

The role of the forensic psychologist in media cases: a critical perspective

Abstract

The involvement of forensic psychologists in media legal cases is crucial due to their ability to understand the complex psychological aspects involved and to face unique ethical and practical challenges. Their role extends beyond assessments and can influence public perception of the case. Media attention poses challenges to maintaining objectivity, and professional integrity and ethics are fundamental to ensuring a fair and equitable judicial process. Additionally, expert psychologists must effectively communicate their findings to the court, jury, and public. Respecting the privacy and confidentiality of those involved is essential in this context, while handling media attention ethically to avoid prejudice.

Keywords: forensic psychologist, media legal cases, ethical challenges, media attention, professional integrity

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Introduction

The participation of the forensic psychologist in media trials is a topic of growing interest and debate in the academic and professional community, because their participation is essential to provide a comprehensive view of all those psychological aspects involved in these trials, which have such a high impact and scope in society due to their high and even constant visibility.¹ Ferguson² warns of the effects of media violence on violent criminal behavior, and therefore the role of the forensic psychologist in these cases, which also have a high criminal profile, is also of the utmost importance, since his experience and knowledge help to better understand their complexity and offer a psychological perspective of great utility in their resolution. Due to the sensitivity of these types of situations, in which any type of action can and will be evaluated by both the media and, ultimately, society, forensic psychology experts face unique and complex challenges that go beyond their usual attributions.^{3,4} This article discusses the role of the forensic psychologist in the face of media attention, highlighting their importance, the challenges they face, and the ethical responsibilities they must continually uphold in the face of these types of cases.

Importance of the forensic psychologist in media cases

The role of the forensic psychologist in media cases goes beyond simply providing psychological evaluations. As Mayorga⁵ points out in his review of the treatise on forensic psychology,⁶ he argues that the forensic psychologist's expertise in analyzing human behavior can shed light on hidden motivations, behavioral patterns, and psychosocial risk factors that are crucial to understanding the nature and seriousness of the crimes involved.⁷ In addition, assessing the credibility of witnesses and the mental competence of defendants has always been an essential element in judicial decision-making.^{8,9}

Thus, work such as that of Soriano¹⁰ supports this idea by highlighting how exposure of forensic evidence through the media can influence public perception of a case. Therefore, the development of the restorative justice movement in the Western legal context

becomes more important as every aspect related to this term is exposed to the public and how the needs of both victims and offenders or even the community are met.¹¹ Therefore, the presence and testimony of the forensic psychologist can help contextualize these elements and provide an expert interpretation for the general public within the referenced aspects of the restorative justice movement. In summary, in addition to providing psychological evaluations, the forensic psychologist can play an important role in the selection and preparation of expert witnesses. This involves not only assessing the credibility and reliability of testimony based on the results of the assessment process, but also effectively communicating psychological findings to the court and the public in a manner that is understandable and relevant to the case at hand.¹²

Challenges for the forensic psychologist

Working on media cases presents unique challenges for the forensic psychologist. Exposure to media attention can compromise the expert's objectivity and impartiality due to the "camera effect",¹⁰ as the presence of media attention can influence the behavior and judgments of individuals involved in the legal process. Therefore, forensic psychologists should be aware that media attention can affect their objectivity and neutrality and take steps to protect their professional integrity, knowing that public exposure can influence their perceptions and judgments to minimize any possible bias.^{13,14} It stands to reason that because of this media attention, the likelihood that expert forensic psychologists will be called to corroborate their report in court increases significantly. Therefore, as mentioned above, this framework of action poses additional challenges due to the peculiarity that has always been the focus of attention, that is, communicating the results of the evaluation in a way that is understandable to the public and, when applicable, to the jury.¹⁵

Ethical responsibilities

Professional ethics are fundamental to the forensic psychologist's practice in media cases because, first and foremost, it is essential to be even more rigorous in maintaining confidentiality and respecting

the privacy of the individuals involved.¹⁶ The American Psychological Association (APA) and the European Federation of Psychologists Association (EFPA) provide clear guidelines for ethical conduct in forensic settings, including confidentiality, respect for human dignity, and professional integrity.^{17,18} It is essential that forensic psychologists adhere strictly to these guidelines in order to ensure justice and fairness in the judicial process and to be prepared to handle media attention in an ethical manner, avoiding sensational comments or inappropriate disclosures that may compromise the integrity of the case or the privacy of the parties involved.^{19,20}

This brief article has attempted to highlight the need for a thoughtful approach on the part of forensic psychologists when confronted with media cases, recognizing the challenges and responsibilities associated with their participation in the public judicial process, but without neglecting professional ethics and objectivity to ensure a fair and just judicial process on the part of the forensic psychologist.

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Conflicts of interest

The author declares there is no conflict of interest.

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