenant on Civil and Political Rights (ICCPR), General Assembly Resolution 2200 A (XXI), dated 16.12.1966. Geneva Conventions (*The Geneva Conventions of 1949 and Their Additional Protocols - ICRC*, 00:00:00.0), (United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules))<sup>3</sup> European Convention on Human Rights<sup>4</sup>, Charter of Fundamental Rights of the European Union<sup>5</sup>, the Convention on the Rights of the Child<sup>6</sup>, the Convention on the Elimination of All Forms of Discrimination against Women<sup>7</sup>, the Convention on the Rights of Persons with Disabilities<sup>8</sup>.

The following guarantees of freedom and rights are extremely important within of the legal framework set up in this way:

- a) Freedom from torture and other forms of ill-treatment<sup>9</sup> (right to humane treatment)
- b) Freedom from arbitrary arrest and detention (right to liberty and security)

3 The United Nations Standard Minimum Rules for the Treatment of Prisoners (unodc.org)

4 European Convention on Human Rights (coe.int)

5 Charter of Fundamental Rights of the European Union (2000/C 364/01). Available online: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012P/TXT> (accessed on 07 May 2024)

6 Convention on the Rights of the Child adopted on 20 November 1989 by General Assembly resolution 44/25. Available online: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child> (accessed on 07 May 2024)

7 Convention on the Elimination of All Forms of Discrimination against Women adopted on 18 December 1979 by United Nations General Assembly. Available online: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women> (accessed on 07 May 2024)

8 Convention on the Rights of Persons with Disabilities adopted on 12 December 2006 by the General Assembly. Resolution A/RES/61/106. Available online: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities> (accessed on 07 May 2024)

9 Article no. 7. International Covenant on Civil and Political Rights (ICCPR); Art. 2. UNCAT; Art. 3. Geneva Conventions from 1949.



- c) The right to the presumption of innocence
- d) The right to remain silent and the right to be protected against compelled self-incrimination (also known as the privilege against self-incrimination)
- e) The right to a fair trial
- f) The right to protection against discrimination

As part of the UN international legal system against torture and other cruel, inhuman or degrading punishments and procedures - UNICAT<sup>10</sup> in Article 2. and Article 16. obligates all signatory members to take all (legal, administrative, judicial or other) effective measures to prevent and prevent the application of other documents on the introduction of cruel, inhuman or degrading punishments or procedures, which are not acts of torture established in Article 1, when such acts are committed by a representative public office or any other person acting in an official capacity, or at their instigation or with their express or tacit consent. In particular, the obligations specified in Articles 10, 11, 12 and 13 shall be applied by replacing the concept of torture with the concept of other forms of cruel, inhuman or degrading punishments or procedures. The “all effective” implies, as well as the practice of the Committee against Torture – CAT, to recommend a mixture of measures that include legislative, administrative, judicial and practical activities that are the result of analysis and extensive systematized and in-depth synthesis (undertaken by world-renowned experts) and for use within legal systems of the signatories. In this sense, the principles discussed here represent a very important reference for the application of UNICAT, which contains general obligations to respect and protect human rights, but also specific duties to fulfil effective measures in the prevention of acts of torture and acts equivalent to them. The application of the Mendez principles represents the fulfilment of obligations and duties provided for in addition to the articles 2 and 16 and articles 11, 10 and 15 of UNICAT.

It is important to repeatedly underline that the PEACE model completely rejects the term “interrogation” and exclusively uses the term “interviewing”, which refers not only to conducting conversations with suspects but also with victims and witnesses (Schollum, 2005). Thus, the PEACE model is absolutely distanced from the accusatory sense and the concept of interrogation, which is directed exclusively towards the suspect.

The principles in question respect the fact that the outcome of information gathering activities and any conversation (often defined as an interview) between public authorities and citizens is related to whether a natural person enjoys and exercises all rights, at every stage of contact with public authorities, regardless of whether these meetings are called interviews, hearings, debriefings, interviews, investigations or interrogations. The principles provide a very significant alternative to the risks inherent in statements made using illicit means and methods (under coercion, the use of physical and other forms of force and pressure, as well as the brutality of torture) and which include a fuller and more visible application of the privilege of non-self-incrimination and recognize the fact that such tactics can lead to false confessions, unfair trials and undermine the administration of justice. According to the European Court of Human Rights, no legal system based on the rule of law can tolerate the production of evidence obtained through torture, because its application causes irreparable damage to the trial process as the basis of the rule of law<sup>11</sup>. Simply put, the presence of such illegal procedures amounts to the denial of the right to a fair trial and undermines any chance for the full realization of fairness and justice. The principles (Mendez principles) focus on several different legal guarantees in the form of freedoms and rights of man and citizen. In this sense, in addition to the situations described earlier, we should point out the basic freedoms and rights that the principles treat, for example, persons who are

10 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment | OHCHR

11 European court of Human Rights Case: *Ćwik v. Poland* - 31454/10 Judgment 5.11.2020 available on <https://hudoc.echr.coe.int/eng#%7B%22itemid%22%3A%222002-12997%22%7D>



deprived of their freedom, whose movement is restricted for any reason, that is, who are detained by an authorized body. On this basis, the principles take the lead with the request to implement all legal and procedural forms of protection in the framework of conversations with any category of persons in all formal and informal procedures. In other words, the principles insist that before, during and after the conversation, constitutional, legal and generally accepted international guarantees of human rights and freedoms are safeguarded and enforced by state authorities. Therefore, it is all persons and not only suspects, accused in any sense. Fair treatment and treatment of persons with whom the interview is conducted is possible from the first contact of state authorities (but also other subjects) with the person participating in the formal interview and during the collection of information or notifications, as well as within the framework of court proceedings (principle 2). Mendez's principles contain specific guidelines regarding conducting interviews with certain groups with special needs or particularly sensitive witnesses (persons). Of interest for understanding in this text is the definition of these terms. In Serbian legislation, the terms "person with special needs" and "particularly sensitive witnesses" have different meanings and cannot be equated. Here's an explanation:

- 1) Persons with special needs:
  - a) This term refers to people who have physical, psychological or social needs that require additional support or adaptation.
  - b) Examples include people with disabilities, the elderly, people with chronic health problems, etc.
- 2) Particularly sensitive witnesses:
  - a) This term refers to witnesses who are sensitive to certain traumatic events or have specific needs when testifying.
  - b) Examples include children, victims of sexual or violent crimes, people with mental health problems, etc.
- 3) In short, "persons with special needs" refer to a more general category of persons who have different needs, while "particularly sensitive witnesses" are specifically witnesses who require special treatment in criminal proceedings
- 4) The principles underline and emphasize the need to assess specific needs in situations of increased vulnerability for those persons (due to their age, gender, sexual orientation, nationality, ethnicity, some form of Persons with special needs:
- 5) This term refers to persons who have physical, psychological or social needs that require additional support or adaptation.
- 6) Examples include people with disabilities, the elderly, people with chronic health problems, etc.). Or other risk factors).

The aim of this form of presentation of the principles is that in the future, as a very ambitious project, these principles will be fully applied in the legal practice of state bodies of the Republic of Serbia, in the application of laws and other regulations towards citizens.

Regardless of the status of the person with whom the interview is conducted, these principles form the minimum guarantees of human rights provided to citizens by all significant regulations concerning their human rights, regardless of the legal system in which they are applied. In this sense, it is very often stated that the principles are applicable to any system of legislation and that they are based on scientific, legal and ethical foundations that can be implemented in any context. It is possible to recognize the importance of principles for application not only by representatives of state bodies and public authorities, but also by other participants in the procedure - lawyers, supervisory bodies, members of civil society, etc.



The principles are defined in the following frameworks (Méndez, J. E., Thomson, M., Bull, R., Fallon, M., Tait, S. (2021b):

- Principle 1 - On the foundations, implies that an effective interview is based on science, law and ethics.
- Principle 2 - About practice means that an effective interview is a comprehensive process of gathering accurate and reliable information, with the application of related legal safeguards.
- Principle 3 - About vulnerability - an effective interview requires determining and addressing the needs of people in vulnerable situations with whom the interview is conducted.
- Principle 4 - On training, effective interviewing is a professional activity that requires special training.
- Principle 5 - About responsibility - an effective interview requires transparent and responsible institutions.
- Principle 6 - On implementation conducting an effective conversation requires the existence of strong measures and principles.

Empirical research in this area indicates the need for the principles (especially principle no.1. on the foundations) defined in this way to appear as a necessity when planning, preparing and implementing official conversations in any capacity with the category of natural person in the form of direct two-way communication, by representatives of state authorities. International legal standards and related professional duties, in this sense, require a specific context and environment that is a guarantee for the realization of human rights of natural persons involved in this process. From the aspect of natural and social sciences, in terms of research results within these principles, the results of empirical research in psychology, neurology, medicine, communication, criminology and sociology have been sublimated. The ideas of various theoreticians and scientists in the form of special methods of psychological and physical pressures to overcome resistance (e.g. Reid – deception not only represent illegal forms and measures in the work of representatives of state authorities in the process of conducting interviews with citizens, but also represent a significant inefficient tool with multiple negative consequences, as indicated by recent research in this area (A. Vrij et al. 2017, S. O'Mara, 2015, S.M. Kassin et al. 2010). Previous research has proven that methods that involve forms of coercion and whose techniques include overcoming resistance hinder and adversely affect retention capacities as well as encoding and reproduction capabilities. ( S. O`Mara 2015, C.A. Morgan III, et al. 2013, K. Young et al. 2011). Also, some research indicates that unreliable information and false confessions resulting from abusive practices are a frequent and predictable consequence of poor interviewing techniques. (S. A. Drizin, & R.A. Leo, 2004, A.D. Redlich, & C.A. Meissner, J.L. Skeem et al. 2016), as well as that these forms of practice led to unjust convictions, and as wrong intelligence information, which undermines the goals and effectiveness of law enforcement and intelligence work (D. Starr, 2019; B.L. Cutler, et al. 2014, G. Lassiter & C.A. Meissner, 2010). Such results imply that in Serbia Art. 16 and Art. 84 of the CPC of the RS very significantly consider and indicate here their absolute applicability in each of the cases of illegal actions of all authorities involved in the investigation of the criminal offense. It is logical to conclude, and research confirms this (Vrij et al. "Psychological perspectives on interrogation"; S.C. Houck & L.G. Conway, (2015); M.A. Costanzo, & E. Gerrity, (2009).) that methods and techniques that contain forms of coercion and coercion always tend to reduce the interlocutors' willingness to cooperate, cause resistance even among well-intentioned and willing interlocutors, even though they are prohibited. Of course, when it comes to the application of various techniques that include abuse or other forms of gross coercion and coercion by the interrogator and getting answers from the tortured person, it is simply clear that this information is very questionable from the point of view of truthfulness and reliability, due to the desire to stop torture. Aside from the fact that they are prescribed as

illegal, as well as under the threat of procedural coercion and procedural sanctions of extracting the files and the impossibility of using them as evidence, that is, in evidentiary proceedings. In this area, research was also done that indicated that even those techniques that imply or include the application of psychological pressure, such as manipulation of the perception of the interrogated or interrogated person about his guilt (such as by presenting false or non-existent facts as evidence) or through manipulation understanding the consequences of a confession (minimization or augmentation of the consequences of the condemnation of the environment or the verdict that will be passed on the basis of the available facts, suggesting the possibility of a lighter sentence in the case of a confession, e.g. the RPM method (Napier and Admas, 1998).

An effective conversation (interview) is a comprehensive process of gathering accurate and reliable information, with the application of legal guarantees of respect for human rights and freedoms (Principle 2. About practice.). This is a complex process, and it is not made up of just one event. It includes all interactions of investigative and information-gathering authorities with persons providing information. It begins now when an individual is identified as the person from whom the representative of the official authority wants to collect information and continues during the interview itself and ends when the subject conducting the interview concludes that such a procedure of collecting data and information is over. Dealing with the interviewee before, during and after the process, all forms of communication, is crucial for the integrity of the process itself. It is a complex adaptive process involving human beings, human behaviours and human rights. The process is influenced by environmental conditions, and the outcomes can be influenced by the actions of the person conducting the interview and all involved competent acting authorities. The interviewer is, as a rule, focused on gathering information rather than gaining confession, and maintains a flexible rather than linear approach to successfully gather reliable and accurate data in such a statement. Realistically, every interview is different, so interviewers must use their best professional judgment when deciding on next steps at any given time, but in any case, they must follow these principles. The interest of the procedure and arriving at the truth lies in the fundamental application of these principles, which include all the rights defined in Art. 68 and 69 of the CPC RS. In particular, the practice provides room for analysis through CPT visits to countries that are signatories to the convention, and especially when compared and analysed against the response of the governments after the visit and publicly propagated report of the CPT.

Regarding the implementation of the rules CPT of the Council of Europe, has done multiple visits and the results of the compliance with the Conventions and treatment of the suspects and detained persons are very disappointing.

In the latest report dating from the 2023 visit to Serbia it is declared the following: "As regards the effectiveness of prosecutorial investigations, the CPT found that there was a lack of promptness and thoroughness in investigating cases of alleged ill-treatment by law enforcement officials, and a failure to apply appropriate investigative techniques. The CPT advocates for the work of the prosecutors to be reorganised with the appointment of specialised prosecutors, and for adapted investigative techniques" (CPT 2023. Report). Also, the following points have been mentioned in the report: "As mentioned in paragraph 7, the findings of the 2023 ad hoc visit to Serbia indicate that the treatment of persons deprived of their liberty by the police, particularly in the Belgrade area, has not improved since the visits in 2017 and 2021. Regrettably, the strategy to eradicate ill-treatment by the police, including most of the elements recommended by the CPT in its report on the 2021 visit, has not been drawn up by the Serbian authorities, and the Committee considers that the efforts made by the Serbian authorities to combat this phenomenon have so far been partial, fragmentary and lacking conviction." (CPT 2021 Report). It was said that zero tolerance from the highest political level on the unacceptability of ill-treatment by the police, is mandatorily needed. "The training activities on issues such as profes-



sional interviewing skills and on the theoretical and practical aspects of preventing ill-treatment need to be more targeted and less dispersed, as their impact cannot be measured solely by the number of police officers who have attended induction or refresher courses. Moreover, the measures to strengthen the legal safeguards of persons deprived of their liberty have only been partially implemented, and the failure to set up the mandatory audio-video recording rooms, which remain unused, along with the clear abuse of interview practices only serve to demonstrate the police's unwillingness to abandon certain working methods from the past, in the sense of so-called information-gathering techniques geared towards obtaining a confession". (CPT 2021 Report)

The defining of the vulnerabilities does not need only to be determined, but also to be supported by the system itself, since subcultures for instance of police or Public prosecutor could be very nasty in relation to the, for instance LGBTIQ+ people and further victimise them in different ways. So, principle No. 3 should be comprehensively leaning on the modern trends and new scientific and practical reasoning in determination towards vulnerable people. Also, in understanding what the vulnerability is and where and how it can be treated with respect to different roles in the procedure, as a suspects, victims, witnesses or any other. It is very much connected with the Principle no.4. since the training must encompass and include vulnerability themes, approaches and for instance rapport building, which has enormous scientific and practical significance for the right way to gather information through interview conducting. Training is the only thing that derives very strict differences when it comes to approaches in interviewing and the right relation to the interviewees with taking into mind all differences and possible approaches in engagement with them. The very important part of the training is that it represents a safe area where mistakes are allowed and do not represent real hurts and result in making victims or providing second victimisation by sole institutions (and their representatives) that are meant and should serve to protect them.

Principle 5. of accountability provides aspect for the institutions which should be transparent in the approach and should serve all citizen equally, with very same approach to everyone. One of the main purpose of the founding of the CPT Committee for Prevention of Torture and Inhuman or Degrading Treatment or Punishment is to promote excellence in treating suspects and detainees by Law enforcement agencies (LEAs). Reports and the mechanisms of the implementation and furthering of the implementation of the Convention serve as regulating points for the members of the Convention.

## STATE OF THINGS IN SERBIA

It can be seen from the reports of the CPT in past seven years and visits made throughout those years, that it is not the existing case in Serbia. Generally, there have been 7 visits since the ratification of the Convention of which there were 5 periodic (2004, 2007, 2011, 2015, 2021) and 2 ad hoc visits (2017 and 2023 - CPT Report following the visit in 2017, 2021, 2023). In the reports from the periodic and ad hoc visits especially in the last seven years there are some significant points that should be considered very carefully. When comparing reports and responses of the Government of Republic of Serbia (CPT Report following the visit in 2017-2023 and Serbian Government answers) there are numerous points that can be derived from it. Reports are always providing facts that are related multi folded to Law enforcement agencies, prison facilities, psychiatric institution and Social care Institution and within there are mentioning of the found issues and facts. Within our article we were interested specifically in Law Enforcement agencies and ill-treatment of suspects and in comparison, of those we can see the situation in the Republic of Serbia.



In 2021 CPT has done regular periodic visit and found the following regarding LEAs: Stressed the fact that very little has been done by LEAs position after the visit in 2017, and that is a very significant statement. In this report and visit 80 detainees had been interviewed and found well documented by pictures and documentation 11 cases of ill-treatment done by Police and all explicitly mentioned in the report, where it was stressed out as: “received a significant number of credible and consistent allegations of torture and other forms of ill-treatment of detained persons by police officers. The alleged ill-treatment consisted of slaps, punches, kicks and truncheon blows as well as the application of electro-shocks by hand-held devices and electric cables connected to a car battery and placing persons in stress positions during interrogations”. CPT has proposed various measures in solving previously found problems and some of those were: “the CPT recommends that a series of more resolute measures be adopted including: a formal statement at the highest political level on zero tolerance towards police misconduct; targeted training activities on issues such as the practical aspects of the prevention of ill-treatment; and the introduction of an investigative interviewing approach of criminal suspects. In addition, a more stringent oversight of the *modus operandi* of police inspectors of the Belgrade anti-narcotic police department is imperative. The mandatory audio and video recording of all police interviews should also be introduced.” Also, there was stated: **“Furthermore, the CPT is particularly concerned by the lack of effective action to implement its recommendations as regards combating ill-treatment by police officers. This requires that the various preventive measures adopted are both strengthened and implemented in practice, and that investigations into allegations of ill-treatment by police officers of persons apprehended and detained are carried out effectively. There is also a need to accelerate the implementation of the nascent reforms regarding the treatment of persons held in remand detention. As regards Articles 3 and 10, paragraph 2, of the Convention, the CPT trusts that the Serbian authorities will take concrete measures to address the long-standing issues referred to above”**

One very important aspect of the investigation and its impact on the wider public perception of the Police activity and real results of it is how the ill-treatment is tackled and how quick reactions are by the whole society. In that area very disappointing is perception of the CPT, which is the reality in our surrounding: “The effectiveness of investigations carried out into allegations of police ill-treatment was examined to ascertain the progress made since the CPT’s 2017 visit. An analysis of numerous investigative files revealed that in too many instances, prosecutorial investigations into possible violations of Articles 136 and 137 of the Criminal Code failed to comply with the criteria of effectiveness as set out in the Methodology on the Investigation of Cases of Ill-Treatment adopted by the Serbian authorities in 2018. The CPT considers that Articles 136 and 137 of the Criminal Code should be amended in line with Article 1 of the United Nations Convention against Torture. Further, the CPT recommends that prosecutors and police oversight mechanisms, when carrying out investigations into cases of alleged ill-treatment be more thorough, comprehensive, and expeditious. All prosecutors and investigators should be trained on the Methodology on the Investigation of Cases of Ill-Treatment. The CPT also raises concerns over the leniency of sentences imposed by courts on police officers convicted of ill-treatment.”

Also, we can see that access to the lawyer and medical examinations are at stake in our practice, where: “action is required to guarantee the right of access to a lawyer as from the very outset of detention and for detained persons to speak in private with their lawyer. Steps should also be taken to ensure that medical examinations are always conducted out of the hearing of police officers, visible injuries observed on detained persons accurately recorded in the relevant minutes on detention and that all persons are fully informed of their rights as from the very outset of their deprivation of liberty. Furthermore, custody records should be diligently filled out and a code of conduct on interviews by the police adopted, together with stricter reporting requirements on the use of means of coercion by po-



lice officers.” This means that our records are to be also very much revised and changed between the Ministry of Interior and Ministry of Justice - MoJ (since that is the jurisdiction of the MoJs Directory of penalties enforcement) and that should be done by higher authority with monitoring by public prosecutor’s office and Courts. Nevertheless, CPT provides some kind of homage to activities in the detention policies and following facilities and human factor accompanying it. It was stated in the report of 2023: “The CPT notes positively the improvements in the conditions of the detention facilities, notably in the Belgrade area, and the rolling plan for refurbishment of all police custody areas.”

The public answer to the visit in 2021 by the Serbian government included activities of the National prevention mechanism (NPM) in “visiting 48 police stations, out of a total of 85 visits to institutions where persons deprived of their liberty are or may be found in 2017, and in 2021 33 police stations of 85 in total”. This is because of the activities the NPN has been monitoring: “activities related to monitoring the exercise of basic rights of apprehended and detained persons - the right to access to a doctor and a lawyer, the right to inform a third person about their detention and the manner in which the apprehended and detained persons are informed about their rights”. Also, there have been listed many activities in the line to provide change in the area like projects<sup>12</sup>, programs<sup>13</sup> trainings (mainly PEACE method of interviewing, but in 2020 and some in 2021 in total 1270 police officers were trained), theoretical lesson deliveries and examines. And as commented in the interview those were very palliative and not productive or could not anyway present the drive for a change.

CFP Report 2021 says “**the adoption in 2019 of the Rulebook on Police Powers (RPP), 11 the development of specific training modules for police officers and judicial authorities on torture prevention and accountability including on the enhancement of interviewing skills, 12 the reinstatement of the five-member Commission for the Prevention of Ill-treatment and Torture by police staff as an internal oversight body of the Ministry of Interior, 13 and the training of health-care staff in prisons on the recording of injuries as set out in the Istanbul Protocol. Further, a general refurbishment plan of police detention facilities had been initiated in 2018 (see paragraph 43).**” (CFP Report 2021)

The report 2023 **concludes in the overall, that the treatment of persons deprived of their liberty by the police, particularly in the Belgrade area, has not improved since the 2017 and 2021 visits.** The principle of cooperation between Parties to the Convention and the Committee, as set out in Article 3 of the Convention, is not limited to facilitating the work of a visiting delegation. It also requires that decisive action is taken to ensure that recommendations made by the Committee are effectively implemented in practice. **In this regard, the CPT notes that the Serbian authorities have not taken effective action to combat ill-treatment by police officers since the Committee’s previous visits in 2017 and 2021.** Decisive steps are required to put in place measures aimed at preventing the recourse to ill-treatment by police officers and ensuring that investigations into allegations of ill-treatment by police officers of persons deprived of their liberty are carried out effectively. There is also a need to implement the longstanding recommendations in the field of prison healthcare and to promote a radical change as regards the regime offered to remand prisoners. **The CPT considers that a continued lack of action by the Serbian authorities to address these matters may result in the Committee opening the procedure laid out under Article 10, paragraph 2, of the Convention.**

12 Strengthening the protection of human rights of persons deprived of their liberty and convicted persons in Serbia - phase 2”, the Police Directorate, together with the Commission for the Implementation of Standards of Police Treatment in the Field of Prevention of Torture, a Working Group was established for drafting of the Manual on conducting informative interviews with the categories of suspects, injured parties, witnesses and persons with mental disabilities and the Working Group for the introduction of the “custody officer”

13 Program of Professional Development of Police Officers of the Ministry of the Interior



For example, Serbian Government answered to the CPT Report following the visit in 2021, 2023. But those answers were listing processing and following activities of procedural agencies of some of those appeals and torture alleged treatment, and regular activities within the cooperation between LEAs, and their training, but as already stated by CPT, not in real change in the stand and procedural position of LEAs. For instance, the answer was provided in the 2023 report: "In accordance with the Professional Development Programme for Police Officers of the Ministry of the Interior for 2023 – 01 number 15-236/23-1 – dated 9 May 2023, as part of the mandatory instruction in the area "Theoretical Instruction", the topic "Commission for the Implementation of Standards of Police Treatment in the Field of Torture Prevention" was held, which was attended by 28,336 police officers during 2023. Within the framework of additional trainings, which are also implemented through seminars, the programme includes also a seminar called "PEACE" - a model for conducting an official interview, which can be organised and implemented independently by separate organisational units, in accordance with their own training needs. Also, within the Council of Europe project "Enhancing the human rights protection for detained and sentenced persons in Serbia - phase 2", a working group of the Ministry was established with the task of creating a Manual for police officers, with the working title "Interviewing in the pre-investigation procedure". For the purposes of creating the manual, the project leader hired two professors from the University of Criminal investigation and Police Studies as experts in this field, while the working group also includes representatives of the Criminal Police Directorate, the Administration for Police Training, as well as representatives of the Commission for the Implementation of Standards of Police Treatment in the Field of Torture Prevention".

## CONCLUSION

The results are present in all mentioned points but those are without structural system to be checked in and processed. The main conclusion is that this kind of treatment is very limited in results, and specially in possible results verifying and testing – without linking and providing feedback and missing of circle of learning and circle of change to the knowledge, approach and stand of the LEAs. One of very clear examples is the specific referencing in the 2021 Serbia Report of the CPT (page 19, footnote 21) for the change of approach to the police questioning in direct implementation of Mendez principles. The result was not in engagement of the UCIPS (since there is a Cost action project (CA22128) where two of professors from UCIPS are engaged and can provide training and links with all experts involved in the project) but in listing trainings and roundtables that were ongoing without any reference to similar change or readiness to change in this area. All things considered in the presented article can lead to various conclusions already derived and stressed out by CPT alone. Therefore, Serbian MOI, Public prosecutor's office, and Ministry of Justice (and in the end the Government of Republic of Serbia) are not determined directly in providing strict answer to processes that have been identified by CPT in the long term directed findings throughout visits mandated by Convention. Their determination is not shown even in declaration of zero tolerance towards torture and ill-treatment of detainees and suspects, let alone in determined stand to change of LEAs approach and position in the criminal procedure activities (including pre-trial procedures and activities). Instead of that in the publicised answers (to the CPT – which is approved to be publicised by Serbian government) it is very often providing the elaboration of the LEAs position and sharing the burden of accountability for treatment of citizen and not the procedural powers within Serbian law system. That is a way of blurring and dispersing of reasons for change rather than taking thorough revision and deep change of the system which is not providing the right results. This kind of state strategy in dealing with structural, strategical and very vital area is not promising in any way. Also, in the recommendation of mandatory recording of the procedure of questioning it is stated that there is a necessity to have it as a procedurally mandated ac-



tion. It is not understood as such, and when one digs deeper, in situations stipulated by Criminal procedure Code (CPC) art. 236 of the CPC which proscribes mandatory recording of the interrogation for the criminal acts from art.162. of CPC, although there were installed equipment and functional devices, there are no existing recordings in this procedure. That depicts the whole situation in the area. In summary there are and there were some downsides registered within the existing system in Republic of Serbia, and they were pointed out as shown in the article by the mechanisms created by CPT and within the obligations under the conventions by Republic of Serbia. These were created to monitor and advise members of the Conventions whether they are complying to the standards created. In this line from the 2017 there were no movements forward by Serbia and that was noted, and stressed out, but still nothing is happening. It can be inferred from that that shown principles could be the real solution, and that the philosophy behind those principles is real salvation for the system in Serbia. Therefore, there should be done structural changes in the system which will provide more powers in the Police and Public prosecutor's office accompanied with mandatory recording of the process of police and prosecutors questioning of the citizen and suspects with all safeguards principles provide. That means that there should not be any kind of tolerance – there should be zero tolerance about any coercive questioning (police or prosecutors) and it must be systematically and very determinately declared and implemented by public authorities. This is very important to be stated declaratively and determinatively with very firm stand by each state agency. Only in this way can we provide more secure and more real safeguards for the wider public in law enforcement of the rights and liberties in our society. This is something to strive for and authors of this article are determined to act in that way and channel the efforts in this direction, and this article is seen as such activity and striving.

## REFERENCES

- Association for the Prevention of Torture (2022). The Méndez Principles: Critical reference framework for the implementation of the UN Convention against Torture.
- Boyle, M., i Vullierme, J. C. (2018). A Brief Introduction to Investigative Interviewing: A Practitioner's Guide. available at: <https://rm.coe.int/guide-to-investigativeinterviewing/16808ea8f9>.
- Bull, R. (2018). PEACE-ful interviewing/interrogation: What research can tell us. U: K.
- Shigemasu, S. Kuwano, T. Sato, i T. Matsuzawa (Eds.), Diversity in harmony - Insights from psychology: Proceedings of the 31st International Congress of Psychology (pp. 191–210). John Wiley & Sons Ltd. DOI: <https://doi.org/10.1002/9781119362081.ch10>
- Bull, R., i Soukara, S. (2010). What really happens in police interviews. U: G. D. Lassiter i C. A. Meissner (Eds.), Police interrogations and false confessions: Current research, practice, and policy recommendations (str. 81-95). American Psychological Association.
- Cadelo (13 oktobar, 2022). The Méndez Principles: A step forward for preventing torture and ill-treatment world-wide. Available at: <https://www.penalreform.org/blog/the-mendez-principles-a-step-forward/>.
- Canter, D. i Youngs, D. (2009). Investigative Psychology: Offender Profiling and the Analysis of Criminal Action. John Wiley & Sons Ltd.
- Charter of Fundamental Rights of the European Union (2000/C 364/01). Available online: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012P/TXT> (accessed on 07 May 2024)



- Chin, J., Milne, R., i Bull, R. (2022) Fuelling an investigative mindset: the importance of pre-interview planning in police interviews with suspects. *Psychology, Crime & Law*. DOI: 10.1080/1068316X.2022.2139829.
- Clarke, C., Milne, R. i Bull, R. (2011). Interviewing suspects of crime: The impact of PEACE training, supervision and the presence of a legal advisor. *Journal of Investigative Psychology and Offender Profiling*, 8, 149–162.
- Convention against Torture Initiative (2017). Investigative interviewing for criminal cases: CTI training tools. available at: <https://cti2024.org/resource/cti-training-tool-1-2017-investigative-interviewing-for-criminal-cases/>.
- Convention on the Rights of the Child adopted on 20 November 1989 by General Assembly resolution 44/25. Available online: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child> (accessed on 07 May 2024)
- Convention on the Rights of Persons with Disabilities adopted on 12 December 2006 by the General Assembly. Resolution A/RES/61/106. Available online; <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities> (accessed on 07 May 2024)
- Convention on the Elimination of All Forms of Discrimination against Women adopted on 18 December 1979 by United Nations General Assembly. Available online: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women> (accessed on 07 May 2024)
- CPT Report following the visit in 2017 available at <http://rm.coe.int/16808b5ee7>
- CPT Report following the visit in 2017 and Serbian Government answer available at <http://rm.coe.int/16808b5eea>
- CPT Report following the visit in 2021 available at <https://rm.coe.int/1680a5c8a4>
- CPT Report following the visit in 2021 and Serbian Government answer available at <https://rm.coe.int/1680a5c8a8>
- CPT Report following the visit in 2023, available at <https://rm.coe.int/1680ae4238>
- CPT Report following the visit in 2023 and Serbian Government answer available at <https://rm.coe.int/1680ae423a>
- M.A. Costanzo, & E. Gerrity, “The effects and effectiveness of using torture as an interrogation device: using research to inform the policy debate, *Social Issues and Policy Review*, vol. 3, No. 1 (2009).
- Forensic Interview Solutions (n.d.). The science of Interviewing - PEACE: A Different Approach to Investigative Interviewing. Available on: <https://www.fis-international.com/assets/Uploads/resources/PEACE-A-Different-Approach.pdf>.
- Gabbert, F., Hope, L., Luther, K., Wright, G., Ng, M., i Oxburgh, G. (2021). Exploring the use of rapport in professional information-gathering contexts by systematically mapping the evidence base. *Applied Cognitive Psychology*, 35, 329–341.
- Griffiths, A. (2008). An examination into the efficacy of police advanced investigative interview training? Doctoral Thesis. Institute of Criminal Justice Studies. Dostupno na: [https://pure.port.ac.uk/ws/portalfiles/portal/20380287/Andy\\_Griffiths.pdf](https://pure.port.ac.uk/ws/portalfiles/portal/20380287/Andy_Griffiths.pdf).
- G.H. Gudjonsson, *The Psychology of False Confessions: Forty Years of Science and Practice* (Hoboken, NJ, John Wiley & Sons, 2018);



- S.C. Houck & L.G. Conway, "Ethically investigating torture efficacy: a new methodology to test the influence of physical pain on decision-making processes in experimental interrogation scenarios", *Journal of Applied Security Research*, vol. 10, No. 4 (2015);
- Deljković, Fazlić: Univerzalna perspektiva etičkog pristupa ispitivanju osumnjičenika Polic. sig. (Zagreb), godina 32. (2023), broj 2, str. 184 - 197
- Griffiths, A., Milne, B., i Cherryman, J. (2011) A question of control? The formulation of suspect and witness interview question strategies by advanced interviewers. *International Journal of Police Science & Management* 13(3), 255–267.
- Hoogesteyn, K., Meijer, E. H., Vrij, A., i Merckelbach, H. (2018). Improving the disclosure of information in an investigative interview: rapport building and the physical environment. *In-Mind Magazine*, 4 (36), 1–15.
- Horgan, A. J., Russano, M. B., Meissner, C. A., i Evans, J. R. (2012). Minimization and maximization techniques: Assessing the perceived consequences of confessing and confession diagnosticity. *Psychology, Crime, and Law*, 18, 65–78. doi:10.1080/1068316X.2011.56180.
- Investigative Interviewing. College of Policing, 2013 Cullompton, UK: Wilan Publishing, pp. 24–38.
- Kassin, S. M. (2014). False confessions: Causes, consequences and implications for reform. *Policy Insights from the Behavioral and Brain Sciences*, 1(1), 112–121. DOI:10.1177/2372732214548678.
- Kassin, S. M., i Gudjonsson, G. H. (2004). The Psychology of Confessions: A Review of the Literature and Issues. *Psychological Science in the Public Interest*, 5 (2). 33–67.
- Larivière, C. D., Quintan Crough, Q., i Eastwood, J. (2022). The Effects of Rapport Building on Information Disclosure in Virtual Interviews. *Journal of Police and Criminal Psychology*. <https://doi.org/10.1007/s11896-022-09535-5>.
- Leo, R. A. (1992). From coercion to deception: The changing nature of police interrogation in America. *Crime, Law and Social Change*, 18, 35–59.
- Leo, R. A. (2008). *Police Interrogation and American Justice*. Harvard University Press.
- Meissner, C. A., Redlich, A. D., Bhatt, S., i Brandon, S. (2012). Interview and interrogation methods and their effects on true and false confessions. *Campbell Systematic Reviews*, 13 (1), 1-53. DOI: 10.4073/csr.2012.13.
- Meissner, C. A., Redlich, A. D., Michael, S. W., Evans, J. R., Camilletti, C. R., Bhatt, S., Brandon, S. (2014). Accusatorial and information-gathering interrogation. methods and their effects on true and false confessions: A meta-analytic review. *Journal of Experimental Criminology*, 10 (4), 459–486.
- Memon, A. Vrij, A., i Bull, R. (2003). *Psychology and law: Truthfulness, accuracy and credibility*. John Wiley & Sons.
- Méndez, J. (2016). Universal protocol for interviews. Interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment. Seventy-first session. Item 69 (b) of the provisional agenda. Dostupno na: <https://goo.gl/f35Rmy>.
- Méndez, J. E., Thomson, M., Bull, R., Fallon, M., Tait, S. (2021b). Principles on effective interviewing for investigations and information gathering. Norwegian Centre for Human Rights. published online 19. 5. 2021: apt\_PoEI\_EN\_11.pdf.



- Méndez, J., i Drummond, V. (June 1, 2021a). Interviewing by police and others, while respecting human rights. Accessible on: <https://www.justsecurity.org/76711/themendez-principles-a-new-standard-for-effective-interviewing-by-police-and-otherswhile-respecting-human-rights/>.
- Milne, B., i Powell, M. (2010). Investigative interviewing. U: J.M. Brown i E.Campbell Eds.). (2010). The Cambridge handbook of forensic psychology. (pp. 208–214). Cambridge University Press. DOI: <https://doi.org/10.1017/CBO9780511730290>.
- Milne, R., i Bull, R. (1999). Investigative interviewing: Psychology and practice. Wiley.
- M R Napier; S H Adams, Magic Words to Obtain Confessions FBI Law Enforcement Bulletin Volume: 67 Issue: 10 Dated: October 1998 Pages: 11-15
- Newbery, S. (2009). Intelligence and Controversial British Interrogation Techniques: the Northern Ireland Case, 1971–2. Irish Studies in International Affairs, Vol. 20, 103-119. DOI: 10.3318/ISIA.2009.20.103.
- Norwegian Centre for Human Rights (9, January, 2023). Strong resolution on the Méndez Principles adopted by the African Commission on Human and People's rights. Dostupno na: <https://www.jus.uio.no/smr/english/about/id/news/mendez-principlesresolution.html>
- Perillo, J. T., i Kassin, S. M. (2011). Inside interrogation: The lie, the bluff, and false confessions. Law and Human Behavior, 35, 327–337. doi:10.1007/s10979-010-9244-2.
- Porter, S. (2011). The Confession Interview: Ethical, Legal, and Psychological Implications for the Forensic Accountant. USA: Association of Certified Fraud Examiners. Accessible on: [http://www.acfe.com/uploadedFiles/ACFE\\_Website/Content/canadian/2013/presentations/5B-Scott-Porter-cpp.pdf](http://www.acfe.com/uploadedFiles/ACFE_Website/Content/canadian/2013/presentations/5B-Scott-Porter-cpp.pdf).
- Rachlew, A. (2017). From interrogating to interviewing suspects of terror: Towards a new mindset. Expert blog, Penal Reform International. Available on: <https://goo.gl/7Hk9gn>.
- Ramos, B., DuPuis, C., Galvin, D., Zolfaghari, E., i Cardeno, S. D. (2005). Interrogation and Torture. White Paper Team Report for Project 2. accessible on: [torture\\_paper.pdf](#) (washington.edu).
- Roberts, K. (2012). Police interviewing of criminal suspects: a historical perspective. Internet Journal of Criminology, 2012, 1–17. Dostupno na: <https://goo.gl/1pU3a6>.
- Schollum, M. (2005). Investigative interviewing: The literature. Wellington, New Zealand: Office of the Commissioner of Police, 2005. Dostupno na: <https://goo.gl/Ermy9J>.
- Shawyer, A., Milne, B., i Bull, R. (2009). Investigative interviewing in the UK. in: T. Williamson, B. Milne, i S. P. Savage (Eds.), International development in investigative interviewing (str. 24–38). Willan Publishing.
- Sheperd, E., i Griffiths, A. (2013). Investigative Interviewing: The Conversation Management Approach (Second Edition). Oxford University Press.
- Sheperd, E. (1991). Ethical interviewing. Policing, 7(1), 42-60.
- Sheperd, E. (1993). Ethical interviewing. in: E. Shepherd (ed.) Aspects of Police Interviewing (46–56). Issues in Criminological and Legal Psychology, 18. Leicester: British Psychological Society.
- S.V.Armstrong (2016). Regulatory Interviews and the Peace Model of Interviewing. Available on: <https://www.svarmstrong.com/media/uploads/2012/08/10/479-thepeace-model-of-interviewing.pdf>.
- Vrij, A., Hope, L., i Fisher R. P. (2014). Eliciting Reliable Information in Investigative Interviews. Policy Insights from Behavioral and Brain Sciences (PIBBS), 1, 129–136.



- Vrij, A. Meissner, C.A. Kassin, S.M. Morgan III, A. Fisher, R.P. & Kleinman, S.M. "Psychological perspectives on interrogation", *Perspectives on Psychological Science*, vol. 12, No. 6 (2017.);
- T. Williamson, R. Milne and S.P. Savage (eds.) *International Developments in Walsh, D., i Bull, R. (2012). Examining rapport in investigative interviews with suspects: Does its building and maintenance work? Journal of Police and Criminal Psychology*, 27, 73–84. DOI:10.1007/s11896-011-9087.
- United Nations Development Programme (2022). Enhancing crime management: Training improves interviewing techniques for Iraqi investigators. Available on: <https://www.undp.org/iraq/press-releases/enhancing-crime-management-training-improves-interviewing-techniques-iraqi-investigators>.
- The United Nations Standard Minimum Rules for the Treatment of Prisoners (unodc.org) available at [https://www.unodc.org/documents/justice-and-prison-reform/Nelson\\_Mandela\\_Rules-E-ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf)
- S. O'Mara, *Why Torture Doesn't Work: The Neuroscience of Interrogation* (Cambridge, Harvard University Press, 2015);
- S.M. Kassin, S.A. Drizin, T. Grisso, G.H. Gudjonsson, R.A. Leo, & A.D. Redlich, "Police-induced confessions: risk factors and recommendations" *Law & Human Behavior*, vol. 34, No. 1 (2010.).
- C.A. Morgan III, S. Southwick, G. Steffian, G.A. Hazlett, & E.F. Loftus, "Misinformation can influence memory for recently experienced, highly stressful events", *International Journal of Law and Psychiatry*, vol. 36, No. 1 (2013.);
- K. Young, W. Drevets, J. Schulkin, K. Erickson "Dose-dependent effects of hydrocortisone infusion on autobiographical memory recall", *Behavioural Neuroscience*, vol. 125, No. 5 (2011.)
- S.A. Drizin, & R.A. Leo, "The problem of false confessions in the post-DNA world", *North Carolina Law Review*, vol. 82 (2004);
- A.D. Redlich, & C.A. Meissner, "Techniques and controversies in the interrogation of suspects" in *Psychological Science in the Courtroom*,
- J.L. Skeem, K.S. Douglas & S.O. Lilienfeld, eds. (New York, NY, Guilford Press, 2009). Vidi tkd. J.W. Schieman, *Does Torture Work?* (Oxford, Oxford University Press, 2016).
- D. Starr, "The confession", *Science*, (2019);
- B.L. Cutler, K.A. Findley & T.E. Moore, "Interrogations and false confessions: a psychological perspective" *Canadian Criminal Law Review*, vol. 18, No. 2 (2014);
- G. Lassiter & C.A. Meissner, eds., *Police Interrogations and False Confessions: Current Research, Practice, and Policy Recommendations*, / (American Psychological Association, Washington DC, 2010).