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THE PSYCHOLOGIST AS EXPERT WITNESS

From time to time psychologists are called upon to play the role of expert witness in giving evidence in court. This is a sensitive part to play as, owing to their qualifications, professionals are permitted by law to present not merely the facts but an opinion. The peculiar status accorded the expert witness is based on the assumption that the testimony represents an independent opinion derived from special knowledge and dispensed with a sense of professional responsibility.

That expert testimony is proffered within an adversary system in which each opposing counsel is an advocate for his or her respective client enhances the delicacy of the situation and increases the risk of abusing the facts and subverting the administration of justice. The situation is complicated still further if, as in child custody cases, the interests of a third party are a consideration.

Because of the adversary nature of the legal system, requests for expert opinion are implicitly manipulative and, in the opinion of Robert Mnookin, professor of law at the University of California at Berkeley, "such judicial invitations are demeaning to the expert and corruptive of the judicial process." Mnookin is of the opinion that psychologists can defend their discipline against abuse by pointing out where appropriate that there are limits to their expert knowledge. For him it is important that "we ...face up to what we don't know."

In such complex situations, by their nature predicated on conflict, the psychologist has at the very least the obligation to base his or her opinions soundly on the accepted body of psychological knowledge

and to use accepted procedures with care. Beyond that, the psychologist is urged to indicate the limits of knowledge, the degree of uncertainty in predictions and to resist manipulation by one side or the other.

While convinced of the importance to the profession of maintaining high standards in giving expert testimony, the Board of Examiners nevertheless acknowledges the complexity of the problem and the likelihood of legitimate differences of opinion regarding the means by which this should be accomplished. In attempting to clarify the problem and identify its solutions, the Board invites the assistance of psychologists through their comments and suggestions.

FALL EXAMINATIONS

The written examination for Temporary Registrants was held on October 15 in Toronto, Thunder Bay, London, Sudbury, Kingston, Ottawa and St. John's, Newfoundland. The Board is grateful to Mrs. J.M. Lehto, Dr. H.N. McLeod, Dr. Gerald L. Stone, Dr. R.H. Farrant, Dr. A.Z. Arthur, Mr. Gilles Chagnon and Dr. G.R. Skanes who served as proctors.

The Board also expresses its thanks to the psychologists assisting in the oral examination of candidates in Toronto on November 30, December 1 and 2. They were: Tasso Christie, Director, Anishnawbe Institute; Henry Edwards, Prof. of Psych., University of Ottawa; Ray Engel, Management Consultant; Kingsley Ferguson, Psychologist-in-Chief, Clarke Institute; Barry Francis, Coordinator, Kitchener-Waterloo Hospital;

John Goodman, Chief of Psychology, Children's Hosp. of Eastern Ont.; Dvora Levinson, Assistant Prof., Inst. of Child Study; Susan London, private practice; Donald Posluns, independent practice; Brian Ridgley, Head, Psychology Dept., Sunnybrook Medical Centre; Joan Stewart, Associate Professor at York University, Coun. & Devel. Centre; Norman Thomas, Consulting Psychologist, education and private practice; and Marta Townsend, Psychologist, Canadian Broadcasting Corp.

PERMANENT REGISTRANTS

The Board has approved the addition of the following successful candidates to the Permanent Register:

Agha M. Akram	Victor R. Koop
Irwin F. Altrows	Lester Krames
Stephen M. Bernstein	Daniel C. Lee
Edward G. Blackstock	Hargulshan Malik
Ray M. Blanchard	Robert A. McFarland
Kenneth E. Breitman	Brian H. McLatchie
Nancy J. Cohen	Jayne Patrick
Rose T. Doherty	Linda C. Pearson
Diane K. Farr	Brian H. Quirt
William G. Ford	Pierre L.J. Ritchie
E. Jo-Anne Gardner	Arnold H. Rubenstein
Esther Gelcer	Howard L. Rudner
Robert W. Hopkins	Ronald J. Samuda
Lisa L.S.T. Hoshmand	Eugene D. Shershen
Rhoderick P. Howitt	Joan E. Simic
Thomas W. Humphries	Melvyn Starr
Joel P. Hundert	Gail A.K. Steiner
Howard P. Jobin	Douglas L. Tate
Mary Jo Kelly	Anthony P. Thompson
Badrul A. Khan	Robert S. Unger
Samuel H. Klarreich	Brian R. Usher
Steven J. Kneeland	Robert O. Weir

TEMPORARY REGISTRANTS

Since the publication of the August issue of the Bulletin, the Board has approved the admission of the following persons to the Temporary Register:

Harvey Anchel	Joseph B. Goodman
William R. Barnes	Ronald J. Hine
Rena F. Borovay	J. Zachary Jacobson
Thomas G. Bowman	Gregory F. Mazuryk
Norman Forman	Bertha Mook

Edward A. Staples	René-Guy Cantin
Jeri D. Wine	Faith Kaplan
Leonard M. Stein	Teresa R. Coward
Richard W. Flewelling	Susan D. Denburg
Howard E. Shecter	Lorne M. Hartman
Murray Brown	Martha P. Keller
Dawne C. Burrton	Christopher Knapper
Robert J. Camargo	Karen R. Mock
M. Shaune Lawton	R. Douglas Montgomery
Matti J. Saari	Jane L. Teare
Barry H. Schneider	Sandor E. Wiseman
Jane A. Siegel	Griffith A. Morgan
James E. Sweeney	Kenneth Ritter
Susan E. Sykes	Barbara D. Roth
Alan G. Worthington	Ken F. Scapinello
James H. White	Rita Simon
Marti D. Smye	Alexander M. Wilson

EXAMINATION FOR PROFESSIONAL PRACTICE
IN PSYCHOLOGY

As a member of the American Association of State Psychology Boards, the Ontario Board of Examiners received a letter from the Professional Examination Service reprinted in part below:

"The (Examination for Professional Practice in Psychology) has become successfully established on a national basis through a long-term cooperative effort on the part of the licensing (registering) boards. In order to keep the examination viable and answerable to today's mounting challenges, your Association has decided to step up the frequency of revision. To accelerate the movement toward specialty examination development, and to make greatly increased efforts in support of validity. We are writing to request your active involvement in these tasks, so that those who have benefited from the examination thus far may participate in assuring its future.

The basic building block is the original test item. A much larger continuing supply of new items is needed, and the content validity of these rests primarily on broad professional involvement in their construction and expert review. To this end we are asking each board to help in the following ways:

1. Send us the names and addresses of all psychologists newly licensed (registered)

in your state in the past year. (No I.D. or other data are needed - the names will be used only as a mailing list for a broadly based appeal for item writing.)

2. Assign three board members or other psychologists in your state to write up to 10 original items apiece, in the areas of their interest and expertise. On hearing from the assigned persons, we will supply them with precise instructions on format, etc.

3. Assign one or more broadly knowledgeable psychologists to review up to 40 new items (details as above).

The construction of test questions is both demanding and rewarding. It is not possible to offer reimbursement in any way commensurate with the time and effort required. However, we do offer a small honorarium of \$1.50 for each acceptably written item, as a token of appreciation for these valued contributions.

With full realization of the heavy burdens already carried by board members and staff, we are nevertheless hopeful that the importance of the Association's efforts will stimulate widespread cooperation with these requests. We look forward to hearing from you soon.

Sincerely.

Anne K. Stauffer, Ph.D.,
Program Associate
Psychology Licensing

Craig G. Schoon, Ph.D.,
Vice-President for Programs"

The Board of Examiners will provide a list of newly registered psychologists but, in order to meet the second and third requests, the Board would appreciate having the names of psychologists who are willing to write or review items. If you are interested, could you please contact the Registrar.

DISCIPLINARY CODE

With the release to its members by the Ontario Psychological Association of a *Code of Professional Conduct* some confusion may be generated in the minds of psychologists, not all of whom are members of OPA. As the preamble to the OPA document states, it is the Ontario Board of Examiners in Psychology (and not the Association) "which has the duty and authority to promulgate and decide rules of professional conduct for psychology (sic) in Ontario." It is perhaps necessary, therefore, for the Board to draw your attention to the OPA *Code* and to distinguish between it and efforts of the Board of Examiners toward developing a disciplinary code for use by members of the profession.

The OPA *Code* provides a set of definitions of professional misconduct and, although it may be argued that it is by no means exhaustive, it is a clearly stated list of prohibitions which might simplify the task of enforcement for the new college and its legal counsel under the proposed new Psychology Act. In form, it might be suitable for inclusion as one of the Regulations under the new legislation.

The Board of Examiners, on the other hand, has directed its attention less toward the care with which malpractice could be prosecuted and more toward developing a code which psychologists could use as a positive guide in maintaining high standards of practice. Although the OPA *Code* and what OBEP refers to as its *Standards of Practice* differ in some specific details, they are largely complementary and, in some respects, identical. The OBEP *Standards of Practice* is lengthier in so far as it contains additional clauses linking it to the various APA Standards which the Board of Examiners has publicly adopted.

Having accepted the responsibility for promulgating and deciding rules of professional conduct for psychologists, if not for "psychology", the Board is announcing its intention to offer a one-day WORKSHOP to discuss its proposed *Standards of Practice* with psychologists on the Permanent and Temporary Register who will be required to meet them. No fee will be charged for registering for the meeting. It may, however, be necessary to charge for the cost of printing the materials which would be circulated in advance of the workshop.

The workshop will be offered in the OISE building at 252 Bloor Street on Thursday, April 20. Further details will be provided to those returning the attached application form.

Barbara Wand, Ph.D.,
Registrar