

## A CRITICAL ANALYSIS IN THE BASIC CONCEPTS OF FORENSIC PSYCHOLOGY

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**S. SUGANYA**

*Research Scholar*

*Department of of Psychology,*

*IIC University of Technology, Cambodia*

### **Abstract**

*Forensic Psychology is the upcoming scope in the field of psychology and many youngsters holding the interest towards this field. Offender psychology is also call out be forensic psychology. They field deals with the combination of psychology and law. It is manadatory to know about the basic concepts of offender psychology to gain the better knowledge in the Indian perspective. The law proceeding and practising is different from country to country. So the offender psychologist role will be also played accordingly. The critical review of the basic concept of forensic psychology gives the reader better and basic understanding about the role of offender Psychologist, law and Order, Psychological perspectives of offenders, characters and behaviours of offenders, law which governs criminal law in India such as Indian Penal Code(IPC) and Criminal procedure code (CrPC).*

**Keywords:** *Offender Psychologist, Psychology and Law, Forensic Psychology, Psychological Perspectives of Offender, Law and Order, Characters and Behaviours of Offenders.*

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### **Preamble**

Offender Psychology is also known as Forensic psychology. The central theme of forensic psychology could be explaining the criminal behaviour and criminality. It provides the basic and core idea of how assessment can be made on the offenders and help them to overcome the behaviour through modification and detention, so do not repeat the same offense in future. The offender psychology directly focuses on the characteristics and behaviour of the offender through punishment, assessment and treatment. The forensic psychology majorly concentrates on offenders rather than the situations. Henceforth the critical analysis on the conceptualization and ideology revolves around the offender psychology with the synthesised reviews.

### **Defenition of Offender Psychology**

According to American Psychological Association2001,Forensic psychology is defined as the application of clinical specialities to the legal arena, the definition more emphasises on the clinical psychology to the forensic setting. As stated by Christopher Cronin on his well know forensic psychology textbook “The application of clinical specialities to legal institutions and people who come into contact with the law” (p.5). This definition more focussed on clinical skill, assessments, treatments and evaluation in forensic setting. The definition and explanations extended until to the cognitive psychology and social psychology. The offenders preceding and legal question ability will go the social settings and cognitive abilities of an individual. The eyewitness ceremony will be dealing with the memory to retrieve the traumatic incident from the brain. Those are all the evolutionary concept of an Offender psychology. Offender psychology is the study of views, thoughts, intentions, actions and reactions of the offenders and their participation in the criminal behaviour. It also deals with the state of mind of the offender during crime and after crime been committed.

“Instead of blaming! Addressing the concern is the need of hour”, most of the time circumstances and situation making the person to get involved in the criminal behaviour being in the field of offender psychology, addressing the offender emotions and making sure after detention the offence is not happening again by the same person. But majorly, once they become as offender the society is failed to looking up the person as evolved human after being proved guilty. Society and state plays a major role in helping and empathizing the offenders after detention is important.

### **Clinical, Applied and Research-Based**

Professor Craig Haney, University of California 1980, stated three primary ways to having the relation between psychology and the law.

- Psychology-in the Law: The legal system as it operates along with the use psychology, analysing and evaluating the human behaviour.
- Psychology and - The Law: the operation system of legalities with the use of psychology to examine the human behaviour.
- Psychology- of the Law: To examine the law system, the psychology have been used.

According to American Psychological Association (APA), forensic psychologist has to have the specific knowledge in three areas, so then the professionals will called out as Forensic psychology. They are mentioned below

- Legal: Which includes legal knowledge about the legal system, the law of the country and the process of gaining the right legal information.
- Clinical:which includes knowing diagnosis criteria, treatment planning, testing, measurement, intervention, analysis and interpretation, ethics and like so.
- Forensic:Which includes techniques and tools for assessments related to the legal probing.

Forensic psychologist also expected to possess certain abilities to address the psychological concerns and basic knowledge about the course of legal proceedings. Which includes civil and criminal. In civil, litigations like child custody, labours compensations, hearings and like so. In criminal, all type of criminal delinquency proceedings, defence of insanity, trial process waiver of juveniles on adult court and like so.

The APA also denoted, forensic psychologist offer their services to two distinct populations they are: clinical forensic population, which comprises of mental and emotional disorders and legal population, they are courts, other administrative bodies and attorneys.

Forensic psychology often work on the research area for academic purpose to exclusively focus on the psychology and law. They are mentioned below:

- Crime trends
- Juvenile delinquency and their characteristics and behaviour
- Criminal profiling
- Eyewitness ceremony
- Mental health treatment for offenders
- Substance abusers and like so...

### **The Role of Forensic Psychologist**

The role the forensic psychologist will play in the field of law is different. The psychology have a vast field, who have knowledge in clinical assessments, treatment and diagnosis criteria and legal system can uphold in the field of forensic psychology. There are four major roles in the field of forensic psychology, they are:

- **Clinical Assessments:** The clinical assessment states to the collecting information and arriving the conclusion through psychological interventions, observation, some neurological tests and interviews. It completely deals with the diagnosis and treatment criteria.
- **Experimental:** The experimental role deals with the investigation and intruding process. As investigation is a common police practises and investigations has to be recorded and all these investigation will be experimented with the setup of psychologist to pull out the answers from the offender.
- **Actuarial:** The actuarial role involves both clinical and experimental role, the psychologist will often deals with the statistical relationship to support the case.
- **Advisory:** The Advisory role works as a consultant and being a supportive members in jury in the court room.

### **Evolution of Explaining the Offenders**

A Serious research school less than hundred years ago believed in relationship between body structure and criminal behaviour. During 19th century, an Italian criminologist ceasare Lombroso making sure about the physique of the human like thick war, thin beard, extensive jaws, pointing chin and huge cheek bones are all the physiological descriptions when it comes to criminals. In 1871, the pictures taken from Lombroso's atlas of criminal type. Whereas some researchers taken this into the stage which is biological arguments. The gene plays a role in criminal behaviour as such the extra Y chromosomes leads to genetics influence on the deviant behaviour. Hormonal imbalance as well accused in the matter of deviant behaviour. The gender hormone segregations like more male hormone "Testosterone" leads to aggressive behaviour. This concept used to be a central belief of every law suits and analysis happened accordingly. The same impact leads to the visual orientation through media as well, film started portraying negative role (Villans) with the same physique like dangerous and vigorous. After 19th century, when the Darwin's Theory of Evolution existed, experts gazed that human isn't evolved as criminals or savages. The human are getting adopted towards the situation and nature also has to do with the deviant behaviour. There is a shadow part of every human being is called atavistic instincts which is also called as animal instincts. Offenders are showing less control over the atavistic instincts to get involved in the criminal offence.

### **Mental Disorder**

As climbed in DSM-IV, "Mental disorder is a psychological syndrome or pattern which is associated with the distress, such as painful symptoms, disability such as impairment in important area of functions, higher the risk of death or causing significant loss of a loved one. In 2013, the American Psychiatry Association (APA) defines as "Syndrome characterized by clinically significant disturbance in an individual's cognition, emotional regulation or behaviour that leads to dysfunction in psychological, biological or development process. ICD-11 as well contains the similar definition with regard to mental disorder. The connection between the offenders and mental state goes on the valid in forensic psychology. Majority of the offenders are being in the state of depression or some psychological concerns. People with learning difficulties and psychotic conditions like schizophrenia are also falling in the deviant behaviour. According to the study conducted in English prison three in every hundred are psychotic. The personality disorders also contributing factor of such as Anti-social behaviour holding a deviant and aggressive behaviour towards people and also objects. Most certainly people who are all depressed never commit the crime, the perpetrator who have abnormalities and also personality disordered could also be more

prevalent. People who have learning disability are naturally more dependent and people with intellectual difficulties behaviours are completely based on what others influences them. There is a core difference between mentally disordered offender and mental disorder causing offenders. It is forensic psychologist duty to do the diagnosis and identifying the disorder, addressing them in an appropriate way with proper assistance. Intervention and treatment is necessary than the detentions.

### **Psychopath in Forensic Psychology**

Psychopath is a psychological construct that describes a constellation of emotional, interpersonal and behavioural traits that are related to Anti-social Behaviour (Hemphil& Hart, 2003). Although, psychopaths are different from Anti-social personality disorder in many perspectives. It is difficult to measure the emotional and interpersonal characters among psychopaths such as they lack in empathy, they have a superficial charm, high in manipulation, very much cunning, lack of remorse, being irresponsible and like so. Besides, the emotional and interpersonal characters are the central features of psychopath can be distinguish between Anti-social personality disorders. According to statistics details around 15 to 30 percentage of population of offenders, 1 percentage of the general population are psychopathy ( Hare,1996). In usual psychopaths commits more violent crimes than the non-psychopaths (Gendreau, Goggin & Smith, 2003, Walters 2003). Psychopaths are lucid and coherent with less signs of any learning disability and psychotic disorders. Many Hollywood movies portrayal of psychopath doing merciless serial killing. The deep down malevolent but appear to be unthreatening. The psychopaths will have the major mood swings whereas their emotions swings from one to the other extreme so viciously. The person seem to be pleasant will be turned out to be more violent on the other extreme. The psychopaths will be distinguished into two categories in forensic psychology they are type1 and type 2. The type 1 -diagnosis criteria such as superficial charm, difficult in identifying emotional and interpersonal characters. The type 2- diagnosis criteria such as impulsive, history of juvenile delinquency, conduct issues duping childhood. Psychopaths are difficult to deal with and also to identify in the forensic setting with the proper intervention and very intense diagnosis the person could to identified and detained with appropriate assistance. Psychopaths are dangerous to themselves and also to others. They will be having the strong childhood wounds and apathy towards the social norms and integrity. The will be also ultimately called as cold blooded and smart. There could be the possibilities of interference of personality disorder symptoms but it will be little rare in outranging. They completely lack in empathy and merciless act when it comes to their prey. Psychopaths has a deviant behaviour whereas pretty difficult to frame the shadow part of their actual behaviour. The psychopathic disorder which is disability of mind and have lots of mood swings they will deal with. The best example to quote in the movie could be Batman movie joker as in character will the best ever example of psychopath as he will be diagnosed with Paranoid Schizophrenic. Secondly appropriate example could to Ratchasan Movie in Tamil better example to quote it with.

### **Addiction and Substance Abuse**

According to American Psychological Association, addiction is a complex condition, a brain disease that is manifested by compulsive substance use despite harmful consequences. People are aware about the problem occurs after the usage of substances there become as an addiction. People can possibly develop an addiction towards: Alcohol, Marijuana, LSD,PCP and hallucinogens, inhalants such as paints thinners and glue, opioid pain killers, sedatives, medicine like

tranquilizers used for anxiety, cocaine and other stimulates and tobacco. People who are into the addiction process become into the state of dependency. According to drug control bureau, people take drug due to reach highness, being in the mode of ecstasy. Young adult and teenagers are very much into the usage of drug abuse these day. They are creating the state of dependency towards substances. The behaviour like aggressiveness showcased a lot due to need for money. The drugs are in high sale and to get the drug people are being exploited to involve in the things against the law. The situation crimes and offenders are high due to addiction and substance abuse. Domestic violence is one of the major reason because of substance abuse.

### **Psychological Reasoning Behind the Offence Committed by Offenders**

There are couple of reason behind the office being committed by the offenders. The forensic psychologist must look into the perspectives of psychology to get the better hold on the reason behind the act of behaviour. They are mentioned below:

1. A person does accept the social norms and live according to that.
2. If the conscience have not developed enough for the human.
3. The person doesn't reached the adult stage of moral reasoning.
4. The person will be having the complains since from the childhood in the form of conduct disorder and having the difficulties in coping in the school.
5. Due to social conformity , the offence could happen especially among teens and adults
6. If the person involving themselves in the form of substance abuse.

### **Emotions and Crime**

The crime is interlinked with emotions. The emotions that offenders shed most the time could be aggressiveness, impulsiveness as in behaviour. Instrumental emotions like showing frustrations, insult or anger, sometimes jealousy as well taken a set on the emotion and crime part. Taking the pride on others fear are quite common to repeat the offence. The adrenaline rush as well leads to commit the offense. As in hormonal imbalances and the situations like flight or fight for the survival leads to situational offence. The attachment towards object, person, power, ideology and like are also the emotional attachments towards the offence.

### **Networks of the Offenders**

The offender's network is high and contagious. They have the chain of connection globally. Depends on the ideology matches every person will be getting along with the network. Every offenders have their own criminal styles depends on the interaction with others. The network could be possibly explicit and implicit in nature. Some of the criminal networks are open to people to pull up to join their ideology and execute what they want it for, the other is internal and closed group where there will be no access to others about what they actually are. There are two categories offenders' falls in the network basis which is lone wolf attackers and Terrorism. Lone wolf attackers are the people who do damage to the society and state alone without getting along with any group. They are self-driven and there is a possibilities of getting attracted towards the groups. They will always execute the operation all alone and cause damage to the society and peace. Another category is terrorism. This is the groupism, whereas many people works together towards the ideology and cause damage to the society and peace. There is probability of lone wolf attackers joining in the groupism as well. The concept of seduction and association explains more about the alone offenders who commit crime and group who involved in the crime.

## Social Explanation

The social explanation will give the outline of theories that are associated with the crime and the behaviour behind. According to Association Theory, The group or the place, people that we are associated with in have a more influence on the behaviour. The offenders might have the situation or coming from dysfunctional family, abusive parents. It is also due to social divides between rich and poor. And the most major cultural impact also plays a major role.

## Conclusion

The above explained concepts are the base of forensic psychology. The glimpse will give the detailed description about the core concept and how the psychologist has to be placed and played in the role of forensic psychology. Offenders are formed through both which is nature and also nurture. The base line of all the deviant behaviour could be lack of ethical reasoning and moral thinking. Also the additional issues of childhood trauma. The forensic psychologist while dealing with the offenders, they are expected to deal in the eclectic approach. The Indian judiciary has considering the expert committee as in valued one. It still has to be more transparent to students who are all pursuing psychology. They scope of the forensic psychology will create a greater impact among offenders and also in law and order. The countries like America, UK, Russia and like so the forensic psychologist participation is highly remarkable to close the cases and also retain, rehabilitate the offenders. The detention system is to help to the offender not to give trauma. The prisons needs a good reforms. Whereas offenders can spend their time in reforming themselves. Instead of accusing them as a criminal addressing their behaviour and reforming is a need of the moment. Empathizing the offenders is major concern of forensic psychologist.

## References

1. Adams G.R, M.D and Keating the role of identity process and social relations, journal of youth and adolescent.
2. Blumbeerg S, Boudeon KH (2005) U.S children with emotional and behavioural difficulties: Dta from 2001, 2002 and 2003 national Health interview surveys.
3. Boyod R. McCandles, John McDavid. "Psychological Theory, research and juvenile Delinquency" The journal of criminal and police science. Web.24 Oct2012.
4. Agnew,R., Foundation for a general strain theory of crime and delinquency, Criminology.
5. David Canter, Forensic Psychology A Very Short Introduction, Oxford University Press 2010.
6. C.R. Bartol and A.M. Bartol, Introduction to Forensic Psychology: Research and Application (London: Sage, 2008)
7. D. Canter and D.youngs, Investigative Psychology: Offender Profiling and the Analysis of criminal action (Chichester; Wiley, 2009)
8. M.T.Huss, Forensic Psychology: Research, clinical practice and applications.
9. D.A. Lieberman and DA Kraus (eds), Jury Psychology: Social aspects of the Trail Process
10. Neeraj Kumar Gupta, Criminology,Singal Law Publication, fourth edition 2015.
11. Reference Journal and Articles
12. chad E Tillbrook, Denise L Mumley, Thomas Grisso. "avoiding expert opinions on the ultimate leagal questio: the case for integrity ." jorunal of forensic psychology practise , 2003: 3(3).
13. Gallagher. "treatment strategies for forensic psychologist working with clients dealing with substance abuse, ;egal charges and enabling parents." journal of forensic psychology practise , april 2014: 14(2).

14. Gudjonsson, Gisli H. "Psychology Brings Justice: The Science of Forensic Psychology ." *Criminal Behaviour and Mental Health* , 2003: 159-167.
15. RANDY K OTTO, KIRK HEILBRUN. "The Practice of forensic psychology: A look towards the future in light of the past." *American psychological association* , 2002: 57(1).
16. skinner, Heasley, stennett. "motivational groups promote recovery in forensic settings ." *journal of forensic psychology* , 2014: 14(2).