

Role of Forensic Psychology in Legal System

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Abstract: The main objectives of the present paper are to discuss the role of forensic psychology in legal system. There are various specialties of Psychology in modern era; forensic psychology is one of them although the meaning of this specialty is difficult to define accurately. The practice of forensic psychology includes the investigations, studies, evaluations, advice to attorneys, advisory opinions and testimony to assist in the resolution of disputes relating to life cases before the courts or other law tribunals. There are five subspecialties of forensic psychology which are providing services in legal system. There are various differences in forensic psychology and forensic psychiatrist. Psychologists' uses clinical method, counseling skills and psychotherapeutic techniques. Psychiatrists are medical doctors who specialize in the prevention, diagnosis and treatment of mental, addictive and emotional disorders. There are three basic traditions in which psychology and the law can relate to each other. Psychology and the Law is the make use of psychology to examine the operation of the legal system. Psychology in the law is the make use of psychology in the legal system as that system operates and Psychology of the law is the make use of psychology to examine the law itself. There are nine premier institutions working in the area of forensic psychology. There are various ethical issues such as an expert witness, matters of competence, informed consent, confidentiality, multiple relationships and special issues related to billing.

Keywords: Forensic Psychology, legal system, law, police psychology.

INTRODUCTION

There are various specialties of Psychology in modern era, Forensic Psychology is one of them but like many specialties in psychology it is difficult to define accurately. If we analyze the literature refers to forensic psychology broadly as the research and relevance of psychological knowledge to the legal system. The personnel concerned these kinds of activities emphasize the professional application of psychological knowledge, concepts and principles to civil and criminal justice systems. The practice of forensic psychology includes the investigations, studies, evaluations, advice to attorneys, advisory opinions and testimony to assist in the resolution of disputes relating to life cases before the courts or other law tribunals. The Forensic Psychologists are engaged in self practice, family counselling courts, drug courts and mental health courts along with child protection agencies, victim services, domestic violence courts and programs, forensic mental health units, sex offender treatment programs, correctional institutions, law enforcement agencies, government and private research institutions, colleges and universities and juvenile delinquency treatment activities.

SUB AREAS OF FORENSIC PSYCHOLOGY

The First subspecialty is *Police Psychology*, the research and application of various psychological

principles, theories, counseling skills and clinical skills to law enforcement and public safety. Its includes the law enforcement agents, such as deputy sheriffs, fish and wildlife agents, airport security, marshals, constables and many types of other state and federal agents. The Second subspecialty is *Psychology of Crime and Delinquency*, the science of the behavioral and mental processes of the adult and juvenile offender. This subarea covers the causes of criminal behavior acquired, evoked, maintained and modified. Contemporary psychological research has focused on the offender's cognitive behavioral versions of the world, especially his or her thoughts, beliefs and values. The Third specialty is *Victimology*, refers to the study of persons who have experienced either actual or threatened physical, psychological, social or financial harm as the result of the commission or attempted commission of crime against them. The Fourth subspecialty is *Legal psychology*, refers the scientific study of a wide assortment of topics reflecting the close relationship between psychology and the legal system. This specialty deals with behavioral issues such as competencies and criminal responsibility, civil commitment, the behavior of the jury and the psychology of evidence. The Fifth subspecialty is *Correctional Psychology*; the major goal of correctional psychologist is to help in inmate rehabilitation, treatment and reintegration into the community.

Correctional psychologists also work with offenders who are serving their sentences or part of their sentences, in the community such as those on probation or parole.

MAJOR DIFFERENCE BETWEEN FORENSIC PSYCHOLOGY AND FORENSIC PSYCHIATRY

Psychologists, especially clinical, counseling, and forensic psychologists, are often confused with psychiatrists by the public and the media. Psychiatrists are medical doctors, who specialize in the prevention, diagnosis, and treatment of mental, addictive, and emotional disorders. Psychologists do not hold a medical degree, although some may have earned related degrees. Another major distinction between the two has been the license to prescribe drugs, including psychoactive drugs. Sometimes, psychologists and psychiatrists seem to be equally engaged in pretrial assessments of juveniles and custody evaluations, while psychologists are more likely than psychiatrists to consult with law enforcement and offer treatment in the correctional system. In conclusion, it can be said that clinical social workers are often found working in forensic arenas. Social workers may counsel victims of crimes or families of victims and offenders, and provide substance abuse and sex offender treatment to offenders, among other functions. In many correctional services, social workers are part of the treatment team, typically under the supervision of psychologists.

RELATIONSHIP BETWEEN PSYCHOLOGY & LAW

There are three basic traditions in which psychology and the law can relate to each other. These relationships are as psychology and the law, psychology in the law and psychology of the law. Clinical and experimental forensic psychologists are typically involved in these areas much more often than the third area. *Psychology and the Law* is the make use of of psychology to examine the operation of the legal system. *Psychology in the law* is the make use of of psychology in the legal system as that system operates and *Psychology of the law* is the make use of of psychology to examine the law itself.

INSTITUTES OF FORENSIC SCIENCE AND FORENSIC PSYCHOLOGY IN INDIA

Forensic Science is a branch of science which applies the principles of science in investigation of crime by discovery those clues which escape normal eye. After analyzing the evidence found on the crime scene, their testimony is presented in the court of law. Without great observation skills, natural inquisitive nature, talent for analyzing things scientifically and high IQ, it is no use pursuing a career in forensic sciences or forensic psychology. Here is the list of top 9 forensic science and forensic psychology university/colleges in India:

- Bundelkhand University

- IFS (International Forensic Sciences) India Education Department
- Dr. Bhim Rao Ambedkar University, Agra
- Amity Institute of Forensic Sciences
- Osmania University, Hyderabad
- Dr. Hari Singh Gour University
- University of Madras
- Lok Nayak Jayaprakash Narayan National Institute of Criminology & Forensic Science (LNJN NICFS), Delhi
- Gujarat Forensic Sciences University

ETHICAL ISSUES IN FORENSIC PSYCHOLOGY

The ethical issues reviewed include the role of the psychologist as an expert witness, matters of competence, informed consent, confidentiality, multiple relationships, and special issues related to billing. With the increasing opportunities available to forensic psychologists, numerous pragmatic and ethical issues also have been raised. Prescription authority, mentioned briefly above is single example. Other ethical issues have been raised regarding dual relationships between the psychologist and the client, conflicts of interest, issues of confidentiality, and the tension between punishment and rehabilitation. Shapiro D.L [1] reviewed that there is clearly great concern regarding the misuse of psychological tests and interventions in the service of torturing inmates. Sometimes, psychologists took techniques that had never been used in an interrogation and recklessly applied them to coercive interrogations, without any empirical evidence that these techniques were effective in such a setting. Konrad N [2] explained that forensic psychiatrists are concerned with the assessment of complex cases, including risk assessment, and act as expert witnesses in court, commenting on issues such as competency to stand trial and criminal responsibility. Itiel E. Drora, et al. [3] reviewed that psychology has made a tremendous contribution to law in a various way by showing the malleability of eyewitness perception and memory, and developing best practices for obtaining eyewitness identifications. David L. Shapiro, et al. [4] explained that in preliminary examination, 97 criminal and civil case summaries from the Lexis Nexis Academic Database involved issues of admissibility. Analyses conducted by eight trained and paired coders revealed that reliability and assistance to the Trier of fact were the most often cited reasons for admissibility in courts. Consistent with prior studies, it was also found that the most applied standards for admissibility of psychological evidence were the Federal Rules of Evidence. Interestingly, while the Daubert scientific criteria for admission of scientific testimony were mentioned, they were rarely utilized. Alec Buchanan [5] says that the respect for persons is one of forensic psychiatry's ethical principles. It is a principle that is usually laid down without conditions, raising the question of what aspect of someone's "personhood" might deserve our unconditional respect. One argument against respect for dignity as a principle is that anything

it stands for can be subsumed into respecting people's autonomy. This seems not to be correct. Another argument has been that the term dignity has too often been used loosely and vaguely. This does not mean that the term itself is necessarily without value. Dignity seems to refer to something close to the moral meaning of "worth". Respecting dignity has a role in protecting the vulnerable. Respecting a client's dignity is an important aspect of the ethical practice of forensic psychiatry. Laurence Miller [6] explained that forensic psychologists are frequently called upon to conduct evaluations for competency to stand trial, insanity defense, or prediction of future dangerousness. Psychological forensic examiners may also be called upon to testify in court. In rendering their conclusions, forensic examiners should conduct a careful analysis of each individual case, not rely on the mere presence, absence, or severity of any mental disorder to make a legal determination.

CONCLUSION

In conclusion it can be said that Forensic Psychology is playing an important role in legal system through various ways. Forensic Psychology broadly is providing psychological knowledge to the legal system. The personnel concerned with the specialty emphasize the professional application of psychological knowledge, concepts and principles to civil and criminal justice. Forensic Psychology includes the investigations, studies, evaluations, advice to attorneys, advisory opinions and testimony to assist in the resolution of disputes. The Forensic Psychologists are engaged in self practice, family counselling courts, drug courts and mental health courts along with child protection agencies, victim services, domestic violence courts and programs, forensic mental health units, sex offender treatment programs, correctional institutions, law enforcement agencies, government and private research institutions, colleges and universities and juvenile delinquency treatment activities. There are five major subspecialties of forensic psychology which are providing services in legal system such as police psychology, psychology of crime and delinquency, victimology, legal psychology and correctional psychology. There are various differences in forensic psychology and forensic psychiatrist. Psychologists' uses clinical method, counseling skills and psychotherapeutic techniques. Psychiatrists are medical doctors who specialize in the prevention, diagnosis and treatment of mental, addictive and emotional disorders. There are various ethical issues such as matters of competence, informed consent, confidentiality, multiple relationships, and special issues related to billing.

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