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# Forensic Psychology: Crime, Justice, Law Interventions

THIRD EDITION

**EDITED BY**  
**GRAHAM M. DAVIES**  
**ANTHONY R. BEECH**



The British  
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**We would like to dedicate this Third Edition of our textbook to our families, but also to those who have particularly influenced and supported our work in forensic psychology:**

***Graham M. Davies:* Hadyn Ellis, John Shepherd, Beth Loftus, Gisli Gudjonsson, Ray Bull, and Don Thomson.**

***Anthony R. Beech:* Kevin Creeden, Glyn Humphreys, Richard Laws, William (Bill) Marshall, Adrian Raine, and Tony Ward.**





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# Preface to Third Edition

Welcome to the Third Edition of *Forensic Psychology: Crime, Justice, Law, Interventions*. Forensic psychology continues to be a popular option at undergraduate and higher degree level: interest in the interface between psychology and law continues to grow. In this new edition, we have sought to retain the focus on European and British models of justice, while acknowledging the rather different traditions of research and practice emanating from the United States.

This Third Edition builds on the success of the second and retains the same editorial team and many of the scholars who contributed to the earlier edition. All the topics from the Second Edition are retained but in some instances, a new writing team has brought a fresh perspective to the topics concerned. Examples include the treatment of eyewitness evidence, interviewing witnesses and suspects and the role of the psychologist as an expert witness. Two new chapters have also been added to address emerging issues in forensic research and practice: (1) an extended treatment of the concept of psychopathy and (2) interventions with female offenders. We have retained our policy of teaming established authors with younger researchers, who bring with them enthusiasm and knowledge of the needs of today's students.

Given these changes, the structure of the text remains essentially the same. An introductory chapter by the Editors provides an overview of the history of forensic psychology, both in relation to the courts and the prevention and treatment of offenders and takes in career paths, as well as relevant organisations and societies. Part 1 covers the *Causes of Crime* from a range of different but complimentary perspectives, while Part 2 is devoted to *Investigating Crime* and the actual and potential role psychological research can play in assisting the police in their enquiries. Part 3 looks at psychological perspectives on *The Trial Process*, from the standpoint of both court officials and the witnesses who must give their best evidence. Finally, Part 4 considers the challenge of *Dealing with Offenders*, with separate treatments of important groups, including those with learning disabilities and the mentally disordered. Fittingly, the text ends on a positive note, looking at the impact of the "Good Lives" movement on steering offenders away from crime toward more productive and fulfilling lives.

As before, *Forensic Psychology: Crime, Justice, Law, Interventions* has been published under the aegis of the British Psychological Society's *Textbooks in Psychology* series. The book's dedicated website has also been thoroughly updated, with additional student quiz questions and links to forensic sites of particular interest to psychology students. Instructors and lecturers can also access PowerPoint presentations covering each of the chapters to augment their lectures. All the main chapters retain the popular "Case Studies" feature, where theory blends with practice, together with topics for essays and discussions, plus additional recommended reading. An added attraction in the new edition is that most illustrations and figures are now in colour.

During the production of this book, one of our lead authors, Professor William [Bill] Lindsay died unexpectedly. Bill was a prolific writer and researcher on issues surrounding intellectually impaired offenders; collaborative in his approach and generous with his time, he is a significant loss to the field.

Once again, it is our pleasure to acknowledge the help and assistance of our many authors in ensuring that the manuscript was completed on time and dealing tolerantly with our questions and queries. Andrew Peart at Wiley-Blackwell provided the initial impetus to undertake a Third Edition and Liz Wingett has seen it through to its conclusion. Matthew Tonkin and Chelsea Slater compiled the multiple-choice test questions and Nora Naughton and Grace Fairley prepared our book for publication by Wiley. We hope that students and teachers alike will find this new edition a readable, comprehensive and up-to-date guide to the world of forensic psychology.

*Graham M. Davies and Anthony R. Beech*

# About the Editors

**Graham M. Davies** is Professor Emeritus of Psychology at the University of Leicester and an Honorary Professor of Forensic Psychology at the Universities of Birmingham and Coventry. His research interests focus on the testimony of children and adults and the support of vulnerable witnesses at court, on which topics he has published some 10 books and more than 150 articles in scientific journals. He led the writing team responsible for the original version of *Achieving Best Evidence*, the standard guidance on interviewing vulnerable victims and witnesses in the English courts, and has considerable experience as an expert witness in court cases where the testimony of children or other vulnerable witnesses are a focus of concern. He is a Fellow of the British Psychological Society and a former president of the Society for Applied Research in Memory and Cognition and of the European Association for Psychology and Law. He is the founding editor of the journal *Applied Cognitive Psychology* and co-edits the *Wiley Series on Crime Policing and the Law*. In addition to his academic and professional work, he was for 13 years a Magistrate on the Loughborough, Melton, Belvoir and Rutland bench.

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# About the Companion Website

**[www.wiley.com/go/bps/davies3e](http://www.wiley.com/go/bps/davies3e)**

There is a range of resource materials especially developed for the third edition of *Forensic Psychology: Crime, Justice, Law, Interventions* for use by students and instructors, providing for all your course lecturing and testing needs. These include:

- Interactive short-answer tests for use by students (a popular feature)
- PowerPoint slides of all the figures, tables and boxes from the book
- PowerPoint slides for instructors, complete with text headings as well as diagrams, designed to highlight key points in each chapter



# Introduction



**GRAHAM M. DAVIES, ANTHONY R. BEECH  
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# FORENSIC PSYCHOLOGY

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Forensic psychology is a broad and growing area of psychological research and practice. It embraces a variety of studies at the interface of psychology and the law, spanning both legal and criminological issues. The *legal aspect* of forensic psychology concerns the application of psychological knowledge and methods to the processes of law and the *criminological aspect* deals with the application of psychological theory and method to the understanding (and reduction) of criminal behaviour through interventions. Hence, the *legal aspect* deals with evidence, witnesses and the courts; while the *criminological aspect* focuses on crime and criminals. Among the range of tasks undertaken by forensic psychologists can be:

- piloting and implementing treatment programmes for offenders
- generating research evidence to support penal policy and practice
- undertaking assessments of risk for violent and sexual offenders
- domestic violence and family issues
- treating offenders with drug or alcohol problems
- writing reports and giving evidence in court
- advising parole boards and mental health tribunals
- crime analysis and offender profiling
- conducting experimental and field studies on the reliability of witnesses
- advising on interview techniques with suspects and vulnerable witnesses
- counter-terrorism policy and hostage negotiation.

The umbrella term *forensic psychology* is used to embrace both legal and criminological research and application, even though the term *forensic* strictly means the employment of scientific tests, or techniques, used in connection with the detection of crime. As the issue of crime and offending continues to grow in importance in society, it seems inevitable that policy makers will turn increasingly to psychology in general and forensic psychology in particular for answers to such questions as “What makes a person offend?” and “How can crime be reduced?” Therefore, the aim of this book is to give a broad outline of current topics in psychology ranging from causes of crime (Section 1), the detection of crime (Section 2), legal processes (Section 3) and finally risk assessment and treatment of offenders (Section 4).

To understand how *forensic psychology* emerged as the high-profile psychological science it is today, it is useful to begin by examining briefly the roots of both *legal psychology* and *criminological psychology*. We will then describe the professional pathways into forensic psychology, and the principal organisations and journals that support the discipline, followed by an overview of the structure and content of the book.

## Legal Psychology

*Legal psychology* was one of the first areas of applied psychology to be explored by experimental psychologists. It then languished as a discipline until the 1970s, when there was a great resurgence of interest in research at the interface of psychology and law, which continues to today. Legal psychology began in Europe around the turn of the twentieth century (see Davies & Gudjonsson, 2013). Prominent among these pioneers was the Austrian *Hans Gross* (1847–1915) who in his career claimed to have performed more than 45,000 pre-trial examinations of witnesses. As a result of his experiences, he became sceptical about witness accuracy and developed tests to try to discriminate those who might prove reliable. He described his experiences in probably the first textbook of legal psychology, published in 1898.

One issue of concern to Gross was the suggestibility of witnesses under questioning. The French psychologist, *Alfred Binet* (1857–1911), had conducted some of the earliest studies on suggestibility and conformity effects in children, described in his book *La Suggestibilité* (1900) and these ideas were taken up by the German psychologist *Louis William Stern* (1871–1938). It was Stern who, as part of his programme of research into what he termed the *Psychologie der Aussage* (the psychology of verbal reports), started the first journal devoted to witness psychology and introduced new methods such as the “event test”: a carefully rehearsed incident staged in front of onlookers who are subsequently asked to report the events in their own words and answer questions concerning details, a technique still in use today. Suggestibility, particularly in relation to vulnerable witnesses and its impact on their testimony, remains a focus of research today (see Ridley, Gabbert & La Rooy, 2012 and Chapters 6 and 7).

The *Aussage* movement continued to be active in Germany up until the First World War, but the person credited with publicising the new science to the English-speaking world was Stern’s friend, *Hugo Münsterberg* (1863–1916). Münsterberg moved from Germany to Harvard University in 1892 to accept an invitation from William James to set up their first experimental psychology laboratory. Münsterberg’s interests in psychological aspects of the law went well beyond issues of testimony. In 1908 he published *On the Witness Stand*, a book aimed at publicising and promoting the value of psychology to law enforcement in general and the courts in particular. Among the topics discussed by Münsterberg were:

- the accuracy of witness testimony
- the detection of deception
- false confessions
- suggestive questioning at court
- effective interviewing procedures.

Sadly, the emergence of Münsterberg’s book did not usher in a new dawn for legal psychology. Its somewhat bombastic tone and casual generalisations alienated lawyers (he dismissed them as “obdurate”), precisely the group to whom the implications of the book might most usefully have been directed. It drew from the distinguished American jurist, *John H. Wigmore* (1863–1943), a majestic rebuke in the form of a satirical account of an imaginary trial in which Münsterberg’s more specious and expansive statements were held up to ridicule (Wigmore, 1909). Wigmore did concede that while psychology had little to offer to the law at present, there might come a time when psychology would