

VOLUME 4 AND ISSUE 1 OF 2024

APIS - 3920 - 0001 (and) ISSN - 2583-2344

Published by

Institute of Legal Education

https://iledu.in

ROLE OF CRIMINAL PSYCHOLOGY AND THEORIES IN UNDERSTANDING CRIMINAL BEHAVIOUR

AUTHOR - NIHAL JAISWAL, STUDENT AT ADAMAS UNIVERSITY BARASAT WEST BENGAL

BEST CITATION – NIHAL JAISWAL, ROLE OF CRIMINAL PSYCHOLOGY AND THEORIES IN UNDERSTANDING CRIMINAL BEHAVIOUR, *INDIAN JOURNAL OF LEGAL REVIEW (IJLR)*, 4 (1) OF 2024, PG. 134-142, APIS – 3920 – 0001 & ISSN – 2583-2344.

Introduction

Criminal psychologists have been portrayed in our minds in very intriguing ways in television shows and movies like "Criminal Minds." The reality, on the other hand, is very different from what these movies and web series show. A desk job for a criminal psychologist requires the psychologist to conduct research and look through various previous case files. In contrast to web series and movies, where the criminal psychologist participates actively in each case and visits every crime scene, criminal psychologists rarely work on a case and only when requested by the concerned officers.

Criminal Psychology

The study of a criminal's thoughts, intentions, actions, or reactions in order to analyse and derive a pattern that would assist the police or other related agencies in apprehending criminals or a court during proceedings is known as criminal psychology. Criminal profiling is a major topic in criminal psychology. A criminal psychologist is someone who works in the field of criminal psychology. Criminal profiling is the process of connecting an offender's actions to the scene of the crime to learn about the characteristics of similar offenders. This makes it easier for police or other related agencies to catch similar offenders by just looking at the scene.

The field of applied psychology known as criminal psychology is now properly recognized. According to Schuller & Ogloff (2001), there is an increase in the number of high-quality texts that are recognized by both mainstream journals and dedicated research journals in the field of criminal psychology. The quality of training opportunities for undergraduates and postgraduates has also improved. With the skills necessary to conduct research in the field of criminal psychology, criminal psychology is

comparable to an ocean that has not been extensively explored.

Role of criminal psychologists

Criminal psychologists play a role in the investigation of crimes by assisting law enforcement in solving crimes and analysing the behaviour patterns of suspects. In the investigation of criminal profiling, also known as offender profiling, they play a crucial role. The people who actually commit crimes are the focus of the criminal profiling investigation. Because the details of multiple cases are compared in this type of investigation, it helps to identify serial cases of criminal activity. The goal of this investigation is to classify the suspect's behaviour patterns, demographics, and location. It provides a framework for both the suspect's life and mental state.

The history of criminal psychology

The year 1879 marks the beginning of psychology as a science. Since then, many subfields of psychology, including criminal psychology, have developed. Experiments carried out by numerous psychologists have contributed to the development of criminal psychology. Like Milgram's experiment in the 1960s, which showed how a person's natural



VOLUME 4 AND ISSUE 1 OF 2024

APIS - 3920 - 0001 (and) ISSN - 2583-2344

Published by

Institute of Legal Education

https://iledu.in

behaviour changes when they are put under pressure. Despite the fact that Milgram's experiment made a significant contribution to the criminal psychology literature, he was not referred to as a criminal psychologist. The 19th century is where criminal psychology got its start. As a result, it is a brand-new branch of psychology that is still in its infancy. People all over the world have recently begun to realize the significance of criminal psychology. Criminal psychology is still in its infancy in India.

Eyewitness testimony is the subject of early criminal psychology experiments. because witness testimony is crucial to bringing a case to a conclusion. In North America, James McKeen Cattell carried out experiments on eyewitness testimony that significantly enriched the criminal psychology literature. Although these experiments were not intended to specifically contribute to the criminal psychology literature, they were eventually included. In his experiments, the participants were asked to recall what they saw every day. The majority of participants in such experiments were unable to recall what they had seen a day earlier, and those who did recall what they had seen were unable to adequately describe what they had seen. As a result, the majority of the information they provided was incorrect. In 1938, James McLean Cattell carried out his first experiment to learn more about the psychology of eyewitness testimony.

In a German trial, Albert testified as the first witness at Munich Court. On the witness stand, Hugo Munsterberg published his first book in 1908. Through his well-known experiments, Julian Varendonck put the trustworthiness of child witnesses' accounts to the test in 1911. Psychological services were first provided in a women's reformatory in New York, USA, in 1913. The first comprehensive book on how psychology can be used to understand crimes and criminal behaviour was written by Hans J. Eysenck in 1964. The first interdisciplinary degree in psychology and law was introduced in 1974 at the University of Nebraska Lincoln.

Pioneers of criminal psychology

Munsterberg Hugo, a pioneer in criminal psychology: He was a German psychologist who wrote a book of essays about how psychology can make a big difference in the field of law. He is frequently referred to as the founder of criminal psychology. He discovered how hypnosis, eyewitness testimony, false confessions, suggestibility, crime detection, and prevention can all benefit greatly from psychology. Hugo was Wilhelm Wundt's student, a well-known criminal psychologist. He testified as an expert in numerous cases, including the notorious Oz magazine case.

William Stern: His significant experiment, which was based on the emotional arousal of the witness, was carried out by a German psychologist. In the examination, subjects were made to observe the battle between two understudies. One student pulled out a gun and shot the other student during this fight. They were emotionally affected by this incident, which had an impact on their testimony.

Schrenck Notzing: He was a German psychiatrist, doctor, and psychical researcher who studied mediumship, hypnosis, and telepathy-related paranormal phenomena. He described the process of the information presented by the media and other sources interfering with the actual memory event of the witness as retroactive memory falsification.

Albert Bandura: Psychologer, American-Canadian, he was. His "Social Learning theory" is extremely helpful in comprehending the foundations of numerous behaviours. In order to test his social learning theory, which asserts that a person absorbs or learns any behaviour from his environment through the processes of mediation, retention, motivation, and reproduction, he carried out the well-known Bobo doll experiment.

Lionel Haward: Additionally, he is regarded as the founder of British criminal psychology. He described four ways for a psychologist to participate in criminal proceedings in 1981:



VOLUME 4 AND ISSUE 1 OF 2024

APIS - 3920 - 0001 (and) ISSN - 2583-2344

Published by

Institute of Legal Education

https://iledu.in

advisory, clinical, experimental, and actuarial. In clinical settings, the psychologist may make use of psychometric, interview, or assessment tools to speed up their assessment. The psychologist is responsible for carrying out experiments on topics like the credibility of eyewitness testimony, false memory, and other similar topics. thereby improving the judicial system, comprehending criminal minds, developing new methods for law enforcement agencies, and so forth. The psychologist is required to accurate statistics in actuarial keep so that the court and law proceedings enforcement agencies can arrive conclusion. The psychologist can offer advice in Advisory to assist the court or law enforcement in any given case.

Importance of criminal psychology

- 1) Profiling of criminals: The psychologist investigates various crime scenes and criminals to ascertain the offender's motivation, intention, course of action, reaction, and thought process. This would help policing to draw a profile of a criminal to make worry of such hoodlums simple and quick.
- 2) Assess each person: The victim's and the accused's cognitive states must both be evaluated by the psychologist. The psychologist determines whether a victim or accused person is mentally unfit as they claim, or whether a victim or accused person is mentally unfit that no one, including the victim or accused person, is aware of. The test measures a person's strength, aptitude, intelligence level, personality, and other characteristics. to speculate on the kind of personnel that should be recruited to combat criminals and possess the necessary strength, aptitude, intelligence level, personality, etc. Additionally, the assessment aids in determining which social, biological, and environmental factors contribute to a particular type of criminal behaviour.
- 3) Actuarial: Statistics on any crime, perpetrator, or victim's nature, growth, development, location, or time in a community, religion, or country must be prepared by psychologists.

This would assist the government in both reducing and preventing a specific crime. Additionally, it would assist the court in dealing with a specific kind of victim or criminal.²³⁹²⁴⁰²⁴¹

- 4)Incarceration system: It is the responsibility of the concerned government to develop a program to assist criminals in reintegration into society following their arrest; failing to do so, prisons would become overflowing criminals. Thusly, the concerned government would need support from criminal analysts to improve lawbreaking people. There ought to be a distinct system of corrections for different types of crimes and criminals, such as children, women, men, and the severity of a crime. One intervention strategy or correctional system would not work for everyone. A victim, a witness, and especially law enforcement personnel would all require the correctional system in order to improve their efficiency.
- 5)Experimental: In order to gain insight from the perspective of a victim, a criminal, or an eyewitness, specific cases necessitate research.
- 6)Advisory: It is clear from history that the advice of a criminal psychologist is crucial to an investigation. The psychologist looks at the crime scene and the evidence that was found there. The psychologist then tries to figure out why and what the criminal did, which helps the police catch the criminal quickly. Additionally, the psychologist offers advice to the court.
- 7)Licensed professional: The psychologist also provides services to the general public as a private practitioner. In order to avoid going to court and resolve domestic or divorce-related issues, the private practitioner is of great assistance. Advocates also seek the assistance of such private practitioners when their case calls for it.

 $^{^{239}}$ Bandura, A. (1977). Social learning theory. Englewood Cliffs, NJ: Prentice Hall

https://work.chron.com/criminal-psychologist-vs-criminologist-16037.htmlhttps://elawtalk.com/all-about-criminology/

²⁴¹ Shelden, R. (2006). Delinquency and juvenile justice in American society. Long Grove, IL: Waveland Press.



VOLUME 4 AND ISSUE 1 OF 2024

APIS - 3920 - 0001 (and) ISSN - 2583-2344

Published by

Institute of Legal Education

https://iledu.in

Theories of criminal psychology²⁴²

Psychodynamic Theory

According to psychodynamic theory, an individual's personality is governed by unconscious mental processes that begin in infancy. According to Freud's theory, human personality is made up of three components or structures: the id, the ego, and the super ego. The id is the earliest component of a person's mental makeup that is present at birth. The id is the unconscious biological need for food, sex, and other necessities throughout a person's life. According to the pleasure principle, the id is associated with immediate pleasure gratification. In many instances, it has been observed that criminals only care about themselves. As a result, it's possible that these people are motivated by the desire for immediate gratification.

The ego is the second part of a person's personality, and it develops early in life. The best illustration of ego development occurs when children exhibit tantrum-like behaviour when their demands are not met. According to Freud, an individual's ego tends to make up for the demands of the id by directing their actions in a way that keeps them within the confines of society. The third component of a person's personality-the superego-develops when a person incorporates the moral values and standards of the community, friends, parents, and other individuals. Superego focuses on morality and passes judgment on individual behaviour and actions. Between the superego's strict morality and the ego's desire for immediate gratification, ego acts as a mediator. This theory proposes that a person commits a crime because their superego is not fully developed. Criminals, according to the theory, are irritated and aggravated. The previous occasions that happened during their youngster hamper contemplations. Immaturity, a lack of social

etiquette, and a dependence on others all contribute to weak ego. Drug abuse is more common among people with low egos.

Mental disorder and crime

²⁴³Psychodynamic theory of crimes includes mood disorders as well as mental disorders. There is a high prevalence of mood disorders that eventually progress into rage, depression, narcissism, and social isolation. Children who suffer from conduct disorders have trouble adhering to rules and acting in a manner that is socially acceptable. Emotional disorders follow on from conduct disorders. These conditions are "trouble," typically referred to as "delinguent," or even "mentally ill." Understanding how such disorders develop is crucial. Abuse of children, brain damage, genetics, poor academic performance, and even a traumatic event are all possible causes of this disorder.

Children with these disorders may be cruel to animals and exhibit more aggressive behaviour. Fear and starting a fight are additional manifestations; a weapon, for example These disorders have the power to coerce others into engaging in unwanted sexual activity. Other manifestations include causing damage, stealing, and breaking into abandoned cars and buildings, among other things. Anxiety, post-traumatic stress disorder, drug or alcohol abuse, attention deficit disorder, and other conditions may also affect children with this disorder. Without treatment, these issues may have long-term effects. Even though these disorders are difficult to treat, they can be helped by making patients trust other people and making them want to live a life that is acceptable to others. Another disorder that affects children is oppositional defiant disorder. Childhood diagnosis is made. Defiance is one of the symptoms or characteristics of oppositional defiant disorder; uncooperativeness; irritability; a very unfavourable mentality; a propensity to

²⁴² Boccaccini, M., Murrie, D., Clark, J., & Comell, D. (2008). Describing, diagnosing, and naming psychopathy: How do youth psychopathy labels influence jurors? Behavioral Sciences & the Law, 26, 487–510

²⁴³ Silver, E. (2002). Extending social disorganization theory: A multilevel approach to the study of violence among persons with mental illness. Criminology, 40, 191–212.



VOLUME 4 AND ISSUE 1 OF 2024

APIS - 3920 - 0001 (and) ISSN - 2583-2344

Published by

Institute of Legal Education

https://iledu.in

get angry easily; and being deliberately annoying to peers, parents, teachers, and other people in positions of authority, like police officers. Oppositional defiant disorder has no known cause. According to one theory, these theories begin in children as young as toddlers. It's possible that adolescents and young children with this disorder had trouble learning how to be on their own and how to separate from their primary caregiver or attachment figure. Continuation of advancement issues is viewed as one of the elements.

Mental Illness and Criminal Activity

Mental disorders are the result of severe personality disturbance. The most serious problems are psychoses. Schizophrenia and bipolar disorder are two mental health conditions. An individual with bipolar disorder exhibits extreme highs and lows in their behaviour. Schizophrenia is a second mental health issue. People frequently exhibit illogical and inconsistent thought processes as a result of this disturbance, lack insight into their behaviour, and do not comprehend reality. Complex behaviour delusions that involve wrongdoing or persecution are symptom of paranoid schizophrenia. People with paranoid schizophrenia frequently have the misconception that everyone is out to get them. The exploration shows that female guilty parties are considered to have a higher likelihood of serious emotional wellness side effects than male wrongdoers. These include paranoia, obsessive behaviours, and schizophrenia symptoms.

Behavioural Theory

Behaviourism is the second psychological theory to think about. This theory holds that experiences with learning shape human behaviour. The idea that people alter their behaviour in response to the reactions they receive from other people is a crucial part of behavioural theory. In the ideal scenario, negative reactions or punishments stifle behaviour while rewarding it. Crimes are seen by behaviour analysts as learned responses to

life's challenges. The most relevant subfield of behaviour theory to criminology is social learning theory. The late Albert Bandura maintains that a person's capacity for violence does not come naturally to them. On the other hand, it was suggested that aggression and violence are learned through behaviour modelling. As such, it is the perception of youngsters through which they learn brutality. Three primary sources analyse aggressive behaviour: interactions with family, experiences with the environment, and the media. Children who have parents or caretakers who are aggressive tend to be more aggressive.

Environmental experiences are the second cause of behavioural issues. According to this theory, even a person's location has a significant impact on how they act. Studies have shown that people who live in high-crime areas are more likely to act aggressively than those who live in low-crime areas. There is a lack of standard behaviour. The inability to find work is one manifestation of unconventional behaviour; abuse of drugs or alcohol; and disobedience to federal, state, and local regulations.

The media is the third factor that contributes to behavioural issues. In criminology, media also plays an important role. It has been suggested that violent movies, video games, and television shows are harmful to children. It is hypothesized that children who play violent video games and later cause physical or mental harm to someone at school did so because of the game's influence. In the aforementioned media, violence is frequently tolerated and even There have celebrated. been numerous documented instances of inappropriate behaviour by professional athletes in recent years. These players are followed by a lot of kids, who typically behave in the same way. Additionally, children and adolescents become desensitized to media violence.

Cognitive Theory

Cognitive theory is the third major psychological theory. The study of criminal



VOLUME 4 AND ISSUE 1 OF 2024

APIS - 3920 - 0001 (and) ISSN - 2583-2344

Published by

Institute of Legal Education

https://iledu.in

behaviour has made extensive use of this theory. This theory focuses on the mental processes of individuals. More importantly, cognitive theorists attempt to comprehend how criminals perceive these thoughts and mentally represent the environment around them. The way people solve problems is connected to cognitive theory. The moral development is the first subfield of this theory, and its goal is to comprehend how people morally self-represent and rationalize the world. The second subfield is information processing. In this area, researchers pay attention to how people learn, remember, and retrieve information. In the end, it consists of three phases- acquisition, retention, and retrieval. The individual reasoning process is thought to develop in a systematic manner. As a result, a person will continue to grow after birth.

Kohlberg was of the opinion that people progress through moral development stages. The idea that there are levels, stages, and social orientations is the aspect of his theory that is most significant. Preconventional Level I is the first of the three levels; The conventional level II and postconventional Level III. The idea that laws are only valid if they are based on or grounded in justice is the most important factor for criminal justice and criminology. Stages 1 and 2 are classified as Level I, while Stages 3 and 4 are classified as Level III.

It is essential to acknowledge that justice is a subjective concept. As a result, Kohlberg argued that disobeying unjust laws would ultimately be necessary in the pursuit of justice. He suggested that people could proceed chronologically through the six stages. Kohlberg's assertion that criminals have significantly lower moral judgment development is significant criminology. The branch of information processing is the next subdiscipline. The idea that people use information to process and analyse their environment underpins this branch of research. An individual engages in a series of cognitive thought processes when making a decision.

Personality and crime

Clark Boccaccini, Caillouet, and Chaplin defined personality as both what makes us who we are and what sets us apart from others. The ideal personality is one that stays the same over time. The relationship between personality and criminal behaviour has frequently been inconsistently examined. One of the most wellknown personality theories used to investigate this relationship is the Big Five Model. The majority of personality traits can be grouped into categories using this model. According to this model, five domains account for personality differences: Neuroticism, extraversion, openness, agreeability, and conscience are the first five characteristics.

Some terms, such as antisocial personality, psychopathy, or sociopath, used are interchangeably. Sociopaths live in environments at home that are harmful. Psychopaths deal with a flaw or abnormality they have inside. Low levels of guilt, superficial charm, above-average intelligence, persistent violations of the rights of others, inability to form lasting relationships, impulsivity, risk-taking, egocentricity, manipulativeness, forcefulness, coldness, and shallow emotions are characteristics of the antisocial personality. Traumatic socialization, a neurological disorder, or a brain abnormality may be the causes of these issues.

When a person's level of arousal is low, as determined by a neurological examination, the person may engage in high-risk activities like crime or thrill-seeking to compensate. A parent with pathological tendencies, traumatic events in childhood, or inconsistent discipline are additional factors that may contribute to the psychopathic personality. It is essential to keep in mind that many persistent offenders are sociopaths. Thus, one could assume that the forces that influence human development at an early stage of life are the root cause of crime if personality traits can predict crime and violence.

Intelligence and Crime



VOLUME 4 AND ISSUE 1 OF 2024

APIS - 3920 - 0001 (and) ISSN - 2583-2344

Published by

Institute of Legal Education

https://iledu.in

Criminologists contend that there is a connection between criminal activity and intelligence. It is a common belief that criminals and delinquents lack intelligence and that this lack of intelligence is the cause of their crimes. The psychological argument known as "nature versus nurture" revolves around the question of whether individuals' psychological development is influenced by their environment or by their genes. Science perceives that we share our folks' DNA.

Concerning the nature of the population, studies on inmates have consistently demonstrated that their IQ scores are typically low. However, there are numerous people who do not engage in criminal activity despite having a low IQ. The proponents of the nurture theory contend that intelligence is not inherited. The effect of genetics is acknowledged in some way; However, the role of society (i.e., the environment) is emphasized. Through its effect on academic performance, scholars have hypothesized that having a low IQ increases the likelihood of criminal behaviour. It was argued that a child with a low intelligence level will struggle academically. In turn, this failure at school results in dropping out. A child has very few options when their academic performance is poor. Adult criminality and delinquency follow as a result of this.

Conclusion

The full connection between psychology and criminal behaviour has not yet been established. The psychological aspect of criminal behaviour is heavily influenced by the three theories above as well as personality traits like intelligence. The state is obligated to provide a suitable living environment for each individual. Experiences and personal factors play a greater role in shaping a criminal's mindset. From the moment a child is born, we must think about how to provide a healthy and safe environment. If an event occurs that could traumatize a child, they must receive adequate treatment so that their mental development is not hindered. We must consider how we can

provide a safe environment and how other factors can also be improved in order to eliminate any chance of criminal thought, even though the debate between nature and man is never-ending.

Suggestions

There are numerous ways we can assume command and assist with forestalling wrongdoing in our home, in our area, at our neighbourhood schools and in our general public. Time, commitment, and communication are all required.

- Collaborate with neighbourhood or community-wide organizations and public agencies to resolve common issues.
- Through organized recreation, tutoring programs, part-time employment, and volunteer opportunities, ensure that all of the neighbourhood's youth have positive ways to spend their time.
- Working with the police, establish a neighbourhood watch or community patrol and ensure that the streets and homes are well lit.
- 4. Establish a partnership with the police that prioritizes problem-solving over crisis-management. Make it possible for neighbours to report crimes or suspicious behaviour without fear of retaliation.
- 5. Make the neighbourhood cleaner.
 Include everyone, from children to
 seniors. Make a call to the department of
 public works and ask for assistance
 cleaning up.
- 6. Instruct officials at the local level to employ novel strategies for driving criminals from our area or building.
- 7. Anti-noise laws, housing codes, health and fire codes, and drug-free clauses in rental leases are examples of these.
- 8. Work with schools to lay out sans drug, sans tobacco zones, work with authorities worried to do likewise for parks.



VOLUME 4 AND ISSUE 1 OF 2024

APIS - 3920 - 0001 (and) ISSN - 2583-2344

Published by

Institute of Legal Education

https://iledu.in

- Create and distribute a phone list of organizations in the area that are able to provide neighbours in need with counselling, job training, guidance, and other services.
- If you witness a crime or have a suspicion that it might be one, report it.
 Agree to testify when called upon.
- Find out about hot-lines, emergency focuses, and other assistance accessible to survivors of wrongdoing. Find out how you can assist victims of violence in completing and speeding up their recovery.
- 12. If violence is about to break out in your neighbourhood, you should know that it is already your problem.
- Volunteer to mentor teens who require positive adult support.
- 14. Discuss with children in the neighbourhood what worries or frightens them, as well as the places and ways in which they have felt threatened by violence. Conduct interviews with school personnel, crossing guards, and bus assistants.
- 15. Public service advertisements that promote anti-violence programs and services should be promoted. Collaborate with a number of groups on this project. Include programs to assist troubled children.
- 16. Policies and laws that provide victims of domestic violence and their children with prompt, meaningful assistance and appropriate legal recourse should be used to protect them.
- 17. Sponsor a school. Through participation in a variety of programs and activities, you can help students, faculty, and staff develop a sense of community within the school and with the community as a whole.
- 18. Create and maintain safe corridors for students traveling to and from school with the help of the school and the

- police. Contribute to efforts to locate and eliminate t
- 19. rouble spots in the neighbourhood.
- 20. Help students by offering opportunities like internships, developing job skills, and entrepreneurship.
- 21. Employees should be encouraged to work with students on skill training, youth group leadership, mentoring, coaching, and activities for small groups. When you can, make your facilities available for these activities.
- 22. Train your employees in anger management, stress management, and conflict resolution. They can contribute to the development of a community-, school-, and home-based anti-violence atmosphere. Additionally, you may benefit from a more productive work environment.
- 23. Speak out in favour of programs and other resources that assist schools in developing an effective set of strategies for preventing violence and supporting their funding and efficient implementation. By providing employees with flexible working hours or time off, you can make it easier for parents to meet with teachers and encourage employees to sponsor or coach in school and after-school activities.
- 24. Create a competition against violence that includes creative arts like speech, dance, painting, drawing, singing, instrumental music, acting, and writing plays.
- 25. Get young people to help choose prizes. Make it a celebration of the community. Contribute to the strengthening connections between school services and the network of community services that can assist struggling families and students. Involve elementary through senior high school students addressing the school and community's violence issues. They should encouraged to teach younger children



VOLUME 4 AND ISSUE 1 OF 2024

APIS - 3920 - 0001 (and) ISSN - 2583-2344

Published by
Institute of Legal Education

https://iledu.in

about violence prevention, reach out to educate peers, collaborate with adults on issues affecting the entire community, and identify and address community conditions that they are concerned about.

