



Ethical Dilemmas and Professional Considerations for Working with the Adult Survivor of Sexual Abuse: Forensic Psychology

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Forensic Psychology

The application of the science and profession of psychology to provide relevant information to a legal question.





Types of Cases

CIVIL

Abuse in Foster Care

Clergy Abuse

Teacher / School Official Abuse

Sexual Harassment

Rape / Sexual Assault

- * **by employee**
- * **failure to provide adequate protection**

CRIMINAL

Explanation of Aberrant Criminal Behavior or Reactions (due to childhood trauma or PTSD)

Death Penalty (mitigating circumstances)





Civil Cases

Damages relates to the finite harms that may be addressed through the legal process.

Assessment of both acute and long-term psychological damages.

Compromised functioning because of traumatic symptomatology may be one of those harms.





Ethical Considerations

Informed Consent

Legal Rights of the Individual

Take Care to Do No Harm

Confidentiality





Ethical Considerations: Informed Consent

APA Ethical Standard 3.10 Informed Consent

*(c) When psychological services are court ordered or otherwise mandated, psychologists inform the individual of the nature of the anticipated services, including whether the services are court ordered or any **limits of confidentiality**, before proceeding.*

APA Ethical Standard 9.03 Informed Consent in Assessments

(a) Psychologists obtain informed consent for assessments, evaluations, or diagnostic services as described in Standard 3.10, Informed Consent





Ethical Considerations: Informed Consent

Specialty Guidelines For Forensic Psychologists

*(IV)(E) Forensic psychologists have an obligation to ensure that prospective clients are informed of their **legal rights** with respect to the anticipated forensic service, of the purposes of any evaluation, of the nature of procedures to be employed, of the intended uses of any product of their services, and of the party who has employed the forensic psychologist.*





Professional Considerations

Core Differences Between Treating Clinician and Forensic Evaluator





Core Differences Between Forensic Evaluator And Treating Clinician

- The goals are different
- The litigant is not your patient
- There is a lack of confidentiality and privilege
- The level of scrutiny is heightened
- The pace and control is dictated by the evaluator and the needs of the case
- There is a standard of objectivity and neutrality
- There is a reliance on third-party information
- There is a testing of multiple hypotheses, including malingering and a reliance on psycho-legal criteria)

Adapted partially from: Greenberg, S. A. & Shuman, D. W. (1997) **Irreconcilable Conflict between Therapeutic and Forensic roles.** *Professional Psychology: Research & Practice, Vol. 28, No. 1, 50-57.*





Trauma Informed Forensic Practice

Awareness of how traumatized individuals tell their story

Awareness that the myriad traumatic and psychological consequences of sexual victimization invariably influence a victim's participation in the legal process

Knowing that a trauma assessment is more than PTSD

Knowledge of the appropriate selection and interpretation of psychological tests

Practicing within the bounds of our competency and expertise





Trauma Informed Forensic Practice

Awareness of triggers, activation, dissociation

Awareness of ways to lessen harm during evaluation

Realizing that one can be empathic and engaging without losing objectivity

Offering basic containment strategies and debriefing after evaluation





Thank You

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