

ST2-FP-EPA2 – Expert evidence 2

Area of practice	Forensic psychiatry	EPA identification	ST2-FP-EPA2	
Stage of training	Stage 2 – Proficient	Version	v0.6 (BOE-approved 04/05/12)	
<p>The following EPA will be entrusted when your supervisor is confident that you can be trusted to perform the activity described at the required standard without more than distant (reactive) supervision. Your supervisor feels confident that you know when to ask for additional help and that you can be trusted to appropriately seek assistance in a timely manner.</p>				
Title	Expert evidence 2.			
Description Maximum 150 words	<p>Assess patients for legal purposes, provide psychiatric evidence, by way of written and oral testimony to a legal body (tribunal/panel/court) relating to one of the following.</p> <ul style="list-style-type: none"> • Detention/supervision/release reviews (including civil Mental Health Act boards/tribunals or equivalents). • Disposition/sentencing. 			
Fellowship competencies	ME	1, 2, 3, 4	HA	1
	COM	1, 2	SCH	
	COL	4	PROF	1, 2
	MAN			
Knowledge, skills and attitude required The following lists are neither exhaustive nor prescriptive.	<p>Competence is demonstrated if the trainee has shown sufficient aspects of the knowledge, skills and attitude described below.</p> <p>Ability to apply an adequate knowledge base</p> <ul style="list-style-type: none"> • Understands the requirements of the legal body seeking opinion/testimony. • Basic understanding of the role of the expert witness and how this differs from usual ‘treating doctor’ role. What an expert is and where the limits of expertise lie. • The psychiatric knowledge as it applies to the task at hand, including awareness of the limits and weakness of that knowledge. <p>Skills</p> <ul style="list-style-type: none"> • Conduct an organised and comprehensive interview consistent in scope with the requirements of the required opinion or testimony. This includes effective communication of their role, limits of confidentiality and consent. • Write a structured, relevant and focused report specifically addressing the issues required. They should demonstrate flexibility in their approach to balancing the competing needs for rigour and concise writing. The opinion should be clear 			

	<p>and understandable in the context of the body of their report. Unnecessary jargon should be avoided. Collateral information should be appropriately sought and integrated into the report in a coherent fashion.</p> <ul style="list-style-type: none"> • When writing opinion or giving oral evidence the trainee should be able to translate the psychiatric issues into understandable language for the legal forum involved. • Oral evidence should be clear, concise and relevant. The trainee should demonstrate the capacity to maintain composure when challenged and be prepared to justify, expand upon or modify their opinion appropriately. <p>Attitude</p> <ul style="list-style-type: none"> • The trainee must demonstrate an awareness of the potential ethical problems arising (including confidentiality, conflicts of agency, etc.) and an ability to resolve such problems professionally. • In both written and oral work the trainee should demonstrate the capacity to maintain objectivity and not be influenced by potential outcomes or fiscal reward. • The trainee must understand the need for professional disinterest in the legal outcome and that it is not their role, as an expert witness, to attempt to 'win' the case or argument. • The trainee should display an awareness of the limits of their opinion/testimony and communicate this effectively.
Assessment method	Progressively assessed during individual and clinical supervision, including three appropriate WBAs.
Suggested assessment method details <i>(these include, but are not limited to, WBAs)</i>	<ul style="list-style-type: none"> • Case-based discussion. • Direct Observation of Procedural Skills (DOPS). • At least one submitted report completed under supervision. • Observe interviews and oral evidence given by the trainee providing feedback.
References	

COL, Collaborator; COM, Communicator; HA, Health Advocate; MAN, Manager; ME, Medical Expert; PROF, Professional; SCH, Scholar