

BOOK REVIEW

DR BEN MATHEWS*

Andreas Kapardis, *Psychology and Law: A Critical Introduction*, (2nd ed, Cambridge University Press, Cambridge 2003) 304pp

Andreas Kapardis's second edition of *Psychology and Law: A Critical Introduction* gives an updated appraisal of the impact of psychological inquiry and phenomena on selected criminal law issues. This second edition enhances the significant contribution made to these disciplines and spheres of inquiry by the first publication of this book in 1995. The fact that the book is introduced and endorsed by David Farrington, one of the foremost researchers in this field, itself indicates its quality.

Like the first book, this revised edition will be of particular value to undergraduate and postgraduate students and researchers in the field. For students, the primary benefit of the book is its coverage of a selection of key contemporary issues regarding the interplay between psychology and criminal law. The content of the chapters broadly fall within two categories: the first six deal with psychology and courts, discussing issues concerning eyewitness evidence, children as witnesses, the jury, sentencing, and psychologists as expert witnesses. The last four chapters address the psychology of various aspects of human conduct within the legal system: advocates and persuasion, the detection of deception, witness recognition procedures, and psychology and the police.

Despite the conceptual and communicative challenges common to any coverage of cross-disciplinary inquiry, the writing and explanation is clearly presented. The book is structured logically and by its presentation the author has clearly been mindful of students' needs. Three such features make it of particular benefit to students. There are useful formative revision exercises and sometimes case studies at the end of each chapter; each chapter has reader-friendly fact boxes in the margins; and finally, each chapter is headed by a page and subject index concerning the treatment of issues within it, and by quotes that are both relevant and lucid, and sometimes humorous: the third quote introducing Chapter 6 (Sentencing as a Human Process) declares that 'Most judges do not read psychology journals or scholarly books; some do not even read law reviews'.

For researchers, whether at undergraduate or postgraduate level, the book is a particularly interesting and rich compilation. Apart from its discussion of the subject matter, this is a significant work of comparative law; indeed as a textbook it may be unsurpassed in its detail of international research on law and psychology. Research

* Dr Ben Mathews LLB (JCU), BA (Hons) (QUT) PhD (QUT) is a Lecturer in the School of Law, Queensland University of Technology.

from the United States, the United Kingdom and other European jurisdictions, Australia, New Zealand and Canada are brought to bear on legal and psychological issues. This further adds to the value of the book as a substantial contribution to knowledge in this field. Detailed references are provided through chapter endnotes and a full reference list.

The second edition of *Psychology and Law: A Critical Introduction* continues Andreas Kapardis's contribution to the emerging discipline of legal psychology. The growth of this discipline is hampered by fundamental differences between the two fields: law's likings for certainty, precedent, authority and tightly-drawn boundaries place it at odds with the interference posed by psychology's respective preferences or natural predilections for probability, experiment, empirical research and openness to new evidence. As well, the two disciplines have fundamentally different understandings of, and models of, the human being and human behaviour. Law, particularly criminal law, is premised on the individual person as a responsible and accountable entity. Psychology is all too aware of the myriad influences on human behaviour. Despite these differences, it is probably fair to say that legal psychology, at least in some areas of law, is now seen by most lawyers as a necessary and valuable contribution to legal process and justice. It is likely that as the discipline becomes more developed, and its contributions more recognised, this acceptance by the legal sphere will broaden. As Kapardis notes, law is indeed a fertile field for psychological study and evaluation, since most laws control and regulate human behaviour. His book is a significant addition to the growing maturity and relevance of the field.