

# Psychology Expert Witness in Civil, Family & Criminal Courts

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## What is a Psychologist Expert Witness?

Psychologists are trained to conduct, administer, and assess clients using several psychological tests, making them ideal for independent medical examinations for evaluating a person's mental capacities and current state of mind. The court may require psychologists in situations involving highly specialised knowledge, complex factual issues, or both. Thus, it is important to instruct a psychology expert witness to testify about their expertise in the relevant topic and how it relates to the specific circumstances.

*A witness is a professional who provides a courtroom or tribunal with sworn testimony. Two types of witnesses are required by the courtroom: fact witnesses and expert witnesses.*

**1. Fact witnesses** who may provide proof of facts but who are not often permitted to offer opinions.

**2. Expert witnesses** who can provide factual evidence as well as opinion evidence relevant to their field of expertise.

## A Psychology Expert Witness is...

An independent individual who is requested by the court to offer his independent expert opinion based on the information presented. Expert witness psychologists are used in various contexts, including arbitrations, tribunals, trials, litigation, and other hearings. Thus, a psychology expert witness is a medicolegal professional who conducts independent psychological assessments and behavioural interventions to access a person's:

- The Current mental state
- The Capacity to provide testimony
- The extent of psychological (mental, emotional) damages

Psychologists who testify as experts in court assess for the clients state of mental health, this can be done in collaboration with psychiatrists. However, the most significant difference between psychologists and psychiatrists is that while psychologists are considered doctors due to their PHD level certification, they are classified as medical doctors and can prescribe medication. An expert witness psychologist will present facts to courts and tribunals in various cases, including criminal trials, personal injury lawsuits, and family law disputes.



## Role of a Psychologist Expert Witness

An expert witness duty is to the court always, regardless of the instructing party. Psychologist expert witness must uphold ethical standards ensuring an unbiased account of findings are presented objectively and are impartial, honest, and independent.

Expert witness Psychologists are bound by court or tribunal orders, along with any set dates to abide to.

## A Psychology Expert Witness Will...

Respond to inquiries like these after spending time with a solicitor's client and/or looking over their medical records:

- Has a claimant experienced psychological harm due to an injury or ailment brought on by the defendant's alleged negligence?
- Has an employee been accused of bullying or sexual misconduct? Is this employee suffering from [mental health conditions](#)?
- What happens when a kid is removed from their home? How would it affect the mental health of the parties involved?
- Whether a defendant in a criminal case was compliant? Does a claimant or defendant have a mental capacity to stand trial?
- Would seeking therapies or psychological treatments improve a defendant or claimant's mental health projection, and for how long?

## A Psychology Expert Witness Will Not...

Follow any terms and conditions for your case because they act as an [independent identity in any criminal or civil proceedings](#). They will also not:

- Comment outside their area of expertise in civil or criminal court proceedings
- Give guidance and advice or engage in negotiation in the courtroom settings
- Accept appointments if they present a conflict of interest (unless resolvable by disclosure)
- Accept any appointment that comes with stipulations that are dependent on how the case turns out
- Look for evidence for you, offer a strategy for your case, or act as your advocate in the court proceedings

## Need an Expert Witness Psychologist?

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## Forensic Psychologist Expert Witness

Our Forensic Psychologists can help with civil and criminal investigation assessments, behavioural profiling and case presentations, in addition to the following:

- Conduct Initial Assessment
- Analyze criminal behaviour
- Provide Expert Testimony



## Personal Injury Psychologist Expert Witness

Our personal injury experts provide medical reports and expert witnesses for personal injury claims and compensation. They can help with the following:

- General and special damages
  - Expert witness for PSLA
- Expert Witness for financial loss



## PTSD Psychologist Expert Witness

Our HPCCC-registered and prescreened PTSD psychologists can provide expert witnesses as well as therapies and treatment options, including:

- Cognitive Behavioural Therapy (CBT)
- Group therapy, support and advice for PTSD
  - Eye Movement Desensitisation & Reprocessing (EMDR)



## Neuro Psychologist Expert Witness

Neuro psychologists, as expert witnesses, assess the following neurological illnesses before the Court of Protection and claims of clinical negligence and personal injury:

- Neurodegenerative diseases
- Concussion, Epilepsy and Migraine
- Memory disorders and fitness to stand trial



## Child and Family Psychologist Expert Witness

Our prescreened child and family psychologist expert witnesses provide witness and testimony for the mental health conditions that children and adolescents face after a family issue, including:

- Assistance in family transitions
- Assessment of mental health
- Developmental disorders Assessment



## Immigration psychologist Expert Witness

Asylum and immigration psychologists most frequently speak about the applicant's physical or mental health or the circumstances in their country of origin.

- Assist the tribunal decision-making
- Provide opinions within their expertise
- Assess physical & mental health difficulties



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