# Séminaire francophone tournant de jurilinguistique « Stéréotypes de la langue juridique et dans la langue juridique »

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Le mensonge en justice: Techniques d'identification, illustrées par des données en langue allemande (M.Nicklaus)

Lying in legal contexts: techniques of identification, illustrated using evidence in German language.

Detecting lies in testimonies is certainly important to the course of any trial. If the testimony of the victim is the only evidence, as we see in cases of sexual abuse, the reliable identification of deceptive statements becomes absolutely crucial. One of the most currently applied techniques to detect deceptive components in testimonies is the so called statement validity assessment (SVA), mainly practiced in Germany. Based on the assumption that lying is reflected also in linguistic behaviour this technique combines psychological assessment with linguistic analysis and is used successfully in practice by psychological experts (Daber 2014, Steller/Köhnken 1989). However, SVA has also been severely criticized for its linguistic "truth-criteria", like "quantity of details" or "spontaneous corrections", being far too vague (Nicklaus/Stein 2020). Furthermore its lack of reliability has been proven in laboratory tests (Welle et al. 2016, Hauch et al. 2017, Vrij 2014). In fact and not suprisingly, SVA-experts usually don't apply the linguistic criteria systematically (if they apply them at all), as their written assessments show. After a short presentation of SVA-technique, the talk will focus on the analysis of excerpts from witness statements rated as truthful by judges and experts, as well as some excerpts rated as deceptive. A comparison of the excerpts regarding the truth criterion "spontaneous corrections" will demonstrate that this criterion might well remain a dimension for deception detection. On the other hand, the analysis will show that the criterion should and can be transformed in a reliable and easily applicable criterion if specified within a pragmatic-based approach (e.g. Stokke 2018).

Sources:

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