

PSYCHOLOGY AND LAW A CRITICAL INTRODUCTION THIRD EDITION

Fully revised and expanded, the third edition of *Psychology and Law: A Critical Introduction* provides a comprehensive, up-to-date discussion of contemporary debates at the interface between psychology and criminal law.

Features new sections on:

- crime victims
- restorative justice
- police prejudice and discrimination
- International Criminal Court
- terrorism and profiling offenders.

Each chapter is supported by case studies and further reading. Other topics include: critiques of eyewitness testimony by adults and children, the role of the jury, sentencing as a human process, the psychologist as expert witness, detecting deception, and psychology and the police.

Andreas Kapardis draws on sources from Europe, North America and Australia to provide an expert investigation of the subjectivity and human fallibility inherent in our systems of justice. He also suggests ways for minimising undesirable influences on crucial judicial decision-making.

International in its scope and broad-ranging in its research, this book is the authoritative work on psycholegal enquiry for students and professionals in psychology, law, criminology, social work and law enforcement.

Andreas Kapardis is Professor of Legal Psychology, Law Department, University of Cyprus.

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Andreas Kapardis

Frontmatter

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ANDREAS KAPARDIS

PSYCHOLOGY AND LAW

A CRITICAL INTRODUCTION

THIRD EDITION



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Encouraged both by the success of the second edition as well as by the knowledge that a great deal had meanwhile happened in legal psychology – and having been assured by my wife Maria and our children Elena and Konstantinos-Raphael that I would have their full support and understanding – I decided to accept CUP's suggestion for a third edition that would also include new sections on crime victims, restorative justice, the International Criminal Court, police prejudice and discrimination, profiling and terrorism. Inevitably, the book reflects my own background and interests in psychology, legal studies, criminology, penology and law enforcement. I hope it will be used as a textbook and will be of interest to undergraduate and graduate students as well as to professionals in psychology, criminal law, law enforcement, forensic psychology and social work.

As the manuscript goes to print, a sense of gratitude goes first of all to Maria, Elena and Konstantinos-Raphael for their patience and support all the months in 2008 and 2009 when I was working on the manuscript. A sense of gratitude also goes to three well-known British academics who inspired my interest in legal psychology when I was a student in their classes – David Farrington, Brian Clifford and Ray Bull. I consider myself fortunate to have enjoyed the excellent facilities and helpful assistance of the staff at the Radzinowicz Library, Institute of Criminology, Cambridge University, especially Mary and Stewart for tracking down at very short notice numerous invaluable references. I wrote parts of the manuscript in Nicosia, while attending a conference in Dubai and while staying at Clare Hall, my own Cambridge college. I could not have wished for more conducive environments. A special thanks goes to Ray Bull, Graham Davies and Willem Wagenaar for supplying me with material about their experience as expert witnesses. I am also especially grateful both to Susan Hanley for all her guidance, support and understanding while working on the manuscript as well as to Averil Lewis for editorial corrections of the manuscript. Of course, none of the individuals or institutions is responsible for any weaknesses, mistakes or opinions expressed in this work.

Soon after I started work on the third edition, early in 2008 I was appointed chair of a national committee on school violence in Cyprus and expected to table our report within two months. In addition, at about the same time I was appointed by the President of Cyprus chair of a technical committee on crime and criminal matters to hold talks with the Turkish-Cypriots in the buffer zone under the auspices of the UN in an effort to assist the two community leaders to find a solution to the political problem of the beautiful but still divided island of Aphrodite. As the

pressure on me mounted, when in May and June 2009 my brother Stelios and sister Maria respectively passed away, this book would not have been possible without the tremendous support and patience of my wife Maria. In appreciation, I dedicate this book to her and to our delightful children, Elena and Konstantinos-Raphael for helping out with karate training and, also, to my late parents Kosta and Sofia, my brother Stelios and, finally, my sisters Maria and Eleni, who all worked so hard so I could stay on at school.

FOREWORD

It is a great pleasure to welcome this third edition of Andreas Kapardis' textbook, *Psychology and Law*. The first and second editions rapidly became recognised as classic texts and have been widely used in undergraduate and postgraduate courses on legal and forensic psychology. My own students have found the previous editions incredibly useful and informative. They have also been of great interest to forensic psychologists and psychiatrists, academic and practising lawyers, law-enforcement personnel, and many practitioners and policy-makers.

This third edition is even better. Although it follows the successful organisation of the second edition, this edition has been completely revised and updated. Professor Kapardis has obviously put a huge amount of work into reading all the latest studies and clearly demonstrates his encyclopaedic knowledge of psychology and law. Useful features include margin notes, case studies and revision questions. Like the previous editions, this book is scholarly, detailed, wide-ranging and up-to-date, but nevertheless very readable. There is no comparable modern textbook with such an international coverage of research on psychology and law.

This international coverage, focusing on the UK, the USA, Canada, Australia and New Zealand, reflects the fact that Andreas Kapardis is a very international person. He completed Masters and PhD theses under my supervision at Cambridge University about 25 years ago and then taught and carried out research for a long time in Australia. Now he is pioneering research and teaching in legal and forensic psychology in Cyprus. Dr Kapardis is exceptionally knowledgeable about psychology and law throughout the world, as readers of this book will soon discover.

Compared with the previous editions, there are many new features in this book. In the chapter on the jury, the effects of characteristics of lawyers and judges on juries are reviewed. In the chapter on sentencing, there are detailed discussions of the important topics of victims and restorative justice. In the chapter on psychologists as expert witnesses, the legal status of the psychologist in court is specified. In the chapter on detecting deception, expert human lie-detectors and computerised lie-detection are discussed. Identification from CCTV images and facial composites are reviewed in the chapter on witness recognition procedures. Finally, there are many important new features in the chapter on psychology and the police, including prejudice and discrimination in relation to police work, offender profiling, the psychology of terrorism and characteristics of terrorists.

Forensic psychology is expanding very quickly in many different countries and there is an increasing need for trained scholars and practitioners. The value of applying the theories and methods of psychology to key issues arising in law and

legal processes is now widely accepted. One of the most important contributions of psychologists lies in their use of the scientific method, and especially the experimental method, to investigate legal questions. This book will be extremely valuable in training, as a source of the latest research information about such important topics as eyewitness testimony, children as witnesses, jury decision-making, sentencing, detecting deception, and psychology as applied to law enforcement (to mention only a few of the issues covered). I am delighted to welcome Andreas Kapardis' third edition as an outstanding contribution to knowledge about psychology and law. It should be essential reading for all legal and forensic psychologists, law-enforcement personnel and for all criminal lawyers and legal practitioners.

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