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# Psychology at the Interface with the Justice System: An Analysis of Publications by the Federal Council of Psychology and the Defense of Rights in Brazil

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## Abstract

This article analyzes the body of publications issued by the Federal Council of Psychology and the Regional Council of Psychology of São Paulo concerning professional practice within the justice system, with the aim of assessing whether and how these publications guide psychologists in defending the rights of individuals involved in judicial proceedings. Through an interpretative examination of resolutions, technical notes, and guiding documents, the study identifies the ethical, technical, and political principles that underpin the professional practice of psychologists in responding to the various demands of the justice system. The findings suggest that these documents not only guide and regulate psychological practice, but also reinforce a commitment to human rights and to the construction of a justice system that is socially engaged, calling upon the profession to resist the naturalization of institutional violence and the instrumentalization of psychological knowledge for exclusionary and punitive purposes. It is concluded that qualified – both technically and ethically – psychological practice in the field of justice requires ongoing training, critical supervision, engagement with social movements, and intersectoral dialogue, grounded in a form of listening that is sensitive to social contradictions and in an ethical commitment to justice, equity, and care.

**Keywords:** Human rights; Justice administration system; Normative acts; Psychology.

With more than 550,000 professionals, Psychology in Brazil has consolidated itself as a field of knowledge and professional practice in dialogue with the country's social and institutional challenges since its regulation in 1962 (Brasil, 1962). For over six decades, "Psychology has been – and continues to be – a stage for major transformations (and major disputes), particularly in debates concerning the role of Psychology in relation to the demands of the Brazilian population" (Bicalho & Faria, 2024, p. 2).

Beginning in the 1970s, aligned with resistance movements against the military dictatorship and with critiques of the biomedical model, expressions of a politicized Psychology emerged—one committed to human rights and social justice. This critical shift brought to light the historical contradictions of a practice originally rooted in individualization and normativity and prompted the field to question where, with whom, and for what purpose Psychology is carried out. Since then, the ethical–political commitment to building a more just and egalitarian society has become a defining feature of the professional identity of Brazilian psychologists (Yamamoto, 2007).

In this perspective, the work of psychologists expanded into various institutional settings, including the Justice System, Public Security, and the System for the Guarantee of Rights (*Conselho Federal de Psicologia* [CFP, Federal Council of Psychology], 2022d). According to the Census of Brazilian Psychology, published by the Federal Council of Psychology (CFP, 2022e, 2022f, 2022g), approximately 5.7% of psychologists work in these institutional settings. This involvement, however, is not free of tensions: it requires critical reflection on the ethical, political, and technical implications of working in contexts marked by historical inequalities and systematic rights violations.

The trajectory of Legal Psychology in Brazil reflects the same dilemmas that have historically shaped Psychology’s constitution as a science and a profession. Since the late 19th century, the legal field has sought contributions from psychological knowledge, especially regarding the evaluation of the veracity of testimony and the understanding of crimes considered to lack an apparent motive. These demands contributed to the consolidation of naturalized notions such as “dangerous individuals” and the association between crime and “madness” (Brito, 2012).

Such demands persist to this day, although reconfigured under new discourses and new justifications. They highlight the ongoing tension between different ways of conceiving and practicing Psychology in this field: on one side, reductionist and individualizing paradigms that tend to decontextualize psychological phenomena involved in legal practices; on the other, critical perspectives that seek to grasp the social, historical, and institutional determinants of violence, conflict, and social exclusion.

In this landscape of disputes, the CFP adopted the expression Psychology at the Interface with the Justice System (CFP, 2011a) to name this field of practice. This formulation aims to highlight the ethical, technical, and political conflicts that permeate professional practice while recognizing and valuing diverse and expanded approaches beyond traditional forensic work.

Together with the Regional Councils of Psychology, the CFP forms the Psychology Councils System, responsible for regulating, guiding, and overseeing the professional practice of Psychology in Brazil and ensuring compliance with ethical and disciplinary principles (Brasil, 1971). To this end, the federal public autarchies system is guided by the principles and values established in the 1988 Federal Constitution (Brasil, 1988) and in the Universal Declaration of Human Rights (United Nations [UN], 1948), upholding the profession’s commitment to technical quality, ethical conduct, and the promotion of fundamental rights.

The Code of Professional Ethics for Psychologists (CFP, 2005) establishes, as fundamental principles, the respect for and promotion of the dignity, freedom, and integrity of the persons with whom psychologists engage professionally. The Code also states that professionals must always act in accordance with a commitment to human rights, social justice, and the promotion of collective well-being, reinforcing their duty to contribute to the elimination of all forms of negligence, discrimination, exploitation, violence, cruelty, and oppression. Thus, the commitment to fundamental rights is not merely a normative ideal but a central, foundational ethical duty of Psychology.

According to subsection (a) of Article 2 of the Code of Professional Ethics for Psychologists: “Art. 2 – It is prohibited for psychologists to: a) Practice or be complicit in any acts that constitute negligence, discrimination, exploitation, violence, cruelty, or oppression” (CFP, 2005, p. 9). In this sense, psychological work in legal contexts requires a permanent ethical exercise of critically analyzing one’s institutional position, the expectations placed on one’s practice, and the impacts that such practice may generate in the lives of those involved. The mediation between technique and ethics becomes even more sensitive in judicial disputes involving vulnerable populations such as women victims of violence, individuals deprived of liberty, and children and adolescents at risk, among others (Brandão, 2016; Soares & Moreira, 2020).

In response to these challenges, the Councils System has invested in producing normative and guiding documents that seek to strengthen professional practice and uphold an ethically and politically committed Psychology. In this process, the role of the *Centro de Referências Técnicas em Psicologia e Políticas Públicas* (Crepop, Technical Reference Center in Psychology and Public Policy) stands out. Linked to the CFP and present in all Regional Councils, it is responsible for producing technical references for work in public policies (CFP, 2022b; Guareschi et al., 2024). Over its 18 years, Crepop has fostered critical reflection on the interface between Psychology and public policy, contributing not only to the expansion and consolidation of areas of professional practice, but also to the systematization of professional practices and to the technical and ethical training of psychologists working in the public sector.

This article dedicates itself to a critical analysis of the set of publications by the CFP and the *Conselho Regional de Psicologia de São Paulo* (CRP-SP, Regional Council of Psychology of São Paulo) concerning professional practice “at the interface with the justice system,” with an emphasis on their potential to support rights-advocacy practices and to promote a form of psychological practice that articulates technical excellence with social responsibility.

## Method

Official publications from the CFP and CRP-SP were examined due to their size and representativeness: in 2025, that regional council encompassed more than 165,000 professionals, corresponding to approximately 30% of all psychologists in the country, making it one of the largest professional councils in Brazil. The federal- and state-level publications analyzed include resolutions, normative documents, technical notes, a technical opinion, a guidance note, and technical references.

This is a qualitative, documentary, and interpretative study. A qualitative approach is appropriate when the objective is to understand, in depth, the meanings and social constructions that shape professional and institutional practices, particularly through the analysis of non-numerical data, such as the documents selected for this research (Minayo, 2014; Sá-Silva et al., 2009). The analysis focused on the technical, ethical, and political dimensions of the documents that guide the work of Psychology professionals within the Brazilian justice system, recognizing their role in shaping professional practice and articulating guidelines, normative acts, and the political-institutional elements of the legal field.

The following inclusion criteria were adopted: (a) institutional authorship by the CFP or CRP-SP; (b) explicit relevance to the work of psychologists in the justice system; (c) public availability; and (d) current validity at the time of writing this article. Documents authored by other regional councils and texts without a direct connection with the legal field, or devoted exclusively to administrative matters, were excluded. Documents that had been revoked by normative acts or

resolutions, or whose effects had been annulled by judicial decision, were also excluded. All materials were retrieved from the transparency portals of the CFP and CRP-SP using the following search terms: “*justiça*” (“justice”), “*jurídica*” (“legal”), “*socioeducativo*” (“socio-educational”), “*prisional*” (“prison” / “penitentiary”), “*perícia*” (“expertise”), “*direitos*” (“rights”), and “*violência*” (“violence”).

The set of documents analyzed (listed in the table below) included five resolutions, five technical notes, one technical opinion, one guidance note, and six sets of technical references for professional practice within public policies in force at the time of writing. Each document type fulfills a specific function, as defined in CFP Ordinance No. 6, of March 31, 2021 (CFP, 2021a), and CRP-SP Resolution No. 13, of June 12, 2025 (Conselho Regional de Psicologia de São Paulo [CRP-SP], 2025a). Resolutions pertain to the normative function of the federal council, establishing provisions that are mandatory for the profession; notes consist of declarative documents that provide guidance and explanations on normative acts and ethical issues; technical opinions present research, analyses, and positions on specific matters, supporting decisions and the political foundations of the Psychology Councils System; and finally, the technical references, developed by Crepop, orient professional practice in Psychology across various public policies.

**Table 1**

*Analyzed normative and technical-political documents of the Psychology Councils System regarding the work of psychologists in the justice system*

Type	Title	Year	Responsible Institution
Resolution	<i>Resolução CFP nº 08/2010 – Atuação como perito e assistente técnico no Poder Judiciário</i>	2010	CFP
Resolution	<i>Resolução CFP nº 17/2012 – Atuação como Perito nos diversos contextos</i>	2012	CFP
Resolution	<i>Resolução CFP nº 06/2019 – Regras para elaboração de documentos escritos no exercício profissional</i>	2019	CFP
Resolution	<i>Resolução CFP nº 31/2022 – Diretrizes para a Avaliação Psicológica e regulamentação do SATEPSI</i>	2022	CFP
Resolution	<i>Resolução CFP nº 15/2022 – Normas para atuação das(os) psicólogas(os) no Sistema Socioeducativo</i>	2022	CFP
Technical Note	<i>Nota Técnica nº 4/2022/GTEC/CG – Impactos da Lei nº 12.318/2010 na atuação das(os) psicólogas(os)</i>	2022	CFP
Technical Note	<i>Nota Técnica CFP nº 2/2023 – Demandas do Sistema de Justiça às(os) psicólogas(os) do SUS e SUAS</i>	2023	CFP
Technical Note	<i>Nota Técnica CFP nº 1/2018 GTEC/CG – Impactos da Lei nº 13.431/2017 na atuação das(os) psicólogas(os)</i>	2018	CFP
Technical Note	<i>Nota Técnica CFP nº 1/2023 – Orientação sobre a prática da Constelação Familiar no exercício da Psicologia</i>	2023	CFP
Technical Note	<i>Nota Técnica sobre a suspensão da Resolução CFP nº 012/2011 – Atuação no sistema prisional</i>	2022	CFP
Guidance Note	<i>Nota Orientativa nº 08/2025 – Orientações sobre o exame criminológico e a Resolução CNPCP nº 36/2024</i>	2025	CRP-SP
Technical Opinion	<i>CFP e a Prática da Escuta Especial de Crianças e Adolescentes Vítimas de Violência, Abuso ou Exploração Sexual</i>	2015	CFP
Technical Reference	<i>Referência Técnica para Atuação no Sistema Prisional</i>	2021	CFP
Technical Reference	<i>Referência Técnica para Atuação nas Políticas de Segurança Pública</i>	2020	CFP
Technical Reference	<i>Referência Técnica para Atuação em Varas de Família</i>	2019	CFP
Technical Reference	<i>Referência Técnica para Atuação na Rede de Proteção a Crianças e Adolescentes em Situação de Violência Sexual</i>	2020	CFP
Technical Reference	<i>Referência Técnica para Atuação em Medidas Socioeducativas</i>	2021	CFP
Technical Reference	<i>Referência Técnica para Atuação no Atendimento a Mulheres em Situação de Violência</i>	2024	CFP

Note: CFP: Federal Council of Psychology; CRP- SP: Regional Council of Psychology of São Paulo.

## Results

According to CFP Resolution No. 23/2022 (CFP, 2022d), Legal Psychology – or Psychology at the interface with the justice system, as used in this article – is defined as a field of professional practice that encompasses the justice system and the services that make up the Public Security System and the System for the Guarantee of Rights, including spaces such as the Prison System and the Socio-Educational System. Far from being limited to forensic work, the resolution recognizes

a broad and complex range of responsibilities, which include activities from the production of psychological documents to the planning and evaluation of public policies, intervention in cases of violence, conflict mediation, family support, and work within interdisciplinary teams.

According to the normative framework, the activities attributed to psychologists in this area include:

- a) assisting in the planning, implementation, and evaluation of public policies aimed at guaranteeing citizenship rights, promoting human rights, and preventing and combating all forms of violence in the various practices linked to the System for the Guarantee of Rights;
- b) preparing psychological documents for the justice system, always directed toward the protection of human rights and the preservation of comprehensive health, while respecting confidentiality, professional autonomy, and technical standards;
- c) carrying out technical procedures for reception, guidance, assessment, and referral of all individuals involved in situations of violence, including for preventive purposes;
- d) advising penal-execution bodies in the formulation of penal policies and staff training, considering the specificities and effects of deprivation of liberty both for individuals serving custodial sentences, alternative sanctions, or security measures, and for workers in the prison system;
- e) designing and implementing actions and programs within penal institutions to guarantee the right to the individualization of sentences, as well as in connection with alternatives to incarceration;
- f) contributing to the planning and implementation of public policies directed at individuals deprived of liberty, serving sentences, alternative sanctions, or security measures, in alignment with the psychosocial care paradigm in accordance with the principles of the *Sistema Único de Saúde* (SUS, Brazilian Unified Health System) and Psychiatric Reform;
- g) providing psychological care to individuals deprived of liberty and to those under security measures, including their families;
- h) conducting psychosocial interventions, from a multiprofessional and interdisciplinary perspective, connected to the process of deinstitutionalization of individuals serving security measures, in coordination with the *Rede de Atenção Psicossocial* (RAPS, Psychosocial Care Network);
- i) working in the services responsible for the implementation of socio-educational measures and precautionary measures for adolescents held responsible for committing an infraction, ensuring the integration of adolescents and their families into the comprehensive protection network, with a view to their full development;
- j) promoting conflict-resolution interventions through self-compositional methods such as negotiation, mediation, conciliation, restorative practices, and procedural agreements;
- k) offering technical and scientific support to the Juvenile Justice System to guarantee rights, as members of interprofessional teams in accordance with the legal frameworks of comprehensive protection for children and adolescents;
- l) mediating civil conflicts related to family contact, custody, adoption, and interdiction, in accordance with the principle of the best interests of the child and adolescent;
- m) conducting psychosocial interventions connected to the justice system within the protection network, in collaboration and coordination with services, without replacing or overlapping the actions of different institutions or public policies;
- n) participating in the social oversight of public policies, including taking part in Rights Councils at the municipal, state, district, or federal levels, as well as in forums and other similar spaces;
- o) promoting institutional coordination aimed at formulating public security policies, which entails developing knowledge attentive to the logics that structure the subjectivities of public security operators, and maintaining an ethical commitment to valuing the lives of all people;

- p) analyzing violence in a complex dimension that addresses structural inequality through intersectional practices and dialogue with spaces responsible for policy design, management, and implementation, and contributing to the formulation, analysis, problematization, revision, and interpretation of laws. (CFP, 2022d, anexo I, para. IV)

Based on the selected documents, four thematic axes were identified to guide and structure the analysis presented in this study. Each axis reflects central aspects of the normative and technical-political production of the CFP and CRP-SP in the field of Psychology in its interface with the Justice system. Organizing the material into axes allowed us to highlight both the regulatory guidelines for professional practice and the ethical-political meanings expressed through public statements, technical opinions, technical notes, and guidelines for everyday professional work. The four axes and their main components are presented below:

### **Regulatory framework for psychological practice in the justice system**

These normative instruments address psychological practices within the justice system, constituting a set of guidelines for the work of court-appointed experts and technical assistants, particularly regarding psychological evaluation and the preparation of written documents. Comprising CFP Resolutions No. 08/2010, 17/2012, 06/2019, 31/2022, and 15/2022 (CFP, 2010, 2012, 2019a, 2022a, 2022h), the publications included in this axis emphasize the need for ethical and technical rigor in the use of language when producing psychological documents, ensuring the rights of all parties involved in judicial proceedings and the protection of populations in situations of vulnerability.

### **Technical notes as instruments of guidance and ethical-political positioning**

The CFP's technical notes express positions on sensitive issues, such as the Parental Alienation Law (Technical Note No. 4/2022) and the judicialization of public policies (Technical Note No. 2/2023). These publications warn against psychologizing, pathologizing, and technocratic practices, calling upon the profession to reflect on matters related to gender, working conditions, practice at the intersection with other public policies, and the need for ethical resistance in the face of these challenges.

### **Technical references for rights-based practices in public policies**

Included in this category are all Crepop publications aimed at guiding psychological practice in areas of public policy that interface with the justice system. These documents include the References for the Work of Psychologists in the Prison System (CFP, 2021c); in Public Security Policies (CFP, 2020a); in Family Courts (CFP, 2019b); in the Protection Network for Children and Adolescents in Situations of Sexual Violence (CFP, 2020b); in Services for Women in Situations of Violence (CFP, 2024); and in Socio-Educational Measures (CFP, 2021b). The publications outline guidelines for a professional practice grounded in human rights, critical of punitive logics, and committed to individuals in contexts of vulnerability. The references reject deterministic and classificatory practices, such as recidivism prognoses or stigmatizing diagnoses.

### **Ethical and technical guidance in response to the demands of the justice system**

Technical opinions and technical and guiding notes—such as the document on specialized listening to children and adolescents (CFP, 2015a) and CRP-SP's Guiding Note No. 8/2025 (CRP-SP,

2025b) on criminological examination—highlight tensions in the work of psychologists in dialogue with the justice system. These texts advocate for intersectoral practices and offer a critical stance toward the technical subordination of Psychology to the Judiciary.

## Discussion

The CFP Resolutions Nos. 08/2010, 17/2012, 06/2019, 31/2022, and 15/2022 (CFP, 2010, 2012, 2019a, 2022a, 2022h) constitute the core of the regulatory framework that guides hegemonic psychological practice in judicial contexts. Resolution No. 08/2010 (CFP, 2010) establishes the responsibilities and ethical commitments of psychologists who act as court-appointed experts and technical assistants, emphasizing the importance of impartiality and the guarantee of the rights of all parties involved. According to Brito (2012), the role of the official expert dates back to the Code of Criminal Procedure enacted on November 29, 1832 (Brasil, 1832). Subsequently, the Code of Criminal Procedure (Decree-Law No. 2,848/1940) and the Code of Civil Procedure (Law No. 13,105/2015) also provided legal foundations for forensic work, which constitutes technical evidence based on specialized knowledge and careful assessments (Brasil, 1940, 2015). These legislations also guarantee the parties the possibility of hiring technical assistants responsible for monitoring and evaluating the expert's work, thus consolidating expert evidence as an essential instrument in judicial proceedings.

Both CFP Resolution No. 08/2010 and No. 17/2012 establish that the expert psychologist and the technical assistant must avoid any type of interference during the evaluative process that could compromise the principle of theoretical–technical and ethical–professional autonomy, as well as constrain the examined person. Moreover, both normative acts determine that the technical assistant must not be present during the methodological procedures conducted by the expert, and vice versa, in order to preserve the technical quality and integrity of the psychological evaluation (CFP, 2010, 2012).

The productions of the Psychology Councils System that regulate expert practice reinforce the psychologist's prerogative to decide, with technical and ethical autonomy, the methods and conditions under which their work will be carried out. Although expert assessments are requested by the justice system, this activity lies within the field of Psychology and must therefore comply with the profession's normative and ethical precepts, as established by the professional legislation (Brasil, 1962, 1971; CFP, 2010, 2012, 2022b).

Regarding the presence of technical assistants during evaluations, the São Paulo Court of Justice, through Provision CG No. 12/2017, article 1, single paragraph, provides that: "The monitoring of procedures mentioned in §2 of article 466 of the Code of Civil Procedure does not include the actual presence of the technical assistant during interviews conducted by psychologists and social workers with the parties, children, and adolescents. However, if the technical assistant expresses interest – which must be formally entered into the case record – psychologists and social workers of the Judiciary must schedule a meeting prior and/or subsequent to the evaluations, explaining the methodology used and allowing for discussion of the case" (Corregedoria Geral da Justiça, 2017).

Resolution No. 31/2022 of the CFP, which regulates Psychological Evaluations, reiterates this autonomy by establishing, in article 5, that it is the psychologist's responsibility to define the methods, techniques, and instruments to be used, provided they are supported by the scientific literature of the field and by current professional standards (CFP, 2022b). Articles 2 and 3 of the same resolution indicate that the evaluation must be grounded in primary sources of information,

such as CFP-approved psychological tests, interviews, anamnesis, and observation records. Article 4 further authorizes the use of complementary sources of information – such as multiprofessional documents and other non-psychological instruments – provided they have scientific backing, comply with the Psychologist’s Code of Ethics, and are used with the appropriate technical and ethical care (CFP, 2022b).

Another central ethical aspect is the prohibition of expert work in situations of conflict of interest. Resolution No. 08/2010 of the CFP, in its article 10, prohibits psychologists who provide psychotherapy to parties involved in a dispute from also acting as experts or technical assistants for those same individuals or for third parties implicated in the same situation. This guideline is aligned with the Code of Professional Ethics for Psychologists, which prohibits conducting evaluations, expert reports, or opinions in cases where prior personal or professional relationships may compromise impartiality or the technical quality of the work (CFP, 2005, 2010).

Resolution No. 17/2012 of the CFP (CFP, 2012) expands the scope of expert activity by recognizing the complexity of judicial demands involving psychological evaluations. Resolution No. 06/2019 of the CFP (CFP, 2019a), by redefining guidelines for the preparation of psychological documents, reinforces the importance of adopting clear, precise, and technically grounded language. These normative provisions strengthen a critical perspective that advocates for psychological practices committed to human rights and opposed to classificatory reductionisms. Language, in this context, is no longer merely a means of communication but becomes a political and ethical instrument, marking the limits and possibilities of professional practice in the face of the demands and tensions arising from the justice system.

The CFP’s technical notes function as guidance instruments and express the institution’s position on critical or controversial topics. The Technical Note No. 4/2022/GTEC/CG discusses the effects of Law No. 12.318/2010 (the Parental Alienation Act), warning against the improper use of psychological terminology and diagnoses that may further harm women experiencing domestic violence (CFP, 2022c). The document recommends an approach that is sensitive to gender issues and grounded in the defense of rights within family courts.

Technical Note No. 2/2023 addresses the increasing demands placed by the justice system on psychologists working in public health and social assistance services (SUS and SUAS) (CFP, 2023b). The document criticizes the expectation that these professionals assume roles attributed to the judiciary, often under precarious working conditions, denounces the judicialization of public policies, and calls upon the profession to uphold ethical resistance in daily practice.

The technical references published by the Federal Council of Psychology, through the Center for Technical References in Psychology and Public Policy (CFP, 2022b), constitute fundamental instruments for guiding professional practice in the field of public policy, based on ethical principles and a commitment to human rights. These documents reaffirm that professional practice must be grounded in respect for the dignity, freedom, equality, and integrity of the individuals served, as provided in the Code of Professional Ethics for Psychologists (CFP, 2005), and they urge professionals to confront punitive logics, psychologizing practices, and the naturalization of institutional violence, contributing to the development of public policies committed to social transformation.

The Technical References for the Work of Psychologists in the Prison System (CFP, 2021c), for example, denounce the historical use of Psychology as an instrument of social control, medicalization, and the classification of individuals considered “dangerous,” often based on racist and pathologizing assumptions. Conversely, they propose a practice committed to qualified listening, recognition of subjectivity, and awareness of the historical and social conditions shaping the trajectories of people deprived of liberty.

The guidelines for work within Socio-Educational Measures (CFP, 2021b), in turn, instruct professionals to move away from practices based on moral judgment or truth-verification, proposing instead the construction of shared analyses with adolescents and the prioritization of actions integrated into the rights-guarantee system. Sensitive listening, rapport-building, and supportive engagement are identified as fundamental elements of an ethical practice committed to the singularity of each subject, recognizing them beyond the infraction, in light of their life contexts and social vulnerability. The guidelines also reinforce the importance of intersectoral coordination – particularly with health, education, and social assistance policies – as a strategy for ensuring the realization of rights.

Complementarily, CFP Resolution No. 15/2022 (CFP, 2022h) regulates the work of psychologists in the Socio-Educational System, based on the principles of The Child and Adolescent Statute (Brasil, 1990) and the National System for Socio-Educational Services (Brasil, 2012), guiding practices that respect adolescents' particular stage of development and emphasize listening, non-punitive accountability, and comprehensive protection.

Lastly, the Technical Note concerning the suspension of CFP Resolution No. 012/2011 (CFP, 2011b, 2015b) reaffirms Psychology's critical stance toward punitive practices within the prison system. Even after the revocation of the measure, the CFP maintained its ethical position by alerting to the risks of co-opting psychological practice into institutional logics that violate rights and reduce the profession to an instrument of exclusion.

The articulation between the technical guidelines for work in these contexts and Psychology's ethical project becomes evident in the strong critique of structural racism, the mass incarceration of Black and poor youth, and the "war on drugs" as racialized and class-based mechanisms of control found across the analyzed references. Psychology is called upon to expose the mechanisms of penal selectivity and to refuse silence in the face of these normalized forms of violence. In addition, these documents dedicate special attention to the conditions experienced by women, LGBTQIAP+ people, and individuals with mental disorders, emphasizing the specific forms of suffering imposed by historically exclusionary institutions. What is advocated, therefore, is a practice committed to promoting gender equity, challenging the dominant heteronormative model, and overcoming asylum-based practices, including within the penal system.

The Technical References for the Work of Psychologists in the Prison System (CFP, 2021b) explicitly instruct psychologists to refuse issuing expert reports or opinions based on deterministic concepts, such as predictions of recidivism, "dangerousness," or "psychopathy." This refusal is framed as an ethical imperative that prevents psychological knowledge from legitimizing rights violations or arbitrary extensions of punishment.

In sum, these documents promote a conception of Psychology that goes beyond diagnostic functions and simple referrals. There is an encouragement to develop horizontal, participatory practices, sensitive to psychological suffering as an expression of social, historical, and institutional processes. Interdisciplinary work is defended as a strategy to break with punitive logics and promote mental-health care practices committed to citizenship and human dignity, through the denunciation of rights violations, the confrontation of authoritarian institutional practices, and the strengthening of the autonomy and dignity of those served.

Moreira et al. (2024), in a similar study, analyzed documents produced by the Councils System – such as resolutions, notes, and technical references – except for CRP-SP's Guiding Note No. 08/2025 (CRP-SP, 2025b) and the second edition of the Technical References for the Work of Psychologists Assisting Women in Situations of Violence (CFP, 2024), and likewise concluded

that these documents not only regulate professional practice but also constitute instruments of resistance to judicializing, individualizing, and normalizing practices in Psychology's relationship with the legal field.

The last axis of analysis in the examined materials, which includes opinions, technical notes, and guidelines regarding the interface between Psychology and the Justice System, highlights the challenges currently faced by psychologists in their dialogue with institutional demands (CRP-SP, 2025b). The CFP opinion on specialized listening to children and adolescents (CFP, 2015a) and CRP-SP's Guiding Note No. 08/2025 (CRP-SP, 2025b), which addresses the criminological exam, warn of the risk that Psychology may adopt punitive or technocratic logics, distorting professional ethics and reducing practice to instruments of surveillance and social control, contrary to the principles of the Psychologist's Code of Ethics (CFP, 2005).

In the case of the specialized listening, the CFP's technical opinion (2015a) advocates for an approach committed to guaranteeing the rights of those receiving attention, especially children and adolescents experiencing sexual violence. The document emphasizes that listening must be guided by the child's own demand, rather than serving as a response to punitive judicial logic, which could result in the re-victimization of individuals already in vulnerable situations. The CFP points out that the methodology of Specialized Listening, although nominally aimed at protection, can reproduce inquisitorial and hierarchical practices, subordinating psychological listening to the interests of the Judiciary – thus turning the psychologist into a mere “technical reproducer” of questions formulated by judges or prosecutors, in violation of the profession's technical autonomy and undermining the bond with the child or adolescent. As an alternative, the document proposes intersectoral and interdisciplinary practice among professionals in the protection network, without hierarchical subordination to the justice system, ensuring that the interview is not compulsory but performed according to the child's own timing, modes of expression, and level of understanding, and always guided by the principle of their best interest.

These ethical concerns are reinforced in Technical Note No. 1/2018/GTEC/CG (CFP, 2018), which analyzes the impacts of Law No. 13.431/2017 (Brasil, 2017) on the work of psychologists in the same context. The document cautions against the risks of judicializing psychological practices and stresses the importance of ensuring that listening is guided by rapport, the protection of subjectivity, and respect for the child's or adolescent's timing and forms of expression – rejecting approaches that transform the encounter into a means of producing evidence.

Similarly, CFP Technical Note No. 1/2023 (CFP, 2023a) provides guidance to the profession regarding the ethical risks of the so-called “Systemic Family Constellations,” particularly when used within judicial proceedings. The CFP questions the legitimacy of this practice as a psychological technique and warns of the incompatibility between its theoretical foundations and the Psychologist's Code of Ethics (CFP, 2005) – for example, its legitimization of violence as a mechanism for restoring hierarchy or its tendency to blame girls and women for the violence they have suffered. Accordingly, the Council reaffirms its commitment to evidence-based practices grounded in psychological science and ethical principles, practices that do not reproduce symbolic violence or naturalize oppressive social roles.

In the field of correctional rehabilitation, Guidance Note No. 08/2025 (CRP-SP, 2025b) reiterates that the criminological exam, as outlined in CNPCP Resolution No. 36/2024 (*Conselho Nacional de Política Criminal e Penitenciária* [CNPCP, National Council on Criminal and Penitentiary Policy], 2024), must respect the rights of individuals deprived of liberty, including the right to silence, the right to adversarial process, and the right to a full defense. It is emphasized that the absence

or delay of the exam cannot be used to justify denying progression to a less restrictive regime. The note also instructs psychologists not to issue prognoses of recidivism, use vague or stigmatizing concepts, or produce reports based on deterministic assumptions – such as the crime-offender dichotomy – which dehumanize individuals and reinforce stereotypes.

It reaffirms that psychologists must act in accordance with the Code of Professional Ethics, ensuring respect for the dignity of incarcerated individuals, the affirmation of citizenship, and the promotion of social justice. This ethical commitment includes refusing practices that contradict the foundations of the profession, even under institutional pressure, and recognizing that predicting recidivism has no technical-scientific basis. The note further emphasizes the importance of considering the effects of incarceration on mental health, the impact of structural racism and class inequality within the penal system, and the need for a critical analysis of the social vulnerabilities present in this context. The document thus advocates for a critical Psychology committed to social transformation – one that does not serve to justify punitive decisions under the guise of technical neutrality, but instead challenges exclusionary logics, such as those based on notions of dangerousness or remorse.

In this regard, the publication *The Work of Psychologists in the Prison System: Problematizations, Ethics, and Guidelines* (CFP, 2016) reinforces the need for reflective practice that addresses the tensions between the disciplinary demands of the penal system and the technical and ethical principles of Psychology. The work of these professionals must be committed to social reintegration, the protection of subjectivity, and the promotion of human rights for people deprived of liberty—even in adverse contexts marked by punitive logic.

The four analytical axes presented in the results highlight the diverse forms of psychological practice in this field. The discussion revealed how the analyzed documents engage professional practice in an integrated manner while pointing to ethical, technical, and political pathways for building a Psychology committed to social transformation and the defense of rights.

## Conclusion

This study offers an unprecedented contribution by systematizing and critically analyzing publications from the Psychology Councils System on professional practice in the field of justice, expanding the scope traditionally centered on resolutions to also include opinions, technical notes, and references produced by the CFP and CRP-SP. The compilation of these documents into an analytical corpus makes it possible to identify both the normative markers of professional practice and the institutional efforts to challenge psychologizing, medicalizing, and punitive practices historically present in this interface.

The publications analyzed reveal the ongoing commitment of the Councils System to regulate, guide, and qualify psychological practice in contexts related to the Brazilian justice system. Far from being limited to a technical-normative accumulation, these documents express an ethical-political project aimed at consolidating a critical Psychology, committed to human rights and to transforming a reality marked by structural inequalities.

By addressing themes such as judicial expertise, psychological evaluation, document production, public security, the prison system, and other public policies, the publications reaffirm that Psychology must not operate as an instrument for validating repressive practices, naturalizing violence, or reproducing oppression. On the contrary, they call upon the profession to adopt an active ethical stance, attentive to power relations, social vulnerabilities, and the multiple determinants that

shape the lives of people in conflict with the law. This commitment is anchored in the very Code of Professional Ethics for Psychologists (CFP, 2005), which establishes as a fundamental principle the promotion of dignity, freedom, equality, and the integrity of persons. From this perspective, critical practice is not an accessory dimension, but a foundational imperative of psychological work.

The normative framework governing practice in forensic contexts emphasizes the psychologist's technical-ethical autonomy and commitment to rights protection, while also warning of the risks posed when professional practice becomes subordinated to judicial demands that contradict the principles of the profession. It argues that the choice of methods, techniques, and instruments must follow ethical and scientific criteria, preserving confidentiality, impartiality, and respect for the privacy of those involved.

The analysis of technical and normative references makes it possible to identify a shared guiding principle: the call for psychologists to critically reflect on the impacts of their practice in contexts of rights disputes and to reject practices that violate the subjectivity and rights of the people served. Documents such as CFP Technical Note No. 4/2022 (CFP, 2022c), No. 2/2023 (CFP, 2023b), and CRP-SP Guideline No. 08/2025 (CRP-SP, 2025b) express an institutional stance against the instrumentalization of psychological knowledge by judicial demands that contradict the ethical foundations of the profession.

In a country profoundly marked by racial, social, and gender inequalities – and by the persistence of authoritarian practices within its institutions – the work of Psychology professionals in the field of justice carries urgent responsibilities. The Crepop documents (CFP, 2019b, 2020a, 2020b, 2021a, 2021b, 2022b, 2024) reiterate the call for Psychology to challenge institutionalized practices in spaces of power, contribute to the development of public policies grounded in human rights, and recognize the historical, social, and subjective contexts that shape the situations encountered.

New challenges continue to emerge in this field, such as deepening discussions on racism, intersectionality, and the ethical use of technology. These issues require continuous attention from the profession and reinforce the need for coordinated action by the Councils System in legislative and judicial disputes, with the aim of uncompromisingly defending a professional practice grounded in human rights (Brandão, 2016; Moreira et al., 2024).

The socially committed Psychology outlined in these publications is one that goes beyond work outside the consulting room: one that embraces ethical radicality even in the most adverse contexts, such as criminal justice, institutions of deprivation of liberty, and judicial measures. It is a Psychology that understands itself as a symbolic and political mediator, capable of promoting emancipatory practices and critically intervening in the modes of producing suffering.

Finally, it is reaffirmed that consolidating an ethical and qualified psychological practice in the field of justice requires ongoing investment in technical and political training, critical supervision, engagement with social movements, and interprofessional dialogue. Strengthening this ethical-political project necessarily involves attentive listening to the contradictions of reality, confronting internal tensions within the profession, and committing actively to the production of justice, equity, and care.

It should be noted, however, that this study has limitations, such as the restricted focus on publications from the CFP and CRP-SP. As a next step, the expansion of this analysis to the publications of other Regional Councils is proposed, along with investigations into the effects of these references on the daily practices of psychologists working within the justice system.

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