

## **Immune Resilience: The Breakthrough Plan to Protect Your Body and Fight Disease**

Homicide: Patterns, Prevention and Control 188

The author will argue that reform of the restrictive common law rules of expert evidence has been unacceptably long in the coming but that these changes, when finally legislated for, will be no panacea for the fundamental tensions between the disciplines. The result of these tensions is that the service which might otherwise be provided by forensic psychiatrists in homicide and other cases is unsatisfactorily limited, depriving both Crown and defence of expert evidence which might have been extremely germane to the issues to be tried.

The Impact of the 1990s Depression

The most notable effect of the recession/depression of the 1990s for mental health professionals is that it has struck at the heart of the viability of private practice in the exclusive role as a forensic practitioner. Very few psychiatrists and psychologists continue to practise solely as consultant experts in the forensic setting—most have had to increase their clinical load, seek part-time work in universities or redirect their orientation entirely. A good part of this flows from the straitened circumstances of legal aid commissions whose requests for assessments and reports for sentencing hearings used to provide the 'bread and butter' work for the practitioner. This has the unsatisfactory consequence that the pool of experts thoroughly versed in the ways of the courts—able to communicate diagnoses, prognoses and assessments well, and accustomed to the rules of evidence and the role of the forensic expert—is very shallow. Judges and magistrates soon become aware of the philosophical inclination and the views of the experts who are available to testify on matters such as appropriateness for rehabilitation, retributive sentencing, victim impact, malingering and the possibility of false report in sexual abuse cases. Such familiarity has the potential to inure them to the testimony of such professionals. Moreover, areas such as intellectual disability, paraphiliac sexual activity, assessment of capacity to plead, post-accident assessment and even pre-sentence reporting are being dominated by a very small number of individuals with some names being almost mandatory for certain kinds of assessments. The result is that the different schools of thought on controversial issues in forensic psychiatry, which ideally would be represented in the forensic marketplace, are often just not available. This is detrimental to the quality of argument that can be brought in homicide cases and all other areas in which forensic psychiatrists may be called as witnesses.

Training

## Reference

[100 Questions \(and Answers\) About Action Research \(SAGE 100 Questions and Answers Book 7\)](#)

[Mastering the Semi-Structured Interview and Beyond: From Research Design to Analysis and Publication \(Qualitative Studies in Psychology, 18\)](#)