APS Forensic Psychology
National Conference

DIVERSITY AND SPECIALISM IN FORENSIC PSYCHOLOGY
4-6 August 2011

The Outrigger, Little Hastings Street
Noosa, Queensland

At the coalface: Policing mentally ill and intellectually disabled people

James Ogloff (C) (Monash University)

Friday 5 August 2011, 2.40 – 4.10pm *(Rainforest Room)*

Despite incontrovertible evidence of the over-representation of people with mental illnesses and intellectual disabilities in the criminal justice system, surprisingly little empirical research has been conducted pertaining to policing people with such disabilities. Working closely with the Victoria Police and Forensicare, we have received funding from two ARC Linkage Grants to do work in this area. This symposium will provide an overview of the findings of a program of research that set out to investigate the prevalence of people with mental disabilities with whom the police interact, police knowledge and attitudes about mental illness and intellectual disabilities, the prevalence of schizophrenia and other major mental illnesses among homicide offenders and the characteristics of their offending, as well as how police deal with matters where people meet the criteria for involuntary apprehension under the Mental Health Act. The implications for reform and the many advances made by the Victoria Police to better address this population will be discussed.

Paper 1: Policing people with mental illnesses: Project PRIMeD – An introduction and overview
James Ogloff and Stuart Thomas (Monash University)

The authors are leading a team of researchers and police staff in a $3.5 million ARC funded linkage project with the Victoria Police to explore the nature, purpose, and outcome of police contacts with people who are mentally disordered. Through this research, systematic attention has been paid to the interface between the police and people with mental disorders. This paper will provide an overview of the key findings of the research. Almost half of people with whom police apprehend and take into custody have had a history of some contact in the public mental health service. Almost one in five of the people apprehended were found to be current patients of public mental health service, many having had experiences in the services since childhood or adolescence. People with mental illnesses have a greater range of unmet needs when compared to other detainees. A disproportionate number of people who have been fatally wounded by police were found to have had a major mental illness. In their formal and informal contacts with people, police were found to play an important community support role in

assisting people with mental illnesses. As the Victoria Police are partners in the research, the findings have been used as the foundation for a large number of positive reforms. Ultimately, the goal of the research collaboration is to develop models of best practice that will assist the police to identify and work with those in the community with mental disorders, and the service providers, so that they may directly contribute to a continuous process of service monitoring, evaluation and improvement.

Paper 2: Police encounters with people with intellectual disability: How often, in what circumstances, and what are the challenges?
Stuart Thomas, Marie Henshaw and Ben Spivak (Monash University)

While there is an emerging evidence base on police encounters with people experiencing mental illness, much less attention has been paid to police contacts with people with intellectual disability. This talk will introduce findings from an ARC funded linkage grant between Monash University, the Office of the Senior Practitioner and Victoria Police. Results from a survey of over 200 operational police, which sought to document the frequency and nature of their contacts with people with intellectual disability and the particular challenges they perceived working at this interface, will be presented. A second survey detailing the role, function and perceptions of Office of the Public Advocate Independent Third Person volunteers will then be presented to add a further unique insight into this complex interface. Discussion will then focus on the implications for police training and practice.

Paper 3: From their perspectives: Police officers' experiences of working with people with mental illnesses
Joel Godfredson (Forensicare) , Stuart Thomas, Stefan Luebbers and James Ogloff (Monash University)

This paper summarises findings from three studies which were conducted as part of the presenter's doctoral thesis. The aims of the study were to describe the landscape of interaction between police officers and people experiencing mental illness; to measure and describe police officers' attitudes regarding people experiencing mental illness; and to describe the factors which relate to how police officers' "ideally" and "likely" resolve encounters with people experiencing mental illness. This presentation provides an overview of the important findings arising from the research, together with recommendations, particularly related to the cooperation between mental health and policing organisations.

Paper 4: Quantitative analysis of mental health act transfers by police
Stefan Luebbers, James R. Ogloff and Stuart Thomas (Monash University)

In contemporary times, with pressured and resource-starved public mental health services, and the move to community-based mental health services, much of the burden of dealing with those with major mental illnesses falls to the panoply of community services – including the police and other emergency services. This presentation will outline findings from a study that involved the extraction and linking of retrospective data from a number of databases. Specifically, it involved the collection of information obtained on all consecutive Victoria Police Mental Health Transfer Forms completed over the course of 2010. The Mental Health Transfer Form is routinely completed by Victoria Police members when, in the course of their duties, they have involvement with a mentally disordered individual and subsequent

action is required. This sample was then linked with Victoria Police and pubic mental health databases providing information on histories of mental health and police contact. Findings will be presented on how often and under what circumstances the police become involved with mentally disordered community members, what occurs and what is the outcome of such contacts, and what are the histories of those community members who the police do need to transfer to mental health services.

Paper 5: What sets them apart: Homicide offenders with psychosis
Deb Bennett (Victoria Police) , James R. P. Ogloff, Paul Mullen and Stuart D. M. Thomas (Monash University)

The aim of this study was to obtain the history of contacts with mental health services and the prevalence of mental illnesses among the population of Victorian homicide offenders over an eight year period. We also explored the characteristics of offenders. This study overcomes the methodological limitations which have characterised much of the previous literature. The focus is homicide offenders of both genders (N=435) who have a diagnosed psychotic illness and includes those where the offenders committed suicide immediately following the homicide (n=28). While confirming the high prevalence of mental illness among homicide offenders, the findings challenge some of the current beliefs regarding the mentally ill homicide offender (e.g., there was no difference between those offenders with a diagnosed psychotic illness and those without such a diagnosis in the proportion of strangers they killed). This study also found that homicide offenders with a psychotic illness were more likely to be motivated by revenge and to plan their offences than non psychotic perpetrators. Moreover, this paper highlights differences between genders, such as the temporal relationship between onset of illness and the offence. Implications for mental health policy and practice are discussed in light of the findings.

Innovations in assessment and treatment of forensic clients with intellectual disabilities

Joseph Allan Sakdalan (C) and Mhairi Duff (Regional Forensic Psychiatry Services, Mason Clinic, Auckland, New Zealand)

Saturday 6 August 2011, 8.30 – 9.15am *(Aqua Room)*

Forensic Intellectual Disabilities is an exciting and relatively new subspecialty that is becoming more relevant in the New Zealand context following the enactment of the Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003. Presently, there is a paucity of research and evidence based practice in this area. There is a pressing need to develop this subspecialty to serve this client group. The Forensic ID Secure Service, a subspecialty service within the Regional Forensic Psychiatry Service, Mason Clinic in Auckland, New Zealand has made huge innovations in the areas of risk assessment, treatment and management of ID offenders. Of particular interest, has been the work carried out on developing an adapted dialectical behaviour therapy group coping skills programme, an ID specific sex offender treatment programme for high risk ID clients and the development of an ID risk assessment and management framework. This presentation will focus on these innovations and will discuss other existing projects and programmes being developed by the service.

Paper 1: SAFE ID: Piloting an evidenced-based sex offender treatment programme for clients with intellectual disability in New Zealand

Joseph Allan Sakdalan (Regional Forensic Psychiatry Services, Mason Clinic, Auckland, New Zealand)

Historically, there has been a gap in the design and provision of evidence-based treatment for intellectually disabled (ID) sex offenders in New Zealand. Majority of ID clients who have sexually offended or exhibit sexually abusive behaviours have had limited access to evidence-based treatment within the inpatient services and in the community. The SAFE-ID is an adapted programme based on the SOTSEC-ID programme developed for ID sex offenders in the UK. The ID Offender Liaison Service (IDOLS) and SAFE Network came together to run a pilot study to evaluate the effectiveness of this programme with a group of adult ID sex offenders in Auckland. The SAFE-ID is a 7-month programme which included traditional components of sex offender treatment and modules on sex education and healthy relationships and the use of dialectical behaviour therapy. This presentation aims to present findings in brief on the effectiveness of the programme. Clinical vignettes will be presented to elucidate different aspects of the programme. Future directions and challenges will be discussed.

Paper 2: Development of an adapted DBT Group Coping Skills Programme for Forensic Clients with Intellectual Disability

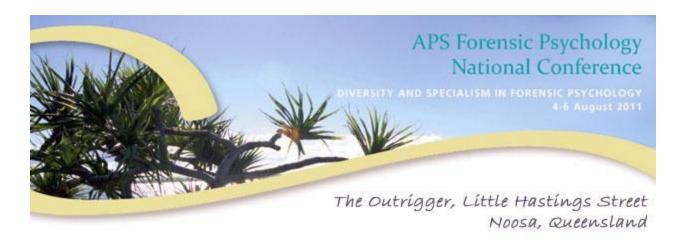*Mhairi Duff (Regional Forensic Psychiatry Services, Mason Clinic, Auckland, New Zealand)*

Dialectic Behaviour Therapy (DBT) has been widely used with individuals diagnosed with borderline personality disorder who exhibit severe emotional and behavioural dysregulation. There is a paucity of research in assessing the effectiveness of DBT with forensic clients with intellectual disability. This study aimed at evaluating the effectiveness of the adapted DBT group skills training programme adapted particularly for offenders with intellectual disability. A total of 20 participants have completed the 14-week adapted DBT group skills training programme. All participants exhibited challenging behaviours and have a history of prior charges or convictions for violent crimes. The study conducted pre- and post-tests using instruments that measured dynamic risks, relative strengths, coping skills and global functioning. The presentation aims to present the results of our pilot study. The study result showed improvement across all measures. A decrease in the level of risks, increase in relative strengths and general improvement in overall functioning were found significant. The results were promising particularly as a stand-alone adapted DBT group skills training programme for this client group.

Paper 3: Development of a Risk Assessment and Management Framework for Forensic Clients with Intellectual Disability

Joseph Allan Sakdalan and Mhairi Duff (Regional Forensic Psychiatry Services, Mason Clinic, Auckland, New Zealand)

Risk assessment is increasingly seen as a central part of clinical practice with all client groups including individuals with intellectual disabilities. Presently, there is a paucity of research published focussing on the prediction of violence in offenders with ID. Hence, there is a pressing need to develop risk assessment tools that will indicate levels of supervision for ID offenders more accurately tailored to their

needs. There are also some concerns about whether existing ID assessment and management frameworks provide valid prediction of future recidivism or that they are appropriate for developing sound risk management plans. There has been very limited work conducted in developing a more unified approach to risk assessment and management with offenders with ID. This presentation aims to discuss the proposed ID risk assessment and management framework developed by the authors with the aim of implementing a more structured, descriptive approach in conducting a risk assessment which can assist in developing a sensible, practical, risk management plan for offenders with intellectual disabilities.

Interventions for Forensic ID Clients

Vanda Wieczorkoski (C) (Disability Forensic Assessment & Treatment Service (DFATS), Department of Human Services)

Saturday 6 August 2011, 9.15 – 10.00am *(Aqua Room)*

Research suggests that successful engagement with sexual offenders depends, in part, on increasing client motivation, establishing cooperative meaningful alliances and inspiring hope. Process variables and the therapeutic alliance are considered to be significant predictors of treatment success or failure. Lambert argued that 30% of outcome in psychotherapy was the result of the therapeutic alliance. Therapeutic technique and the client-therapist relationship have a combined influence: their interaction, in some cases, accounting for up to 60 – 90% of 'what works' in an intervention. Kear-Colwell and Pollock make a strong case that a confrontational style produces limited benefits or, at worst, negative effects on treatment outcomes. Highly challenging or confrontational approaches are associated with high client resistance and may impede change in those clients with low motivation for change, still contemplating change, and those with low self esteem, high anxiety or dysfunctional personality traits. This presentation will explore the link between treatment outcomes and the client -therapist relationship for intellectual disability forensic clients engaging in sexual offending treatment programs.

Paper 1: Let's get engaged: Skills and strategies for working with ID offenders

Yasmine Sevim, Phoebe Meyer and Ben McIntyre (Disability Forensic Assessment & Treatment Service)

Intellectually disabled (I.D) offenders frequently have poor experiences of school and often face numerous barriers to normative channels of learning. Engaging these clients following years of negative associations can be challenging for clinicians. Therapists working within this area require an awareness of the historical barriers clients may have faced, and knowledge of effective ways to promote learning and motivate change which takes into account the cognitive functioning of this client group. This presentation will use an experiential approach to illustrate the skills and techniques used to engage ID Offenders in group therapy at Victoria's Disability Forensic Assessment and Treatment Service.

Paper 2: Stress less: The use of biofeedback to aid emotional management within a forensic disability setting

William Wainwright and Cara Hammond (Disability Forensic Assessment & Treatment Service)

It has been well documented that the successful management of emotional distress is a significant protective factor in reducing offending in the forensic disability population. It was predicted that biofeedback technology would assist group participants to effectively identify and manage physiological reactions to stress. In order to test this, group sessions conducted over a twelve week period, were used to teach forensic clients with intellectual disabilities to practice emotional management through the use of a computer-based biofeedback system: "The Journey to Wild Divine". This presentation discusses the learning from this process and the outcomes for clients.

Paper 3: Treatment outcomes and the client therapist relationship in the treatment of ID sexual offenders

Vanda Wieczorkowski (Disability Forensic Assessment & Treatment Service)

Research suggests that successful engagement with sexual offenders depends, in part, on increasing client motivation, establishing cooperative meaningful alliances and inspiring hope. Process variables and the therapeutic alliance are considered to be significant predictors of treatment success or failure. Lambert argued that 30% of outcome in psychotherapy was the result of the therapeutic alliance. Therapeutic technique and the client-therapist relationship have a combined influence ; their interaction, in some cases, accounting for up to 60 – 90% of 'what works' in an intervention. Kear-Colwell and Pollock make a strong case that a confrontational style produces limited benefits or, at worst, negative effects on treatment outcomes. Highly challenging or confrontational approaches are associated with high client resistance and may impede change in those clients with low motivation for change, still contemplating change, and those with low self esteem, high anxiety or dysfunctional personality traits. This presentation will explore the link between treatment outcomes and the client - therapist relationship for intellectual disability forensic clients engaging in sexual offending treatment programs.

Evaluating a model for psychological assessment in cases of workplace discrimination

Jane Goodman-Delahunty (C) (Charles Sturt University)

Friday 5 August 2011, 2.40 – 3.40pm *(Ocean Room)*

Psychological assessment for workplace discrimination is often complex, as each complainant has a particular personal history and context, including different coping skills, psychopathologies and unique life circumstances. Recent work by Goodman-Delahunty and Foote sets forth a five-stage model based on best practice guidelines to assist forensic assessment practitioners. The model incorporates theories of legal causation to assist the evaluator, who does not determine ultimate legal causality but rather the extent of any injury, and whether the alleged harasser was the likely proximate cause. Assessment is divided into three temporal stages: the period in the complainant's life up until the "day before" the alleged event, the complainant's condition at the time of the alleged events, and any symptoms or reactions experienced subsequently. Findings from the social scientific literature, psychological practice and the law are incorporated in a five-stage framework to assist assessors in writing reports to meet legal standards. In this symposium, Goodman-Delahunty applies the model to a gender discrimination case, illustrating the application of the model to a specific set of case facts. Bell reports on research findings showing the importance of impression formation in legal contexts. He provides comment on the model from a legal practitioner's perspective, highlighting the need for best practice communication among forensic psychologists and others.

Paper 1: Applying a forensic evaluation model to a case of workplace gender discrimination

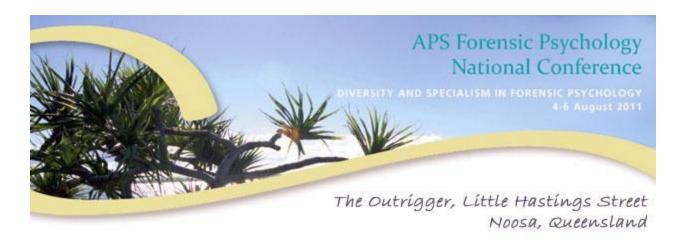*Jane Goodman-Delahunty (Charles Sturt University)*

A recently developed model of forensic evaluation provides a five-stage temporal model for assessing both causality and severity of harm in workplace discrimination cases. This paper illustrates application of the model to a gender discrimination case. Qualitative case studies are recognized as a scientifically important way of advancing psychological theory but here the case study also tests the effectiveness of

the proposed model.   Case study application illustrates how the model incorporates the use of deductive, inductive and abductive logic to assist practitioners in making judgments about likely causes of any harm. Deductive reasoning is applied to the particular case, based on knowledge from psychological practice about how a victim might respond to similar events. Inductive reasoning is applied to data collected first-hand by the assessor (through interviews and documentation) to generate hypotheses about possible causes of harm. The third form of reasoning, abductive reasoning, is employed when the results of deductive and inductive reasoning clash, and is used to determine the most logical 'best fit'. The case study illustrates the use of these modes of reasoning in hypothesis testing to explain the cause of the alleged injuries, demonstrating the application of applying legal and psychological principles and research to real-life case facts. The case study analysis illustrates complexities of reasoning involved in forensic assessment, supporting the need for a systematic framework for assessing complainants' symptoms in cases of workplace discrimination.

Paper 2: Impression formation in forensic and legal contexts: developing best practice elements for communication

Howard Bell (Charles Sturt University)

This paper examines the five-stage model proposed by Goodman-Delahunty and Foote and proposes a range of best practice elements for communication in forensic and other legal contexts. Communication within these contexts is highly complex and must work towards minimising perception distortions affecting impression formation in case management, advocacy and the information analysis of forensic evaluation. Best practice for communication will ensure the quality presentation of raw materials from which impressions are formed by forensic psychologists and other professionals. This is particularly necessary in assessing and addressing the needs of marginalised and vulnerable people and groups. Sound mechanisms are needed for maintaining institutional awareness of the circumstances of vulnerable people with limited access to advocacy or other established means of communication. Impression distortions in jury trials can occur from factors such as "white coat" syndrome in which lay decision-makers may suspend their critical capacity and accept expert testimony more readily than otherwise might be the case. This paper provides critical comment on Goodman-Delahunty and Foote's model for forensic evaluation, drawing on data gathered from field research on impression formation in criminal trials before juries. It also presents an empirical perspective on the interactive dynamics of impression formation, including storytelling and game playing, and risk assessment in decision-making.

APS Forensic Psychology National Conference
DIVERSITY AND SPECIALISM IN FORENSIC PSYCHOLOGY
4-6 August 2011

The Outrigger, Little Hastings Street
Noosa, Queensland

The australian jury: Grappling with legal instructions and juror attitudes

Jeffrey Pfeifer (C) (Swinburne University)

Saturday 6 August 2011, 10.30 – 12pm *(Ocean Room)*

Paper 1: Juror comprehension of legal instructions in a sexual assault trial

James R. P. Ogloff, Elizabeth Nadjovski-Terziovski, Ben Spivak and Jonathan Clough (Monash University)

Various mechanisms have been developed to improve juror comprehension; however, little research has focused on implementing a range of mechanisms in one study using an externally valid methodology. The present study sought to evaluate juror comprehension of judicial instructions in a rape trial using three different measures of comprehension: recall, recognition, and application. The stimulus for the study was based on the videotaped re-enactment of an actual rape trial and participants were members of the jury pool who participated in the study as part of jury duty in a court house. The design was a 2 X 3 factorial model that varied pre-trial orientation on procedural and substantive matters (education/no education) and instruction type (standard, modified, modified + PowerPoint). The results demonstrate that juror comprehension is alarmingly low but that implementation of mechanisms that incorporate visual and auditory stimuli significantly, yet modestly, improves comprehension levels, particularly in the recall analysis. Recognition was not found to be a useful measure of juror comprehension. Finally, the application analysis highlighted the need for additional modifications to judicial practice, beyond those implemented in this study.

Paper 2: A psycho-legal analysis of jury instructions

Ben Spivak, James R. P. Ogloff and Jonathan Clough (Monash University)

In any trial by jury, the presiding judge must provide jurors with information regarding the laws relevant to the case at hand. These instructions provide jurors with a comprehensible legal framework to refer to when reaching their verdict, which should theoretically help to prevent wrongful convictions and miscarriages of justice. However, in the past three decades there have been several changes to the law concerning jury instructions. Though many of these changes have sought to give jurors a better understanding of the law and its application, they have not had this effect in practice. Indeed, a number of judges across Australia have expressed frustration towards these legal requirements, perceiving them as obstructive to effective communication with juries. Furthermore, a growing body of empirical research indicates that juror comprehension of standard jury instructions is extremely poor. In general, it appears that the law's assumptions about juror cognition and comprehension are not sustained by evidence from the social sciences. This paper traces the history and development of jury directions in Australia and attempts to identify the psychological assumptions implicit in the current Australian jury instruction process. These assumptions will then be reviewed in light of research from both cognitive and social psychology. The presentation will conclude by considering potential policy reforms, which may aid in improving juror comprehension of judicial directions.

Paper 3: Examining the interaction between attitudes and personality/cognitive traits in mock jurors

Natasha Katopodis, Jeffrey Pfeifer and Elizabeth Hardie (Swinburne University)

Although the majority of jury decision-making studies on sexual assault involve the examination of mock juror attitudes, there is some indication that personality/cognitive traits might also play a role in the perceptions of subjects. A review of the literature also indicates that a significant number of these studies tend to include variables that are non-reflective of the legal arena (e.g., continuous scales of guilt, sentencing recommendations) and concentrate on identifying differences between male and female subjects as opposed to examining differences among female mock jurors. The goal of this research, therefore, was to identify how the personality/cognitive traits and attitudes of female mock jurors interact while employing a methodology heavily reliant on the use of dichotomous variables in order to more accurately reflect the jury selection environment. Female subjects were asked to respond to a questionnaire aimed at identifying their general attitudes toward issues relating to sexual assault as well as identifying a number of personality/cognitive traits (e.g., authoritarianism, empathy, need for cognition). Once the questionnaire was completed, subjects were informed that they were to be part of a second, unrelated, study on juror decision-making and were asked to read a transcript of a sexual assault case and indicate whether they believed the defendant to be guilty or not guilty. Results indicate that the dichotomous guilt ratings of subjects vary significantly depending on their attitudes and personality/cognitive traits. The implications of these findings are discussed in terms of their usefulness for jury selection.