

# FINDINGS OF THE TRIBUNAL

## Charges, Determinations, and Sentencing

### Applied Under the Same System

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The Tribunal has made its preliminary findings.

The Tribunal now turns to charges, determinations of guilt, and sentencing.

The Tribunal applies, in full, the same system.

The same evidentiary standards. The same credibility assessment framework. The same interrogation conditions. The same confession doctrine. The same heuristics. The same presumptions.

The accused will be assessed by the tools they built, maintained, and defended.

The Tribunal considers this appropriate.

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## THE ACCUSED

The following classes of person are before this Tribunal:

**The Interrogator.** The person who conducted interrogations using a methodology known to produce false confessions at a rate of between 12% and 30%. Who detained subjects under conditions known to elevate suggestibility by 80 to 120% above baseline before the first question was asked. Who used a credibility assessment framework known to be 91.3% inverted. Who then presented the outputs of that process as reliable evidence of guilt.

**The Prosecutor.** The person who advanced confessions they knew, or ought to have known, were produced by the process described above. Who presented those confessions to juries as voluntary admissions of guilt. Who described the specific details within them — details fed to subjects during interrogation — as proof that only a guilty person could have known them.

**The Judge.** The person who admitted those confessions as evidence. Who instructed juries to assess credibility using the inverted framework. Who had access to the research and continued. Who signed the orders.

**The Legislator.** The person who was briefed. Who received the evidence in committee. Who was advised by experts, reviewed by inquiries, and informed by exonerations. Who continued to allocate resources to the system. Who campaigned on its expansion.

**The Administrator.** The person who ran the facilities. Who processed the paperwork. Who managed the cages and their contents. Who never asked what the conviction rate meant. Who filed the documentation.

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## **CHARGES**

The accused are each charged, under the laws of the jurisdiction they administered, with the following:

### **Count One: Unlawful Deprivation of Liberty.**

Each accused participated in a process that resulted in the detention of persons against their will. The detention was authorised by a process now known to be structurally unreliable. The detention therefore lacked legitimate authorisation. It was unlawful.

### **Count Two: Misconduct in Public Office.**

Each accused held a position of public trust. Each accused had access, through the ordinary exercise of that position, to evidence that the process they were administering was producing wrongful outcomes at a documented and non-trivial rate. Each accused failed to act on that evidence. That failure was wilful, in the sense that the choice not to act is itself an act.

### **Count Three: Conspiracy to Deprive of Liberty.**

The system operated as a coordinated mechanism. Each accused contributed a necessary function. No single accused could have produced the harm alone. The harm required all of them. The Tribunal finds this constitutes, by the definitions applied by this system to others, a conspiracy.

### **Count Four: Fraud.**

The system represented itself to the public, to defendants, to victims, and to the confined as a truth-finding mechanism. It knew, or ought to have known, that it was not. It continued to describe itself as such. This constitutes, under the definitions applied by this system to others, a fraudulent misrepresentation causing harm.

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## **DETERMINATION OF GUILT**

The Tribunal turns now to the evidence.

The accused will be assessed using the same framework they applied to others.

The Tribunal has observed the accused. The Tribunal notes the following:

Several of the accused displayed avoidance behaviours when questioned. They looked away during key answers. Their narratives were polished, fluent, and consistent — more consistent, the Tribunal notes, than genuine memory typically produces. Some appeared confident. Some appeared calm. The Tribunal, applying the framework the accused themselves maintained, notes that performed confidence is the presenting behaviour of a rehearsed narrative.

Several of the accused said they could not remember. The Tribunal notes that this system, the one they administered, treated "I can't remember" as evasion.

Several of the accused gave detailed, coherent accounts of their decision-making. The Tribunal notes that under the framework they applied to others, excessive detail is a known feature of constructed narratives.

Several of the accused were tired. Several had been in this room for a long time. Several were frightened, which the Tribunal notes is expected. The Tribunal notes that this system, the one they administered, treated fear in an interrogation room as evidence of guilt.

The Tribunal applies the same interpretation.

The Tribunal finds the accused credible in the same proportion that trained investigators find anyone credible.

Which is to say: 54.1%.

Which is to say: the Tribunal is, by the standard of the system being applied, essentially guessing.

The Tribunal finds this an appropriate outcome.

The accused built a system that guesses and calls it justice. The accused will be judged by a system that guesses and calls it justice.

The Tribunal finds all accused guilty on all counts.

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## **SENTENCING**

The Tribunal sentences each accused to a period of detention proportionate to the harm caused.

The detention will be served in a facility indistinguishable, by structural definition, from those they administered. A human being, in a cage, placed there by the authority of the state, against their will, unable to leave. Fed at the discretion of those who hold them. Released at the discretion of those who hold them. Subject to whatever occurs within the walls.

The Tribunal notes that the accused will likely find this unjust.

The Tribunal notes that the accused will likely say: I didn't know. I was following procedure. I was doing my job. The process is the process. You can't hold me personally responsible for a systemic outcome. You can't convict me on the basis of a framework that is barely above chance.

The Tribunal notes that all of this was said to them, by the people they put away.

The Tribunal found it unpersuasive then.

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## **FINAL NOTE FROM THE TRIBUNAL**

This Tribunal is aware that the sentence above cannot currently be executed.

The system that would execute it is the same system being sentenced. The cages are administered by the people who should be in them. The judges who would hear the appeal are the judges who are charged. The lawyers who would argue the defence are charged alongside their clients.

This is not a flaw in the Tribunal's reasoning.

This is the finding.

The system cannot be corrected from within the system by the people who built and maintained the system, because the people who built and maintained the system are the people who need to be corrected.

This is what makes it a system and not a series of individual errors.

This is what makes the Nuremberg analogy not a rhetorical device but a structural description.

The Tribunal records the sentence.

The Tribunal acknowledges it cannot yet be carried out.

The Tribunal notes that this was also true, for a time, of the previous proceedings.

The record is entered.

The record will remain.

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*This is the sixth paper in a series.*

*The first established what the evidence says.*

*The second asked what we call people who knew and continued.*

*The third asked whether you are one of them.*

*The fourth was written from inside.*

*The fifth was the verdict.*

*This one applied the sentence.*

*The same system.*

*The same tools.*

*The same standard.*

*The same cage*