

The role of the witness in criminal proceedings: importance, vulnerabilities, and psychological implications

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ABSTRACT

The witness plays a crucial role in criminal proceedings, serving as a key source of evidence for establishing facts, assessing credibility, and delivering justice. Beyond their legal significance, witnesses often face considerable psychological and emotional challenges arising from participation in legal processes that can be adversarial and intimidating. This paper explores the multifaceted importance of witnesses in criminal trials, examining their contribution to the pursuit of truth and the protection of defendants' rights. It further analyzes the vulnerabilities that witnesses may experience, including fear of retaliation, stress, memory distortion, and secondary victimization, all of which can affect the reliability of testimony and the fairness of the trial. Particular attention is paid to the psychological implications for vulnerable witnesses, such as children, victims of violent crimes, or individuals with cognitive impairments, who require special procedural safeguards to mitigate trauma and ensure effective participation. The paper underscores the need for legal systems to adopt victim- and witness-friendly measures, balancing procedural rights with psychological protection. Understanding the psychological dimensions of witness testimony is essential for legal professionals aiming to enhance witness cooperation, preserve mental health, and uphold the integrity of criminal justice. Future research should further investigate evidence-based interventions to support witnesses throughout the judicial process.

Keywords: testimony reliability, secondary victimization, procedural safeguards, legal psychology, trauma mitigation