

Misinformation, Misidentification, and Miscarriage of Justice

In the legal arena, eyewitness misidentification has been shown to be the largest contributing factor leading to wrongful convictions, playing a role in more than 70% of wrongful convictions in the United States. While objective evidence is frequently lacking, legal professionals have to rely heavily on eyewitness testimony, that is, the memory of witnesses. However, memory is a flexible system that is susceptible to errors. In this talk, I will present cases and experimental evidence showing how our memories are easily to be distorted by misleading information and how mock witnesses can make misidentifications of innocent people in mock crimes. Then I will discuss implications for legal practice in China and lessons can be learnt for the Chinese legal system.