

The model penal code essay sample

[Law](#), [Court](#)



The Model Penal Code (MPC) provides for justification of actions that may otherwise be unlawful but are carried out in the face of imminent danger thus amounting to self defense. Such defenses are exempted from punishment and ratified as acceptable under the circumstances. However, the manner in which a court interprets and applies MPC provisions will depend on the court's understanding of the circumstances which in turn depends on the presentation of the facts to the court.

The act of lying in court is called perjury which is defined as the act of knowingly making false statements while under oath. In order for the false statement made to qualify as perjury, the statement must be material to the case at hand i. e. the lie should be capable of changing the outcome of the case being deliberated. E. g. lying about one's age cannot be considered to be perjury unless it is in a situation where age is a key factor like in retirement schemes. As with all other crimes, it must be proven that perjury was aforethought. Perjury is an assault on the sanctity of the legal process and therefore cannot be accepted at all.

Incriminating statements from suspects are necessary to solve cases but such statements are hard to acquire. Police have come up with interrogation methods that rely on deceiving and manipulating suspects so as to acquire incriminating statements. When interrogating suspects, the police normally coerce suspects to provide information through methods which intimidate the suspects leading to forced confessions.

Lying of whichever form cannot be admitted in a court of law. The act of perjury is punishable in a court of law. However some interpretations of facts

are not perjury especially where people make inaccurate statements unwillingly.

In order for any evidence to be admitted in court, it must be acquired legally. The proper channels set out by the legal system must be adhered to in order for evidence to be qualified as admissible in court. When a confession is solicited by illegal means, such a confession is inadmissible because the defendant's lawyer will definitely contest it and have the evidence declared null in the court. When faced with a situation where a confession is solicited through lying to the defendant, I would alert my immediate superior so as to prevent my partner from tarnishing the name of my department. Another reason is that it would be best to report the incident to ensure that the Narcotics Suspect is accorded his or her rights that he or she is entitled to.

References

Schopp, R. (1998). *Justification Defenses and Just Convictions*. Cambridge University Press.

Leo, R. (2008). *Police Interrogation and American Justice*. Harvard University Press