

# HPS206 Introduction to Forensic Psychology

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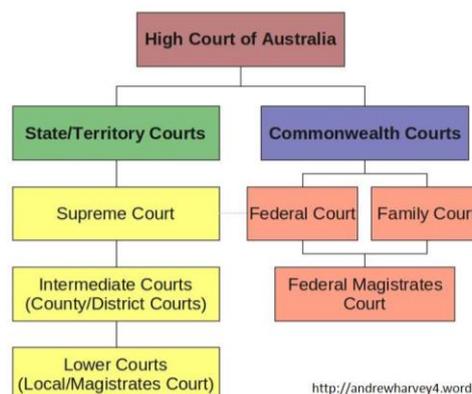
## Week 1: Overview of the Australian Legal System and Associated Services

1. Describe the Australian Justice System (including ancillary courts) and the associated services:

The Australian legal system is based on the adversarial system which means each party presents their case to the court, and the court then decides of the matter based only on what information was provided by the parties.

The Australian legal system distinguishes between criminal and civil cases. Criminal cases involve an individual being prosecuted on behalf of the state by the police or the office of public prosecutions for an offence against the law, if found guilty the courts punish the offender, the judge deciding within the scope of the maximum penalty. There are two types of criminal offences: summary offences which are less serious and usually dealt with by a magistrate, indictable offences are more serious offences that are usually dealt with by a judge and jury. A civil case usually involves a dispute between people or a person and the government about the rights or liabilities of those involved.

Australian Court Hierarchy



<http://andrewharvey4.wordpress.com/>

2. Define forensic psychology, and understand the history of the discipline:

There is no universal definition of forensic psychology, but it involves interaction of psychology and the legal process.

1843 was the first time that a person (Daniel McNaughten) was found not guilty by reason of insanity. It wasn't until 1908 when Hugo Munsterberg published a book, '*On the witness stand*' which showed how inaccurate eyewitness testimony is, this was widely criticised because of how heavily eyewitness testimony was relied on in courts, and how reliable it was thought to be. In 1954 in *Brown v. Board of Education* the board of education argued for the segregation of white and black students, a brief written by psychologists was used in the case explaining the negative impact of segregation on black students, which was the first time a psychological brief was used to inform a legal decision. 1968-69 the American Psychology-Law Society was founded, which led to more use of psychology in the legal system.

The legal system was so resistant to psychology because there are fundamental differences. Psychology does not generally prove, but works with statistical significance, whereas the legal system needs to prove beyond a reasonable doubt. Also, psychology works with regards to populations e.g. x% of this demographic will reoffend, whereas the legal system works with individuals e.g. will this particular person reoffend, and should they therefore be given parole?

3. Discuss the various roles and areas of practice of forensic psychologists:

Offer consultation at different levels of the justice system like police (recruitment and promotion, training, and crisis management); trial process and preparation (jury selection, witness preparation); correctional services (workplace safety, organisational structure, and practice); and child protection.

Offer expert evidence on a range of topics like the insanity defence, competence to stand trial, advice about sentencing and parole, eyewitness identification, psychological damages in civil cases, trademark litigation, administrative appeals tribunals, guardianship boards, and child custody issues.

Deliver clinical services like counselling, treatment, training, assessment, and psychotherapy with forensic populations like offenders, victims, substance misuse, parents, separation/divorce, and family reunification.

Research, by using the scientific method. It can be challenging to conduct research in the forensic context, for example the ethics of researching victims and offenders.

4. Understand the roles and areas of practice where the skills that you develop in this unit can be applied:

This unit will focus on ethical dilemmas that can arise in forensic work, the challenges inherent in engaging with forensic populations, and assessing and managing risk. This unit also introduces the area of sexual violence, family violence, substance related crime, and family court along with the issues that may arise when working with people with mental illness, intellectual disability or acquired brain injury, young people, and people with indigenous or cross-cultural backgrounds.

## Week 2: Ethical Issues in the Forensic Context

1. Understand the importance of ethical practice:

Ethical codes are principles, standards, and guidelines for what psychologists can and cannot do that have been developed by each disciplines organisational body. They are separated into two dimensions: principle ethics (obligations that must be met) and virtue ethics (idealistic).