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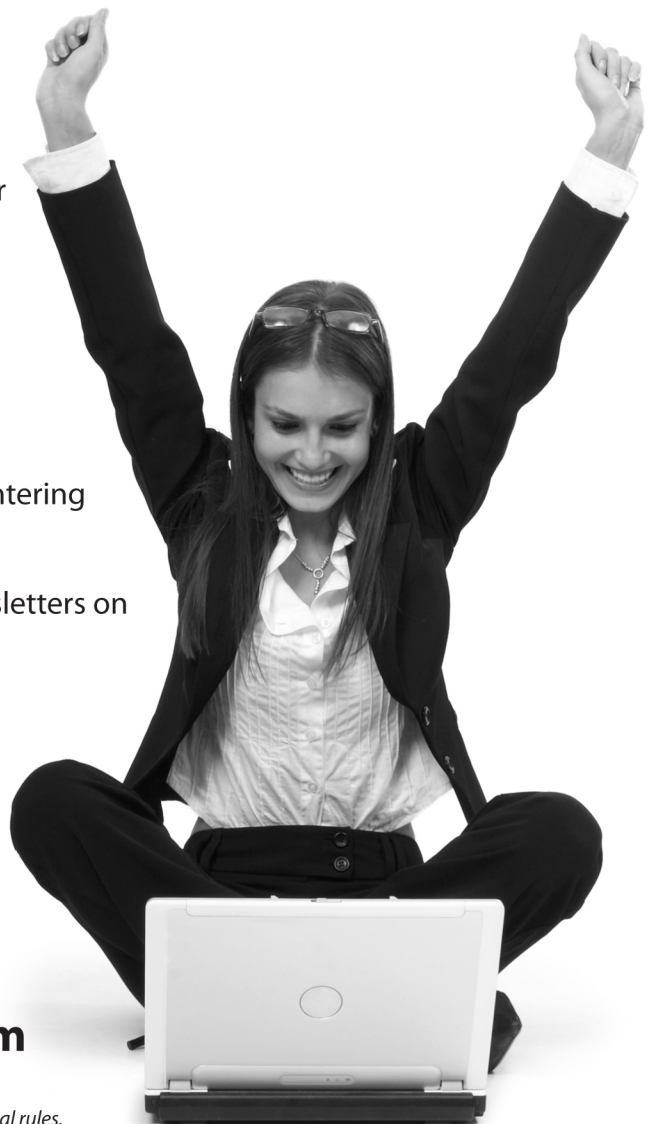
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**by Professor David Canter  
Foreword by Ian Rankin**

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## *About the Author*

**David Canter** drifted into Forensic Psychology in 1986 when he was asked by Scotland Yard to give guidance to a major police investigation into a series of murders and rapes. The value of this guidance opened doors to many other police investigations and brought him into the work of psychologists in many other areas of legal activity. He became a Chartered Forensic Psychologist and developed postgraduate courses recognised by the British Psychological Society as a step towards chartered status. Hundreds of those who were his students now have senior jobs in universities, police forces and many other organisations around the world. He has been a Professor of Psychology at the University of Surrey in the South of England, where he was also Head of the Department, and at The University of Liverpool, where he now has Emeritus status. He is currently Professor of Psychology at the University of Huddersfield where he directs the International Research Centre for Investigative Psychology. He writes for major newspapers, notably *The Times*, and often contributes to radio and television news and documentary programmes in the UK and overseas. He wrote and presented a six part TV documentary series *Mapping Murder* that was broadcast around the world.



# ***Dedication***

For Rosie, Robin and Felix in the hope that what is dealt with in this book will always remain irrelevant to them.

# ***Author's Acknowledgements***

The work of many colleagues has been drawn on unashamedly in this book. It is not the *For Dummies* format to cite these directly. However, I would like to mention that I have found the work of my colleagues Kevin Browne and Donna Youngs, as well as more distant associates Curt and Anne Bartol to be of particular value. Graham Davies reviewed the draft thoroughly and I have incorporated his suggestions, although of course any errors are mine. The compendium put together by Jennifer Brown and the late Elizabeth Campbell, is also a masterwork that I found very useful. Lionel Haward, sadly missed, encouraged me in the early days of my involvement with the law, so his influence is never very far from this book. As ever, I am grateful to my agent, Doreen Montgomery, for her help. My obsession with getting this book written has been endured by Sandra Canter with her love, support and good humour that is taxed every time I take up one of my writing commitments.

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# Foreword

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I first encountered Professor David Canter's work and world in a book he published in 1994 called *Criminal Shadows*. Its subtitle was 'Inside the Mind of the Serial Killer', and it interested me because I felt it might help me get beneath the skin of the fictional criminals I was writing about in my 'Inspector Rebus' novels. That book was clear-sighted and level-headed. Hannah Arendt had already coined the term 'the banality of evil' to describe Nazism and the atrocities which took place in its name. Professor Canter explained that real-life serial killers are seldom like their rococo fictional equivalents. These killers tend towards the banal and colourless; they are lucky rather than preternaturally skilful – and they seldom play complicated mind games with their pursuers.

There is still a place for the likes of Hannibal Lecter in fiction, of course, but he and his ilk belong to the realm of legend and folk-tale. The book you are currently reading will explain why – but it will do a lot more. Professor Canter is an entertaining, comprehensive and comprehensible guide who pricks the myth (perpetuated in film, on TV, and in novels) of the forensic psychologist as a gifted but antisocial loner with drink and relationship problems. In real life, forensic psychologists look at why humans commit crimes and what types of crime they are likely to commit. They also ponder the nature of evil, and whether evil itself can ever be 'diagnosed'.

In this book you will find a clear explanation of terms such as psychosis, schizophrenia and sadism - terms bandied about in life as in fiction, but not always with any great degree of accuracy.

Professor Canter also looks at the ways in which we can tell if someone is lying, taking in everything from body language to brain-mapping. Forensic psychologists work with various law agencies and may be called upon to help with witness interviews. One of many fascinating cases discussed here concerns a kidnapped bus driver and the use of hypnosis to garner witness evidence.

As a criminal profiler, the author is well-equipped to debunk many of the common misconceptions around that specialism. Profiling can be helpful to the police, but it has to be used with care. Professor Canter cites the case of an attacker who had long fingernails on one of his hands. The investigating officers deduced that they were looking for a guitarist. Had this been a Sherlock Holmes story, they would undoubtedly have been correct, but there was actually another less obvious explanation.

Importantly, Professor David Canter also looks at how forensic psychology can aid victims of crime. Victims are often forgotten about, in life as in fiction. Here they are given due prominence.

Whether you are a serious student or have a casual interest, this book will deepen your knowledge of forensic psychology. I dare say crime writers will find it useful, too, even though we continue to portray our killers as exaggerated monsters with penchants for puzzles, fava beans and a nice chianti.

Ian Rankin

# Introduction

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**I**n 1985, a senior police officer at Scotland Yard asked me to attend a meeting to plan an investigation into a series of rapes and murders committed around London. Up until that point during my work as a psychologist, I'd had very little contact with the police or criminals and was rather taken aback when asked whether I 'could help catch this man before he kills again'. I agreed to assist the investigation and its eventual success changed my life. As a result I was drawn ever more intensively into a wide range of police investigations, and then into commenting on psychological evidence presented in court. I began considering rehabilitation programmes for offenders and examining processes for assessing the possible risk they posed if they were released. I talked to killers and burglars and many other criminals and their victims.

I was now part of the burgeoning field of forensic psychology, reading its journals, giving keynote addresses at conferences, and debating with colleagues and students how many aspects of behavioural science (particularly psychology) were informed by, and carried consequences for, the full range of legal issues. I became increasingly enthusiastic about the evolving ways in which psychology is influencing all aspects of the legal process.

Since that fateful day, I discovered that many people, in all walks of life, have questions about what makes criminals tick, and how psychology can be used throughout the investigation, prosecution, treatment and rehabilitation of criminals and to help their victims. This book aims to answer those questions.

## *About This Book*

In this book, I cover what happens from when a crime is first reported through to dealing with convicted offenders and, where possible, helping them to desist from future criminality. I include many examples of forensic psychology in action to bring the excitement of this professional activity to life.

Here are a few things, however, that you won't read about in this book: the motives that so delight crime fiction writers (greed, jealousy, revenge . . . in fact I avoid using the vague term 'motive' at all); whether criminals did (or didn't) get on with their mothers; or whether something is wrong with their biology. Instead, *Forensic Psychology For Dummies* gives you a much wider and more interesting landscape to explore. I go beyond the myths of such popular ideas as 'offender profiling' and deeper than whether criminals are

born or made. In this book, I show you what forensic psychologists actually do, and why they do it in the ways that they do.

Although psychologists tend to drift into jargon, writing about most of what they do without technical terms is perfectly possible. On the few occasions when specialist words are needed, I make sure that their meaning is clear. So, if you know absolutely nothing of psychology, this book is for you. If you've read or studied any psychology before, many aspects are here presented in a new light. If you've already had some contact with forensic psychology or are considering it as a career path, the breadth of coverage provides a map to help you find your way.

Forensic psychology is a professional area of activity. So I do describe some of the requirements and challenges that professionalism creates. But even if you're only curious as to what all the fuss is about, knowing the underlying principles and processes may come in handy if ever you come into contact with a real-life forensic psychologist (they aren't usually scary, honest).

I think of books in a library as being in conversation with each other, drawing on what they're about and offering connections for others to pick up. *Forensic Psychology For Dummies* is part of a gaggle of books chatting to each other. Where you can get more detail elsewhere I make that clear, but bear in mind that I'm using my own point of view to cover what's written about in other books and, as in any conversation, not everyone agrees with each other. So if you want to check out what others have to say, by all means take a look at *Criminology For Dummies* by Stephen Briggs (Wiley) and *Forensics For Dummies* by Douglas P. Lyle (Wiley). Because forensic psychology has such close contacts with the law I mention the legal issues whenever I absolutely have to, but I'm a psychologist not a lawyer. So if you want to get to grips with all that stuff, do what I do and read *Law For Dummies* by John Ventura (Wiley), although be warned that it's about the law in the US and every country has its own way of doing legal things. Although the views of criminologists, political scientists, historians and anthropologists, to name just a few, are extremely valuable I don't engage with these disciplines. This book is about forensic psychology and psychologists focus on individuals and their relationships with others.

## Conventions Used in This Book

I use a few conventions to help you find your way around this book easily:

- ✓ *Italic* highlights new, often specialist, terms that I always define nearby, and is also sometimes used for emphasis.
- ✓ **Boldfaced** text indicates the action part of numbered steps.

Although I keep the number of technical terms and jargon to an absolute minimum, all professional activities include words that have precise meanings for people within that profession. Mastery of these italicised terms enables you to bluff your way in any discussions of crime and criminals.

I try to avoid specific gender stereotyping, but the writing can get very lumpy if I do so all the time. Therefore, every now and then I refer to an individual offender as 'he'. The fact that the great majority of criminals, 80 per cent or more, are men means that referring to them as male is usually accurate. Of course, this assumption doesn't mean that women never commit crimes; it just keeps the writing simpler. If I need to refer to specifically female criminals, or make clear that a higher proportion of offenders than normal of a particular crime are female, I do so.

You should also note that a very high proportion of Forensic Psychologists are women, so sometimes it makes sense to refer to them as 'she' or 'her'.

I'd love this book to be a laugh-a-minute, but squeezing humour out of rape and murder, or even the more mundane crimes of burglary and robbery, is difficult if not inappropriate. Criminals themselves aren't comic (although some of them are clowns). As an expert in court I manage to get a smile out of the jury from time to time, and so whenever I can I do the same here. But please don't see these attempts to enliven the topic as implying that anything is other than serious.

## *What You're Not to Read*

One of the problems with most books is that they start at page one and carry on in a straight line until they end on the last page. But ideas don't always sit along a line so neatly, and often you don't want to find out about things in the sequence that the writer wants to tell you.

This book is written to take account of such human foibles. In general, each chapter is self-contained and you can read the chapters in any order you like, although the book makes greater sense if you do read chapters in the numbered order. But to help out, I also make any information that you can safely skip easy to recognise. The grey boxes dotted throughout this book (known as *sidebars*) contain historical examples or more detailed theory that may otherwise break the flow of the text. You can skip them or just flick through to get the feel of what's going on.

## *Foolish Assumptions*

I've lectured on psychology to many different audiences for nearly 50 years ('it don't seem a day too long, guv'), which helped me to keep a vision in my mind of you while writing this book. The word *Dummies* in the title means only that I assume you're not an expert in forensic psychology, but that you're intelligent enough to use this book in the way that works best for you. I assume that you have some combination of the following interests:

- ✔ You're fascinated by crime and criminals, but want to know more than you can get from fictional accounts or glib documentaries.
- ✔ You think that you may want to be a forensic psychologist, but are curious as to what it's all about.
- ✔ You know a little about the criminal justice system and wonder how the scientific study of people can contribute to it being more effective.
- ✔ You're studying psychology and are fed up with artificial laboratory experiments and details of which area of the brain lights up when people do odd things, and so you want to know what psychologists do in the real world.
- ✔ You're studying crime or the law, writing an article or book, or making a documentary, and you want to know more about psychology and how it connects with the law.

## *How This Book Is Organised*

Except for the first and last parts, each part of this book deals with a different context in which forensic psychology happens. So you can choose the area that you're most curious about and start there.

### *Part I: Nailing Forensic Psychology: A Moving Target*

Forensic psychology is a rapidly expanding area and takes on different forms in different places. This part, therefore, gives you an 'efit' of forensic psychology to help you recognise it when you stumble across it. Chapter 1 examines what forensic psychologists do (and don't do) and who they deal with, Chapter 2 describes some of the aspects of what makes someone break the law and Chapter 3 shows how forensic psychology relates to the legal process.

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## ***Part II: Helping the Police Solve Crimes***

Many fictional accounts of crime investigations use some sort of psychological intervention to help solve the case. In truth, this aspect is a minutely small part of what forensic psychologists do, but it does get the juices flowing and is a crucial point on your journey into the world of forensic psychology.

Getting good information from victims and witnesses during interviews (which I discuss in Chapter 4) isn't as easy as the movies may have you believe. Not everyone the police talk to tells the truth, and so detecting deception (or indeed bare-faced lying) is a challenging topic, to which I devote Chapter 5. Making use of the information the police do collect opens up the topic often referred to as 'offender profiling' (see Chapter 6). Chapter 7 covers the important but often neglected subject of helping the victims of crime and Chapter 8 discusses crime prevention and reduction.

## ***Part III: Measuring the Criminal Mind***

Like every science, forensic psychology relies on precise and reliable measurement. But people, especially criminals, aren't static lumps of material that can be plonked on a laboratory bench to have refined measuring tools applied to them. Therefore, various assessment procedures have been developed to weigh up important characteristics of offenders, such as determining their mental state and its relevance to the legal process, a subject I describe in Chapter 9. A small, but crucial, subset of criminals have no obvious mental problems and are often characterised by commentators as 'evil'. Chapter 10 looks directly at what this description can mean and offers a less sensational account.

## ***Part IV: Viewing Psychology in Court***

Forensic psychology started life as guidance to legal proceedings and is now a common feature of many court hearings. I describe how this process works in Chapter 11. The new developments, especially in the US, of guiding lawyers to be as effective and understandable as possible are covered in Chapter 12.

## ***Part V: Helping and Treating Offenders***

Many forensic psychologists end up in prison . . . to help prisoners, of course, and sometimes prison management. Chapter 13 looks at the different forms of psychological help and treatment that are now available for offenders. Two particularly important areas are violence and sex offending, and so they have their own chapters (14 and 15, respectively). Youngsters who become involved in crime pose a particular challenge and so I devote Chapter 16 to them.

## Part VI: The Part of Tens

If you want to know more about the professional aspects of forensic psychology, I describe ten vital aspects in Chapter 17. Chapter 18 lists ten stages in the career of many people who become professionals in this area. But because forensic psychology is such a rapidly evolving profession, I also list ten areas that are emerging in Chapter 19. In Chapter 20, I describe ten great examples of cases in which forensic psychology successfully made a significant contribution.

### Icons Used in This Book



This book uses different icons to highlight important information. Here's what they mean:

This icon indicates stuff that's really worth bearing in mind.



This icon indicates where I set the record straight on common misconceptions.



I use this icon to show you where I draw on my own experience to bring you real-life stories.



This icon tips you off to where I describe differences across the globe or where I focus on one country or jurisdiction.



This icon reveals unusual nuggets from the realms of criminal investigation and behaviour.

### Where to Go from Here

You can read this book in any order you like, because I write it so that the text makes sense wherever you start. You can flick through and look at the cartoons (which to be honest is how I explore *For Dummies* books) or just go straight to the Part of Tens for some useful summaries. But if you're new to the subject, I think you'll get more out of it if you read Chapter 1 first. Most importantly, though, enjoy!

# Part I

# Nailing Forensic Psychology: A Moving Target

The 5<sup>th</sup> Wave

By Rich Tennant



"You're the one with the fancy forensic psychology degree; you tell me which one of them did it."

## *In this part . . .*

**T**he work done by forensic psychologists covers an increasingly wide range of topics; everything from exploring how to detect deception and malingering all the way through to helping families who have juvenile delinquents in their midst. Other examples are helping witnesses to remember and assessing how dangerous a person really is. These professional contributions occur in many different institutions: law courts, prisons, special secure hospitals for people sent there by the courts, in the community at large and on rare occasions even as part of police investigations. They concern themselves with all sorts of criminals from arsonists to terrorists and crimes starting with every letter of the alphabet in between.

At the heart of what forensic psychologists do is an understanding of criminals, their actions and the causes of their behaviour. This links to many other people who are interested in criminals such as criminologists, lawyers and even doctors and geographers. The difference is that psychologists focus on the person rather than patterns of crime, with that person's thoughts and emotions rather than physical or sociological processes. To get started, there is a lot of ground to clear about what forensic psychology is and the basis of what forensic psychologists do. In this part, I map out the fundamentals to get you ready for the more detailed stuff later.

## Chapter 1

# Discovering the Truth about Forensic Psychology

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### *In This Chapter*

- ▶ Figuring out what forensic psychology is and isn't
  - ▶ Seeing where forensic psychology happens
  - ▶ Understanding how forensic psychologists know what they know
  - ▶ Finding out who forensic psychologists work with
- 

**I**f you think that you know what forensic psychology is, this chapter may well have a few surprises in store. The abundance of police movies, TV series and crime novels give you a great picture of what forensic psychologists do – sometimes wrongly. Yes, police movies and TV series are truly criminal in content, but often only in terms of their inaccuracies and simplifications! Forensic psychology is an ambitious and diverse discipline and in this chapter I take a look at some specifics of the profession to sort out the reality from the fiction.



Whatever activity a forensic psychologist is involved in, he's arriving at logical conclusions using systematic, scientific procedures. The forensic psychologist's work is founded as much as possible on objective research, which isn't always easy to do for reasons I discuss in this chapter.

## *Grasping What Forensic Psychology Is Not*

You know the typical crime movie plot, which goes something along the following lines: the detectives in the film are stumped (you'd have no plot if they found the criminal sitting crying at the crime scene). The serial killer has

killed again (why are most killers in films serial killers?) and the pressure is on to find him (or more rarely, her). Enter the forensic psychologist, usually grudgingly, just when he's having enough problems, with drink, his girlfriend, or both. He visits the crime scene and magically knows what the murderer was thinking, why he killed, and how the police can catch him. But the killer refuses to talk, and so the heroic forensic psychologist settles down for an intellectual battle of wits leading to the criminal revealing all. (Along the way of course the forensic psychologist loses custody of his darling daughter, his girlfriend walks out on him again, and he returns to the bottle.)

I'm no scriptwriter, but I'm sure the scene is familiar to you. Well, as this book and this chapter shows, the typical crime storyline has more to do with Conan Doyle's fictional detective Sherlock Holmes, and all the well-known fictional sleuths following in his footsteps, than with the work of the present-day forensic psychologist.

Often, the best way of understanding the details of a professional activity is to clear the area around the profession and so establish what it's not. This approach is particularly important for forensic psychology, which shares friendly, neighbourly relationships with many other areas and professions. You'd certainly be forgiven for thinking, for example, that forensic psychology is the same as criminology.



Journalists mistakenly often refer to me as a criminologist, even though I'm no expert on changes in the pattern of crime over the centuries or between different countries, and I know little about the effects of different forms of punishment on the prevalence of crimes or the effectiveness of different crime prevention strategies.

I know only a little about crime as a general area, but have spent my entire career as a forensic psychologist taking a lot of interest in criminals. And yet, as a forensic psychologist, I may criticise general considerations of how to cut crime or treat offenders, but journalists generally have little understanding about what I know about how criminals act and think.



Forensic psychologists don't:

- ✓ Study broad trends in criminality.
- ✓ Examine how the legal system works.
- ✓ Solve crimes.

## *Finding out that forensic psychology isn't forensics*

Forensic psychology isn't *forensics*, which is the application of science in legal investigations, such as the chemistry of poisons, the physics of bullets, determining the time of death or how a person was killed. In other words, all the aspects of the Crime Scene Investigation featuring in so many TV crime series.

The examination of the scene of a crime and the exploration of the forensic evidence that can be drawn from the crime is sometimes useful to a forensic psychologist, for example in challenging an offender's claim in therapy.



Although in some crime fiction the forensic scientist may offer up opinions about the mental state of the offender or similar speculations to keep the storyline moving, this activity is quite different to forensic psychology.

## *Distinguishing forensic psychology from psychiatry*

Psychologists aren't *psychiatrists* – doctors treating mental illness and related matters, which some legal systems call 'diseases of the mind'. Psychiatrists are allowed to prescribe drugs and other forms of medical treatment and specialise in working with people who have problems in relating or their ability to deal effectively with others and the world around them.

To help their patients, psychiatrists may use talking therapies as well as medical interventions. Treatment can include the type of intensive psychotherapy initiated by Sigmund Freud, called *psychoanalysis*. When they're not prescribing pills, electric shock therapy, or brain surgery and are treating their mentally ill patients by non-invasive means, psychiatrists are drawing on psychological research.



Although some overlap exists between forensic psychology and forensic psychiatry, most of the topics in this book – such as testimony, measuring aspects of personality and mental state, giving guidance on court procedures, and many aspects of the psychological treatment of offenders – are carried out by forensic psychologists. When psychiatrists are involved in assessment and treatment, I believe that they're practising forensic psychology. They may not agree, however.

## *Recognising What Forensic Psychology Is*

*Psychologists* start out studying general psychology, focusing on such things as memory, learning, personality, and social interaction. Psychology students examine which bits of the brain light up when different activities are engaged in and the biological and genetic basis of human experience. Therefore they do study some of the areas that medical students explore, but in far less detail.

After finishing general undergraduate training, psychologists can specialise in a number of different areas of psychology, including occupational, educational, health, or even environmental psychology. Psychologists do further training, if they want to get a professional post in one of these areas. (In Chapter 18, I list the stages in becoming a professional forensic psychologist.)

Psychologists working at providing assessment and therapy with mentally ill people are called *clinical psychologists*, and their activities overlap with those of psychiatrists. In times past there was quite a turf war going on between clinical psychologists and psychiatrists, but in recent years both professions have come to respect each other and recognise the value of working together.

Some psychiatrists specialise even further and work mainly with patients brought to them through the legal system. They're known as *forensic psychiatrists*. The medical profession is held in such high regard by the courts that at one time only psychiatrists were allowed to give evidence on the mental state of defendants. That has changed over the last decade or two and now psychologists often provide expert evidence in court.

The term *forensic* originally meant 'of service to the court' but its meaning has broadened out to cover anything connected to crime, criminals and the court of law. *Psychologists* focus on how people think, feel and act. However, a forensic psychologist may explore many different aspects of a crime, and the easiest way to approach his role is by thinking of crime as a process. This process is described in this section.

### *Step 1: Crime starts with a criminal*

A crime occurs or is created by the criminal. The crime may involve the victim suffering direct personal violence or indirectly, as in a burglary of their home when they aren't present (the experience isn't indirect, I just mean that no direct personal confrontation is involved). A number of psychological issues are relevant at this stage, notably the characteristics of the criminal

and how they see or create the opportunities for crime. The consequences for victims of crime (an increasingly important area of forensic psychology) are important too, although often forgotten about in crime fiction and sometimes in real life. (Flip to Chapter 7 for more about helping victims.)

As a forensic psychologist, I'm interested in the implications of different kinds and styles of crime. Do some crimes require more intelligence or are some likely to be a product of anger or lack of self-control? The recurring debate about whether criminals are born or made (often called the 'nature versus nurture' controversy) is central to these considerations. You can find out more about 'nature or nurture' in Chapter 2.

## Where the term forensic psychology comes from

A little Latin is a useful thing. The word *forensic* comes from the Latin *forens*, meaning the Forum, which was the meeting place for sorting out your differences in ancient Rome. The Forum is the origin of the modern court. Now anything that provides help or a service to a court of law is known as *forensic*. That's why you have forensic scientists, forensic pathologists, and even forensic archaeologists. They draw on their own experience and knowledge to give evidence in court that helps the judge and jury make decisions. Originally, only psychologists who gave expert evidence in court were called forensic psychologists, but nowadays any psychologist who helps with anything to do with legal procedures, policing or offenders may be called a forensic psychologist, even if they never set foot in a court of law.

The term *forensic* has become so widespread that it's now attached to any psychologist who has anything to do with crime, criminals or their victims in a way that's relevant to detection, trials, treatment or imprisonment, or the impact of crime. Now the term *forensic* has gone as far as including those psychologists who help in selecting people to become police officers

although their work doesn't involve anything at all to do with legal proceedings. *Forensic* now includes the crime psychologist (I prefer that to 'criminal psychologist' because that sounds as if a dodgy psychologist is being mentioned!), police psychologist, investigative psychologist, and prison psychologist – all terms that overlap with forensic psychologist. To add to this confusion the label takes on different meanings in different countries because different legal systems allow different sorts of expert intervention. I explain some of these differences where they're especially relevant in the book.

So forensic psychology is like many terms in common use – difficult to define precisely but you recognise it when you see it.

Don't get too het up about defining the term forensic psychology and instead look at what forensic psychologists do and where they do it. Some experts may think that I cast the net too wide in this book and others may think that I leave out important areas. But I'm sure they all agree that forensic psychology is a fascinating and vibrant part of modern psychology.

## *Step 2: Reporting of the crime*

Most reports consist of a person giving a verbal account of the crime and, if an investigation follows, the crime scene is examined (the job of trained crime scene investigators). A victim or witness in a police interview gives an account of the crime with the interviewer attempting to get the interviewee to remember as clearly as possible what happened. (I discuss witnesses and interviews in more detail in Chapter 4.) Psychologists have been studying memory for well over 150 years and nowadays a lot is known about how the memory works, which is relevant to improving police interviews.

When a suspect is interviewed (and some witnesses), issues of lying and other forms of deception may come into play. (I describe these issues in further detail in Chapter 6.) The possibility of detecting lying and deception is likely to be a great help, and plenty of psychologists have had a go at this tricky problem. Establishing if you're being told the truth is especially important where a person may be making a false allegation that a crime occurred, or in the unexpected, but not uncommon, false admission to a crime.

## *Step 3: Investigation gets underway*

A few forensic psychologists may help with many aspects of police procedures, most famously by 'offender profiling'. I put this term in inverted commas because, as I discuss in Chapter 5, the technique isn't what sensational fiction suggests. Sure, from time to time a person crops up on TV or in the newspapers putting himself forward as a profiler, suggesting he's a modern Sherlock Holmes. But if profilers are doing the job properly, they aren't basing their proposals on instinct and intuition, or even the brilliant insights that made Holmes so admired, but using established scientific procedures.

Profiling procedures are still in their infancy and their predictions only weakly successful. Profiling is best understood as a small part of the much broader growth in the psychological study of criminals, their victims and various aspects of the legal process. These studies are trying to find out what it's about an individual that leads him to offend (or at least to offend more seriously than the average citizen). Forensic psychologists look at what goes on in interviews during investigations in order to improve the information the investigators have to work with.



A lot of forensic psychology is concerned with helping people who've become criminals to find a way out of their life of crime or at least to cope with their imprisonment in a way that's less personally destructive.

Some developments over the last decade that draw on geographical analysis as well as behavioural analysis show the huge gap between the brilliant but flawed profiler and the neutral scientific process. The question of how investigators make decisions is also a fascinating psychological one, but still rarely studied.

### ***Step 4: An offender is apprehended***

The forensic psychologist gets down to work at this stage. He or she assesses the individual's ability to understand the legal process, or whether any aspects of his (see this book's Introduction for why I use the male pronoun throughout) mental state mean that he was unable to be aware of the nature or consequence of his actions. Assessments help the court to decide if the person is fit to stand trial and whether aspects of his mental capacity need to be taken into account during the trial. An assessment can also influence what the court decides is to happen to the defendant if he's convicted.

### ***Step 5: Conviction for a crime***

If a person is convicted, he may undergo a variety of punishments or indeed 'treatments'. Psychologists may be active in helping him through those punishments and in providing various forms of assistance. Most commonly, help is given if the person has some obvious psychological problems. Alcoholism is a typical example of the problem a person may be struggling with that leads him into crime. Violence between people who are intimates, often called 'domestic violence', is another area where an offender can be helped to deal with his personality and interpersonal issues. Sexual offending (which I discuss in Chapter 15) is a further activity that may grow out of the offender misunderstanding the impact or significance of his actions, and which psychotherapeutic interventions can help.

Treatment and other interventions with offenders is one of the fastest growing areas of forensic psychology. I talk about treatment and interventions for offenders in Part V.

### ***Step 6: After the trial***

Psychological assessments of criminals go on long after the trial is over, in prisons and in other places dealing with offenders. These assessments are the bread and butter of the day-to-day work of the majority of forensic

psychologists. Assessments are made up of a variety of different, standard procedures that have been developed over the years to measure aspects of an offender's personality, intellect, experience, attitudes and actions. Go to Chapter 9 to find out how these measuring procedures are developed.

A particularly interesting aspect of assessment is the consideration of individuals who have no obvious mental illness or other intellectual problems, but who clearly have difficulty in relating effectively to others. At the extreme such people may be called 'evil' and they pose a challenge to psychological assessment. Various approaches to this issue have been explored but the dominant one is to think of the person as having a *personality disorder*, the main example being *psychopathy*. I cover these issues a little more in Chapter 2 and give over the whole of Chapter 10 to personality disorders.

Considering the court process raises many intriguing psychological and social psychological questions, but answering them is difficult and greatly influenced by the differences between different legal systems. For example, many courts throughout the world don't have juries: legally trained professionals, magistrates or judges make all the decisions. Where juries do exist, important differences arise in how psychological issues are dealt with and, crucially from the point of doing research, how possible it is or isn't to examine how the court operates.

## Not all legal activity concerns criminal acts

In my overview of the areas of activity of forensic psychology, I talk about 'crime' and 'offending'. But that isn't the only legal process in which psychology is relevant.

Courts consider a host of other events, usually referred to as *civil proceedings* and in which no-one is charged with a crime but there's a disagreement that requires a court of some sort to decide upon. One example is a coroner's court in which the cause of death is to be determined. Family courts in which custody of children may be the central issue are places where you often find psychologists assessing the parents or the children, their relationships or other related matters.

I think of some proceedings as *quasi-legal*. They're rather like courts of law but don't carry

the same weight or formality. Examples include employment tribunals, where a person is perhaps claiming wrongful dismissal, reviews of a person's disability in relation to an accident claim, or a claim for disability benefits from the state. As well as possible medical aspects, these examples may also feature significant psychological issues.

I also use the terms 'police' or 'investigation' in a rather loose way. Many of the people carrying out investigations aren't police officers, but may be insurance or arson investigators, customs and excise, tax collectors or other government agencies involved in aspects of law enforcement. All these areas are increasingly drawing on forensic psychology.



In the US, issues around proceedings are more open. The delightful film, based on the John Grisham novel *The Runaway Jury* pushes to the extreme the ways in which some knowledge of individual personality processes and social dynamics can influence juries. The attorney used this advice in the film to try and choose a jury that would give him the verdict he wanted and then to manipulate the way he presented arguments to them so they would take his side. I won't tell you how it all pans out in case you want to watch the film or read the book, but you can be sure it was not as you might expect.

Plenty of professional psychologists in the US, while not going as far as the characters in the film, do endeavour to help attorneys in selecting who should be eliminated from a jury and how to present the case to take account of how and what a jury understands of a case.

## *Reviewing the origins of forensic psychology*

Although professional forensic psychologists have only been operating in any numbers over the past 25 years, activity that can be recognised as forensic psychology is as old as modern psychology, going back to the latter half of the nineteenth century. Indeed, just about any development in scientific psychology quickly finds an application in some aspect of the legal process. Many well-known psychological studies started in the university and found their way into court as evidence. (I describe some of these landmark cases in Chapter 20.) Also, clinical practitioners working directly with patients have also contributed to developments in forensic psychology. In this section, I review these two parallel disciplines of psychology.

### *The academic strand*

All the applications of psychology to crime and law that I discuss in this section have their origins in the research laboratories of universities. New procedures have come from the products of careful study independently of the cut and thrust of legal debate or the challenges of a particular case. Later on, these procedures were applied directly to actual cases as illustrated in the nearby sidebar 'Defending a mayor from a charge of obscene behaviour'.

The law deals with all aspects of people in all the situations they find themselves. No surprise, therefore, that every major area of psychology and every significant psychologist has found relevance in some consideration of crime, criminality, investigation and prosecution. As a result, the links of psychology to the law are most notable in those countries where psychologists have been most numerous and active. Sigmund Freud, for example, told judges in Vienna in 1906 that they needed to be aware of how witnesses can inadvertently distort information because of unconscious processes.



## Defending a mayor from a charge of obscene behaviour

Professor Lionel Haward (1920–98) is the father of forensic psychology in the UK and gave evidence in many cases, often using procedures derived from experimental psychology as the basis for his evidence.

One particularly interesting (not to say amusing) case was when Haward acted for the defence of a local mayor who was accused of indecent exposure in a public toilet. This charge resulted from two police officers following up complaints of indecent activities by hiding themselves in a cubicle in the public conveniences, peering through a grill in the door.

The defendant claimed that he'd been wearing a pink scarf at the time and that the enthusiastic police officers, keen to make an arrest, were so primed to expect indecency that they misinterpreted this innocent apparel for a part of his anatomy!

Haward set up an experiment in which naïve subjects were shown photographs under limited lighting conditions of the mayor wearing his scarf. The subjects were given the expectation that something untoward was illustrated in the pictures and asked to indicate when they saw it and what it was.

Haward found that one picture in every eight was believed to represent an indecent act. Haward offered these results together with an explanation of the psychological processes involved and citation of other studies illustrating the power of expectancies on the interpretation of ambiguous images. The attorney used this report as the basis for invalidating the police evidence. The mayor was acquitted.

As early as 1908, Harvard Professor of Psychology Hugo Münsterberg published a book with the modern sounding title *On the Witness Stand*, in which he described the various ways in which the discoveries of the newly emerging discipline of psychology were of relevance to expert evidence in court. Many of the topics discussed are still relevant today, such as the fallibility of witnesses' memories, false confessions and how the court process itself can influence what people admit to. (Check out Chapter 4 for much more on memory and witnesses.) In Germany in 1909, where psychological research was also very active, Clara and William Stern published a book that considered children's ability to remember and give effective testimony as well as examination of the various psychological processes that may give rise to false testimonies.