

A Brief History of Legal Psychology

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DESCRIPTION

The fields of legal psychology are very similar to the fields of general psychology. As an example, cognitive psychologists may do legal research in eyewitness memory, eyewitness memory or perceptual issues involving crime. Social psychologists may study jury deciding, racism, etc.

Together, legal psychology and forensic psychology form the sector more generally recognized as "psychology and law". Following earlier efforts by psychologists to deal with legal issues, psychology and law became a field of study within the 1960s as a part of an attempt to reinforce justice, though that originating concern has lessened over time. The multidisciplinary American Psychological Association's Division 41, the American Psychology-Law Society, is active with the goal of promoting the contributions of psychology to the understanding of law and legal systems through research, also as providing education to psychologists in legal issues and providing education to legal personnel on psychological issues. Further, its mandate is to tell the psychological and legal communities and therefore the public at large of current research, educational, and repair within the area of psychology and law. There are similar societies in Britain and Europe.

Generally speaking, any research that mixes psychological principles with legal applications or contexts might be considered legal psychology (although research involving psychotherapy, e.g., mental disease, competency, insanity defense, offender profiling, etc., is usually categorized as forensic psychology, and not legal psychology). For a time, legal psychology researchers were primarily focused on issues associated with eyewitness testimony and jury decision-making; such a lot so, that the editor of *Law and Human Behavior*, the premier legal psychology journal, implored researchers to expand the scope of their research and advance to other areas.

There are several legal psychology journals, including *Law and Human Behavior*, *Psychology, Public Policy and Law*, *Psychology, Crime, Law, and Journal of Psychiatry*, *Psychology and Law* that specialize in general topics of criminology, and therefore the criminal justice system. Additionally, research by legal psychologists is often published in additional general journals that cover both basic and applied research areas.

In March 1893 J. McKeen Cattell posted inquiries to fifty-six of his students at Columbia University, the questions he asked his students were like those asked during a court of justice. What he found was that it had been reasonable to conclude eyewitness accounts of events were unreliable. His students were all sure they were mostly correct, even once they weren't, and a few were hesitant once they were actually correct. He couldn't find out specifically why each student had inaccurate testimonies. Cattell suggested that "an unscrupulous attorney" could discredit a witness who is being truthful by asking "cunningly selected questions". Although a jury, or the judge, should skills normal errors are in eyewitness testimonies given different conditions. However, even Cattell was shocked by the extent of incorrectness displayed by his students. Cattell's research has been depicted because the foundation of forensic psychology within the us. His research remains widely considered a prevailing research interest in legal psychology. It's been thought that in America psychologists are used as expert witnesses in court testimonies since the first 1920s. Consultation within civil courts was commonest, during this point criminal courts rarely consulted with psychologists. Psychologists weren't considered doctors, those that were like, physicians and psychiatrists, within the past were those consulted for criminal testimonies. this might be because in criminal cases, the defendant's psychological state almost never mattered "As a general rule, only medical men that is, persons licensed by law to practice the profession of medicine can testify as experts on the question of insanity; and therefore the propriety of this general limitation is just too patent to allow discussion".

Psychologists specifically trained in legal issues, also as those with no formal training, are often called by legal parties to testify as expert witnesses. In criminal trials, a witness could also be called to testify about eyewitness memory, mistaken identity, competence to face trial, the propensity of a death-qualified jury to even be "pro-guilt", etc. Psychologists who specialize in clinical issues often testify specifically a few defendants' competence, intelligence, etc. More general testimony about perceptual issues (e.g., adequacy of police sirens) can also come up in trial.

Experts, particularly psychology experts, are often accused of being "hired guns" or "stating the obvious". Eyewitness memory experts, like Elizabeth Loftus, are often discounted by judges and lawyers with no empirical training because their research utilizes

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undergraduate students and "unrealistic" scenarios. If each side has psychological witnesses, jurors may have the daunting task of assessing difficult scientific information.

Psychologists can provide an amicus brief to the court. The American Psychological Association has provided briefs concerning mental disease, retardation and other factors. The amicus brief usually contains an opinion backed by scientific

citations and statistics. The impact of an amicus brief by a psychological association is questionable. As an example, Justice Powell once called a reliance on statistics "numerology" and discounted results of several empirical studies. Judges who haven't any formal scientific training also may critique experimental methods, and a few feel that judges only cite an amicus brief when the brief supports the judge's personal beliefs.