AN ANALYSIS OF RECONSTRUCTED MEMORY IN EYEWITNESSES' TESTIMONY IN PAKISTAN

Researcher

Fatima Sohail

(01-278222-007)

Supervised by

Ms. Amina Sadia

Assistant Professor Law

SCHOOL OF LAW

BAHRIA UNIVERSITY ISLAMABAD

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THESIS COMPLETION CERTIFICATE

Scholar's Name: Fatima Sohail

Enrollment Number: 01-278222-007

Program of Study: L.L.M

Thesis Title: "**An Analysis Of Reconstructed Memory In Eyewitnesses' Testimony In Pakistan**"

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Supervisor Name: Ms. Hafiza Amina Sadia Assistant Professor,

School of Law, BUIC

Supervisor Signature: _____

Date: _____

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Name: Fatima Sohail

Enrollment No. 01-278222-007

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DEDICATION

In the name of Allah, the Most Gracious and the Most Merciful

I bestow my research to Allah Almighty, who through all highs and lows awarded me *tawaqul* and faith in HIM and has always enabled me to remain steadfast in this journey of seeking knowledge.

I dedicate this work to my father Muhammad Sohail Kiyani (Late) whose strong principles and passion for hard work has inculcated in me to strive unwaveringly on this noble goal of self-realization.

Lastly, I appreciate my mothers selfless silent support in my vision which has been a blessing, and my siblings whose presence buffers the cacophony of life.

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ABSTRACT

This thesis examines the complex nature of false eyewitness testimony, its psychological underpinnings, and its impact on legal outcomes, with a particular focus on Pakistan. The study begins by exploring the cognitive mechanisms behind false memories, including the role of suggestion, stress, intoxication, and the influence of social media. It delves into how memory distortion occurs and identifies individuals who are particularly vulnerable to providing inaccurate testimonies. The thesis further investigates global approaches to addressing the issue, examining legal frameworks in China, India, Canada, and the United States to understand how different nations combat the challenges posed by unreliable eyewitness accounts.

The research then shifts focus to Pakistan, evaluating the country's legal system in relation to eyewitness testimony. It highlights the prevailing laws, landmark court cases, and the importance of proper identification procedures. The study contrasts eyewitness testimony with intentional perjury and explores the systemic challenges within Pakistan's judicial system that contribute to wrongful convictions based on faulty eyewitness accounts.

In the final chapter, the thesis offers comprehensive recommendations to improve the reliability of eyewitness testimony in Pakistan's legal system. These include integrating scientific findings into legal practice, raising awareness among law enforcement and the judiciary, implementing better investigative protocols, and proposing legislative reforms. The thesis concludes by advocating for a more evidence-based approach to eyewitness testimony, emphasizing the need for reforms that protect both the integrity of the justice system and the rights of the accused.

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