



# Forensic Psychology

## Short introduction



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## Forensic sciences

The term „forensic“ refers to matters that pertain to courts and to law (civil and criminal).

- The application of scientific knowledge to legal questions.
  - **Forensic engineering** (searching for technical reasons of accidents).
  - **Forensic pathology** (a branch of medicine concerned with diseases that relate to questions of the court).
  - **Forensic psychiatry** (insanity in the time of a crime committed and competency to stand a trial).
  - **Forensic linguistics** (in-depth evaluation of language related characteristics of text; grammar, syntax, spelling, vocabulary ...)

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## Forensic psychology

### Definition

„While the TV world of forensic science provides instant gratification , the real world is tedious and slow“ (Hempel, 2003).

#### A broader definition:

- Forensic Psychology as the professional practice of psychology within a legal system that embraces civil and criminal law.
- Besides, there is also the research endeavour that examines aspects of human behaviour related to the legal process:
  - pre-trial & trial processes,
  - civil & criminal law.

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## Forensic psychology

### Definition

What knowledge should manifest forensic psychologist?

#### The legal framework:

- Criminal investigation processes,
- Legal processes,
- Treatment processes (for offenders, victims, and witnesses).

#### Understanding of the psychology relevant to:

- Offenders (insanity defence, competency – mental disorders).
- Victims,
- Witnesses,
- Investigators,
- Juries (adversarial law systems),
- Prisoners.

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## Forensic psychology

### The relationship between psychology and law

Psychology and law differs like two countries differs; Mentaland and Legaland (Eastman, 2000).

- Different culture, language, history, terrain.
- Mentaland language is confusing to the people of Legaland and vice versa.
- Legaland is more powerful and often make it clear that ideas of Mentaland are less important than their ideas and that Mentaland should adjust their language to Legaland people.
- Psychologists can not give categorical answers.

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## History of forensic psychology

- Ancient Greece; insanity (madness) was a known concept.
- Ancient Romans; madness is possible grounds for diminished responsibility, but the defendant must first have been found to be 'not of sound mind' (*non compos mentis*).
- The Middle Ages saw a turnabout in progressive understanding of insanity.
  - Until the 13th century, Europe forgotten that insanity could be grounds for diminished responsibility.

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### History of forensic psychology

- Until the 17th century, an act of malice was considered a punishable offence in Europe only when the accused admitted to it.
  - For this reason, religious and secular authorities alike did their best to obtain the confessions of the accused.

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### History of forensic psychology

- The Renaissance; a similar understanding of responsibility for criminal offences to that in Ancient times.
  - The responsibility for the actions of mentally ill persons could be compared to wild beasts, and these could not commit a criminal act because they did not have a human soul.
- In the 18th century, the concept of minimal mental competency for defendants began to emerge and soon became the benchmark of a just and fair trial.

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### History of forensic psychology

1879 Wilhelm Wundt (Leipzig)  
The first scientific psychological laboratory established. Foundations of eyewitness psychology.



1893 McKeen Cattell  
- Research about eyewitness accuracy and suggestibility.  
- What was the weather one week ago?

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## History of forensic psychology

### 1896 Albert von Schrenck

A witnesses at a murder trial confused their actual memories of events with pre-trial information that they had read in newspapers.

### 1900 Alfred Binet

- *La Suggestibilité*: a book about suggestibility issues (children!)
- Stormy and negative response from criminal justice system.
- Very influential work that stimulates the birth of psychology of eyewitness testimony.

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## History of forensic psychology

### 1910 Hugo Mustenberg

- Research into witness memory, false confessions and the role of hypnosis in court.
- *On the Witness Stand* (1904).
- He worked in support of Flemish weavers who were being sued because of supplying a fabric of a different colour from that ordered.

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## History of forensic psychology

### 1904 Louis William Stern

- The most important researcher in psychology of testimony (Europe).
- An experiment inside the lecture room
  - Two students had a quarrel about some academic (law) issue.
  - Finding: intensive emotional events negatively affects the accuracy of eyewitness testimony.
- Under his influence a reform in German criminal system started (protection of victims of sexual abuse).

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### History of forensic psychology

**1917 USA**  
The first known use of psychological testing for a selection of candidates for getting a job as a police officer.

**1911 Karl Marbe**  
The first psychological testimony at a civil trial:

- Human reaction time latencies were such that an engine driver had no chance of stopping his train.
- Alleged victims of child sexual abuse might be unreliable witnesses against their teacher.

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### History of forensic psychology

**1922 Louis Thurstone**

- The beginning of police psychology
- A research in which he gets an intriguing finding:
  - Younger police officers are smarter than elder police officers.

**1932 Mira-y-López**  
*Manual de psicología jurídica*

- He studied testimony, the coroner's report, the usefulness of objective tests, as well as the prevention of delinquency and the understanding of the crime.

**1922 William Marston**

- Polygraph
- The first academic appointment in Forensic psychology in USA

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### History of forensic psychology

**1947 Allport in Postman**  
An experiment on social biases

- 50% of students saw a razorblade in the hand of a black man.

**1966 Munich**  
The first full time police psychologist employed (crowd control).

**1950 Udo Undeutsch**  
He develops a method to estimate a veracity of victim's statements

- SVA (Statement Validity Analysis)

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### History of forensic psychology

1974 Robert Buckhout  
A suspect identification techniques (live parades, simultaneous versus sequential methods, photo spreads)

- A staged (mock) attack on the professor
  - After seven weeks
    - only 40% of participants recognizes the attacker.
    - 25% of participants identifies a bystanding and non-attacking person

1979 Elizabeth Loftus  
Eyewitness testimony; Eyewitness testimony about events

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### History of forensic psychology

2001 American Psychological Association (APA)

- Forensic psychology is finally recognized as an applied science.

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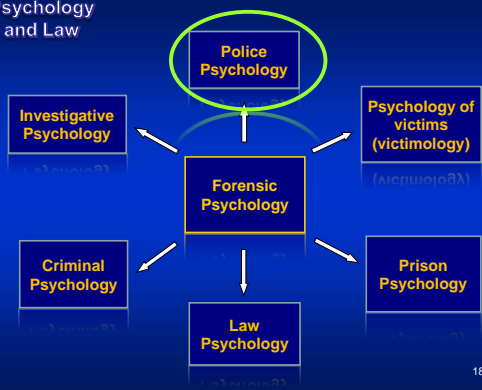
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### Psychology and Law



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### Police psychology

The research and application of psychological knowledge and skills to law enforcement.

- Pre-employment psychological assesment and evaluations.
- Counselling or therapy to officers and their families.
- Assistance in hostage negotiations.
- Workshops on stress management.
- Assistance in police trainings (police procedures for dealing with victims, suspects, witnesses, public order, traffic surveillance ...)

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### Police psychology

- Who are police psychologists?
  - Psychology degree (90% with PhD in USA, but not in EU)
  - 60% of them: clinical psychologists
  - 75% of them are men
- What do they do?
  - Pre-employment screening (one third of their working time)
  - Working directly with the officers - Counselling and treatment (29% of working time)
  - Dealing with victims (less than 5%).
  - Criminal profiling (less than 3%, majority of them do not feel comfortable profiling).

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### Police psychology Pre-employment screening

#### Screening-out procedures

- Elimination of those who demonstrate:
  - signs of psychopathology,
  - emotional instability,
  - lack of the basic mental and social ability to perform the job in a safe and responsible manner.
- About 15% of candidates are screened out.

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### Police psychology Pre-employment screening

**Police Officer Selection Process**

- Free of any serious crime convictions
- Must meet specified physical standards
- Found to be free from any physical, emotional or mental condition
- Possess analytical and decision making skills
- Possess interpersonal skills
- Skill in speaking clearly using appropriate vocabulary
- Skill in writing accurate and descriptive reports
- A background investigation

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### Investigative Psychology

**1. Profiling (e.g. psychological, geographical).**

- The process of deriving hypotheses, from how a crime was carried out, and about the sort of person who committed the crime.
- What the forensic psychologist does in reality?  
Gives suggestions to police about:
  - what sorts of criminal records should be searched to generate a list of possible offenders,
  - skills and social background of the offender.

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### Investigative Psychology

#### What needs to be considered in profiling?

1. What does the crime show about the intelligence and knowledge of the offender?
2. What does it suggest about his planning or impulsivity?
3. How does the criminal interact with the victim?
4. What do his actions indicate about the familiarity with the situation or circumstances of the crime?
5. What skills does the offender have?

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### Investigative Psychology

#### 2. Psychological autopsy

- The aim is to discover the state of mind of the victim preceding death.
- When the circumstances surrounding a death are not clear (equivocal death), psychologists can help to compile information retrospectively about behaviour, psychological state, and motive.

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### Investigative Psychology

#### 3. Forensic linguistics

- The use of linguistic techniques to investigate crimes in which language data constitute part of the evidence

#### 4. Hypnosis

- A cooperative interaction in which the participant responds to the suggestions of the hypnotist.

#### 5. Counselling about the efficient ways of conducting an investigative interview

- evidence disclosure, cognitive interview, cognitive load.

#### 6. Polygraph

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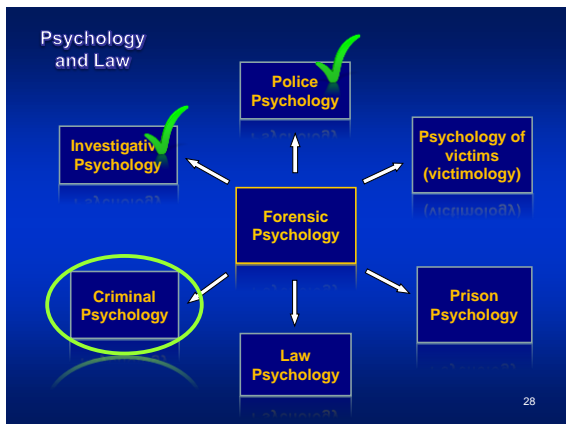
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- ### Criminal Psychology
- How criminal behaviour is acquired, evoked, maintained, and modified?
  - Offenders cognitive distortions of the world (thoughts, beliefs, values) – is it possible to change them?
  - Criminal psychopathy; Who are psychopaths?
    - Dominant and manipulative personality.
    - Impulsive, risk taking and antisocial way of life.
    - Intense and diverse sexual gratification.
    - With no empathy, no regret, no conscience.
    - Parasitic behaviour.
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## Victimology

- The study of persons who have experienced physical, psychological, social, and / or financial harm as the result of commission of crime against them.
- The effects of criminal victimization (assault, robbery, burglary) are serious and persistent.
- Less than 10% of victims receives psychological help.
- What psychologists do?
  - Counsel victims,
  - Perform psychological assessments,
  - Testify in courts about the effects of victimization.

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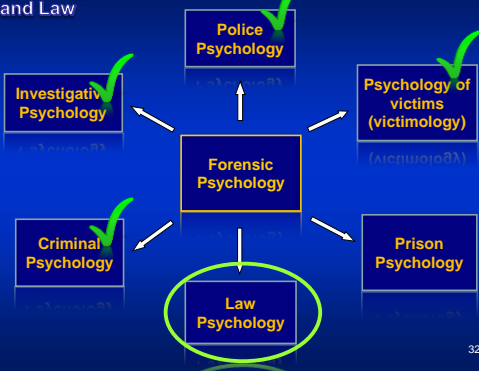
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## Psychology and Law



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## Law Psychology

- It is more important where legal process is adversarial and not magisterial (or 'inquisitorial').
  - A distinct prosecution and defence are played out in an open court in front of a jury, which is typically a random selection of members of the public – a jury needs to be carefully selected.
- What do psychologists do?
 

Psychologists consult with judges and lawyers, and perform assessments in cases like:

  - competency to stand trial, insanity defence
  - child custody,
  - criminal sentencing.

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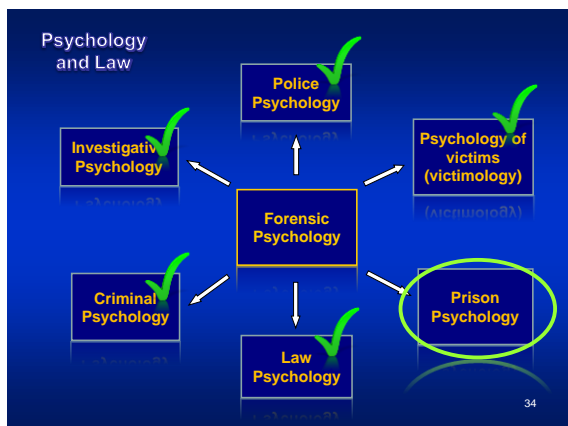
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### Prison Psychology

- The fastest growing branch of forensic psychology in USA
  - The number of imprisoned persons is above two million
  - Over four million of persons are under probation or parole
- What are psychologists doing?
  - Psychological assessments,
  - Treatment evaluations,
  - Crisis interventions,
  - Substance abuse treatment
  - Comprehensive reports regarding prisoners release, security levels and assigning prisoners to rehabilitation programs.

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### Prison Psychology

What are psychologists doing?

- Screening and selection of security staff
- Consultation with hostage negotiations
- Offering consultative services relating to effects of imprisonment
  - Depression
  - Unresponsiveness
  - Diarrhoea
  - Urinary incontinence
  - Food rejection
  - Social self-insulation

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