



Report from a national scientific conference on the
Instrumental and Non-instrumental Methods of Detection
of Deception – Current Courses in Investigations and
Legal Framework (Instrumentalne i nieinstrumentalne
metody detekcji nieszczerości – aktualne kierunki badań
i uwarunkowania prawne)

A national conference devoted to the methods of deception detection combined with the Congress of the Polish Polygraph Association was held in the building of the College of Law of the University of Law and Public Administration (ULPA/WSPiA Rzeszów–Przemyśl) on 11th and 12th December. Its organiser was WSPiA Rzeszów–Przemyśl, supported by the Polish Polygraph Association, and the Rector of the University, Professor Jerzy Pośluszny, extended honorary patronage over the conference.

The organisers devised the formula of the conference so as to set up a forum for discussing new trends and discoveries in lie detection methods (with a special emphasis on the polygraph) both for the representatives of the scientific world and practitioners. The conference attracted over 70 people dealing with law, psychology, penitentiary sciences, criminalistics, and criminology. Such a solution allowed interdisciplinary discussion on the potential courses of development of methods of deception detection and good practices in polygraph examinations.

The conference was opened by Professor Jerzy Połuszny, Rector of the WSPiA, Professor Czesław Kłak, Director of the College of Law at the WSPiA, and by Marcin Gołaszewski, President of the Polish Polygraphers Association. The keynote lecture by Professor Katarzyna Kaczmarczyk-Kłak (WSPiA Rzeszów–Przemyśl) presented the links between the Constitution of the Republic of Poland and issues in the practical use of the polygraph.

The first panel was devoted to the possibility of using polygraph examinations and interpreting their results in the amended criminal procedure. Professor Jan Widacki (Andrzej Frycz Modrzewski Kraków University) vividly presented the potential consequences and interpretations of the latest statements of the Supreme Court (of 29 January 2015) for polygraph examinations in the Polish criminal procedure. In turn, Professor Czesław Kłak tried to answer the question where and to which stages of the criminal procedure to fit the polygraph on the grounds of the recent amendment of the Criminal Procedure Code, in force since 1 July 2015. The third paper in the panel was presented by Professor Ryszard Jaworski (University of Wrocław), who presented the conclusions drawn on the results of polygraph examinations and discussed the most frequently recurring and potential errors and reinterpretations of the results. The first part of the panel was recapitulated in a lively discussion concerning the current place of the polygraph in the criminal procedure and beyond it, and on the potential uses of the polygraph that have not yet been put into effect.

The panel closed with two papers devoted to the relatively new methods of detection of deception. Karolina Dukała and Dr Romuald Polczyk (Institute of Psychology of the Jagiellonian University) presented the options for training police officers based on the methodology of verbal and non-verbal behaviour analysis, and results of their own studies on the efficiency of use of various methods of detection of deception by police forces. In turn, Marcin Gołaszewski presented in his paper the latest achievements of the world science in lie detection, quoting the most thought-provoking statements from world-class scientists and practitioners gathered in the UK at the first Decepticon: International Conference on Deceptive Behaviour (Cambridge, 24-26 August 2015) and at the Annual Seminar of the American Polygraph Association (Chicago 30 August – 4 September 2015).

The session was continued after the lunch break by Dr Lucjan Wiśniewski (Polish Border Guard), who presented the history of polygraph examinations in Poland before 1990. The question of history continued in the following paper, in which Anna Szuba-Boroń (Andrzej Frycz Modrzewski Kraków University) presented the character and use of the polygraph in contemporary Poland. Thanks to thus designed

plan of presentations, it was easy to observe the changes taking place in Poland in the scope, potential, and purposes of polygraph use. It was fairly easy to notice that the polygraph becomes currently more popular and is applied not only for criminal cases but also, quite intensively, for recruitment to specific posts in uniformed services.

The following presentation concerning the future of the polygraph and its potential uses, especially as a therapy supporting tool. Agnieszka Leszczyńska shared news from the latest evidence-based studies demonstrating efficiency of polygraph use supporting sexual offender therapy following their release from the prison. Although this specific use of the polygraph will require further research and cannot be applied in practice without a very carefully designed system of support, it must be emphasised that the field may be one where polygraph will find application in future. The above is prompted especially by current foreign, especially British, experience.

The first day of the conference closed in two presentations on the use of the GSR channel in polygraph. The first, delivered by Professor Jan Widacki, demonstrated the GSR signal characteristics, and the life and the Polish links of its co-discoverer, Ivan Tarchanoff. The second demonstrated studies conducted by Anna Czapryna (UJ) and Dr Marek Leśniak (University of Silesia) concerning the potential for purposeful distortion of polygraph results by the examinees. This highly interesting paper distinctly explained differences in lie detection accuracy resulting from the employment of various automatic software-based solutions for calculations, and the dangers linked to the use of only one channel – the GSR.

The second day of the session was devoted mostly to the practical use of polygraph examinations. Both issues of difficulties in using the polygraph in the preparation (presented broadly by junior inspector Andrzej Bodzioch (retired)) and court phases of the investigation. The latter was discussed, together with potential solutions offered by the amendment of the Criminal Procedure Code, by a judge, Grzegorz Maciejowski. The possibility of drawing expert conclusions from a polygraph examination in the light of Strasburg standards were presented by Arkadiusz Szajna, followed by Edward Lewandowski who offered a broad, however controversial, discussion of the theoretical aspects of polygraph-based examinations applied in criminalist tactics, and pointed to the need of scientists participating in the investigation of efficiency of various methods of polygraph use. A lively discussion on the justification of non-standard (i.e. not recommended by the American Polygraph Association) polygraph techniques in criminalistic practice followed the panel. The conference closed in a presentation of modern Criminalistic Laboratories of the WSPiA Rzeszów–Przemyśl.

The papers and following discussions followed two clearly visible courses. The first concerned the interdisciplinary nature of the field: currently, global studies on lie detection are conducted with the use of the polygraph and accompanying devices (e.g., infrared cameras, non-verbal behaviour assessment, and eye trackers), which seems to be a promising course in contemporary criminalistic research. The second conclusion was connected to the use of the polygraph in Poland: as far as an increase in the significance of the polygraph in criminal cases and recruitment can be observed, it still seems that, compared to the potential it offers, the polygraph remains too seldom used in practice.

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