

**ST3-FP-AOP-EPA10 – Medicolegal assessment (civil): fitness and capacity**

<b>Area of practice</b>	Forensic psychiatry	<b>EPA identification</b>	ST3-FP-AOP-EPA10	
<b>Stage of training</b>	Stage 3 – Advanced	<b>Version</b>	v0.10 (EC-approved 24/07/15)	
<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>				
<b>Title</b>	<b>Medicolegal assessment (civil): fitness and capacity.</b>			
<b>Description</b> Maximum 150 words	To conduct, either individually or in collaboration, psychiatric assessments of fitness and/or capacity in civil jurisdictions such as: <ul style="list-style-type: none"> <li>• testamentary capacity</li> <li>• capacity to consent (or refuse) medical treatment</li> <li>• areas of specific capacity (eg. to possess a firearm, to drive, manage finances, pilot aircraft, to practise in a profession)</li> <li>• guardianship.</li> </ul> Assessments must cover assessment of capacity with respect to at least two of the above domains.			
<b>Fellowship competencies</b>	<b>ME</b>	1, 2, 3, 8	<b>HA</b>	
	<b>COM</b>	1, 2	<b>SCH</b>	
	<b>COL</b>	1, 4	<b>PROF</b>	1, 2, 5
	<b>MAN</b>			
<b>Forensic competencies</b> For Certificate of forensic psychiatry trainees only	<b>ME</b>	a, b, e	<b>HA</b>	d
	<b>COM</b>	a, b, c	<b>SCH</b>	a, b
	<b>COL</b>	b, c	<b>PROF</b>	a, b, d
	<b>MAN</b>	a		
<b>Knowledge, skills and attitude required</b> The following lists are neither exhaustive nor prescriptive.	Competence is demonstrated if the trainee has shown sufficient aspects of the knowledge, skills and attitude described below. <b>Ability to apply an adequate knowledge base</b>			

	<ul style="list-style-type: none"> <li>• Understands the legal or administrative context of the assessment request and any obligations or relevant court rules a medical expert must address in fulfilling that function.</li> <li>• Understands the ethical issues and risks of providing an expert opinion.</li> <li>• Understands the role of an expert witness, including the limits of expertise.</li> </ul> <p><b>Skills</b></p> <ul style="list-style-type: none"> <li>• In preparation for the assessment, reviews collateral information and specific instructions of the requesting agency.</li> <li>• Conducts a comprehensive and focused evaluation of the information available usually, but not invariably, including interview and mental state assessment.</li> <li>• When conducting an interview, appropriately introduces themselves and discusses with the interviewee the purpose of the assessment, their role as assessor and the limits of confidentiality and deals with any questions of the interviewee.</li> <li>• Prepares a written report following a logical format with an opinion that answers the questions of the requesting agency, includes a diagnostic formulation that is balanced, relevant and in language understandable to the requesting agency. It may include (where relevant) discussion of opinion(s) expressed by another expert(s); any such discussion must be professional and objective.</li> <li>• Responds to any follow-up requests for clarification or supplementary advice.</li> <li>• Manages any requirements to appear as an expert witness.</li> </ul> <p><b>Attitude</b></p> <ul style="list-style-type: none"> <li>• The trainee must be aware of the need for objectivity, balance and fairness.</li> <li>• The trainee should be aware of the limits of their expertise.</li> </ul>
<b>Assessment method</b>	Progressively assessed during individual and clinical supervision, including three appropriate WBAs.
<b>Suggested assessment method details</b>	<ul style="list-style-type: none"> <li>• Case-based discussion – on relevant assessments carried out by the trainee including discussion of the report prepared by the trainee.</li> <li>• Direct Observation of Procedural Skills (DOPS).</li> <li>• Professional presentation.</li> </ul>
<b>References</b>	

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