

Psychology and Law Conference

8th November 2018

Goldsmiths, University of London

Goldsmiths Forensic Psychology Unit

in association with



**FORENSIC
PSYCHOLOGY
UNIT**
Goldsmiths
UNIVERSITY OF LONDON

Programme:

09:30 – 10:00	Coffee and registration
10:00 – 10:10	Welcome and introduction
10:10 – 11:15	The Importance of Evidence Based Interview Practice <i>Prof Fiona Gabbert and Prof Dimitrios Giannouloupoulos</i>
11:15 – 11:30	Coffee and break
11:30 – 12:15	Psychological and Psychiatric Evidence in Criminal Proceedings <i>Prof David Ormerod QC, Judge Noel Lucas QC, Brian McKenzie and Gillian Jones QC</i>
12:15 – 13:00	Challenging Cases - Issues in Sentencing and Post Sentencing <i>Dr Karen Van Gerko, Pamela Attwell and Andrew Sperling in conversation with Keith</i>
13:00 – 14:00	Lunch and posters
14:00 – 15:15	Managing Public Perceptions of Risk <i>Dr Jackie Craissati, Martin Jones and Erwin James</i>
15:15 – 15:30	Tea break and posters
15:30 – 16:30	Desistance, Reducing and Managing Risk <i>Dr Mark Farmer, Dr Robert Forde, Caoimhe McAnena in conversation Tony</i>
16:30 – 17:15	Transparency and Risk – the View from the Parole Board <i>Caroline Corby</i>
17:15 – 17:30	Closing Discussion
17:30 – 19:30	Drinks reception and networking <i>With posters and book sale</i>

Speakers:

Pamela Attwell - Consultant Clinical Psychologist, Parole Board Member

Pamela is a Consultant Clinical Psychologist in Independent Practice and Psychology Member of the Parole Board of England and Wales. She has sixteen years' experience in NHS forensic mental health and prison settings. This has included clinical lead roles within the OPD Pathway, including the Douglas House Project (DHP), the Pathways Service (PIPE) HMP Swaleside and PERS (Pathways Enhanced Resettlement) HMP Stanford Hill.

Caroline Corby - Parole Board Chair

Caroline was appointed as the Chair of the Parole Board on 1st November, having previously been interim Chair and a Non-Executive Director of the Board since 2015. She also holds Non-Executive Director roles at One Housing, Cafcass and the Criminal Cases Review Commission and is a Panel Chair of the Nursing and Midwifery Council. Caroline has previously been Board Chair of London Probation Trust (2012 to 2014) and a Non-Executive Director at the Probation Association (2013 to 2014).

Dr Jackie Craissati MBE - Psychological Approaches CIC

Dr Craissati is now Director of Psychological Approaches CIC, but until January 2016, she was Clinical Director, and Head of Forensic Psychology Services in South East London. She is also a Trustee on the Board of Samaritans, and a Non-executive Director of Kent & Medway Mental Health Trust. She is Consultant Advisor to the Offender Personality Disorder Pathway nationally. She has particular expertise in the management of high risk and personality disordered sexual and violent offenders, and has published widely in this area.

Dr Mark Farmer - National Specialist Lead, Intervention Services HMPPS

Mark Farmer works for Her Majesty's Prison and Probation Service as a National Specialist Lead, with responsibilities for programmes for men who have committed sexual offences in the community and one of the programmes run in prisons. He was previously the Head of the West Midlands Regional Sexual Offending Unit. Previously, he headed the Sex Offender Team in the Public Protection Unit of the National Offender Management Service. As such he contributed to the development of policy and strategy with regard to the assessment and management of those convicted of sexual offences. Mark was also part of a research team at the Department of Law, Queen's University, Belfast, engaged in the ESRC funded 'Understanding Desistance from Sexual Offending' research project.

Dr Robert Forde - Forensic Psychologist, author of "Bad Psychology"

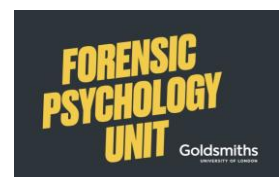
Having studied psychology at UCL, Robert began his career as a prison psychologist in 1971, later moving to the Home Office Research Unit in London. After leaving the Home Office in 1980, he pursued a number of interests, particularly freelance writing, and also worked as an education welfare officer. In 1984 his late wife was offered a job in West Berlin, where they stayed for over 10 years. During that time Robert worked as a freelance writer, a feature writer on the army newspaper, kept house and did some school teaching. He also had his first novel published. After returning to the UK in 1995, he completed an MSc and began working for another ex-prison psychologist who was now running his own consultancy. He started his own practice in 2001 and completed a doctorate in 2014 when he was 66. Robert retired from active practice in 2016. In 2016-17 he published "Bad Psychology", which set out all the evidence for the bad practice in forensic psychology, especially in the areas of risk assessment and treatment programmes.

Professor Fiona Gabbert - Director of Goldsmiths' Forensic Psychology Unit

Fiona Gabbert is a Professor of Applied Psychology, and Director of the Forensic Psychology Unit at Goldsmiths University of London. She also chairs the Scientific Committee of the International Investigative Interviewing Research Group (IIRG). Fiona has an international reputation for her research in the fields of suggestibility of memory and investigative interviewing. This work has a strong focus on improving the usability, credibility, and reliability of evidence from witnesses. Fiona's research has had an international impact on operational procedure and policy including the introduction of new evidence-based investigative interview tools and training resources to the field, such as the Self-Administered Interview and the Structured Interview Protocol. She recently worked with the College of Policing to develop new 'Authorised Professional Practice' policy for frontline officers conducting Initial Account Interviews, and is currently working with the United Nations to advise on the development and drafting of a Universal Protocol on ethical investigative interviewing.

Professor Dimitrios Giannouloupoulos - Inaugural Chair in Law at Goldsmiths

Professor Dimitrios Giannouloupoulos holds the Inaugural Chair in Law, and is Head of the Law programme, at Goldsmiths, University of London. He is an Associate Academic Fellow of the Honourable Society of the Inner Temple, a Senior Fellow of the Higher Education Academy, and the founder and director of the Goldsmiths based Britain in Europe thinktank and Knowing Our Rights research project. He has published widely on suspects' rights, evidence obtained through privacy violations and the application of ECHR jurisprudence in the domestic criminal process. His monograph on Improperly Obtained Evidence in Anglo-American and Continental Law (Oxford, Hart Publishing, 2018) is the first book to offer an extensive cosmopolitan insight into the exclusion of unconstitutionally obtained criminal evidence. Before joining Goldsmiths, Dimitrios was an Associate Dean at the College of Business, Arts and Social Sciences at Brunel University London (2014-2018) and the Deputy Head of Brunel Law School (2009-2013).



Erwin James - Author and Editor of Inside Time

Erwin James served a life sentence in prison for murder. While there, he graduated with the Open University, gaining an arts degree majoring in History. Around the same time he developed an interest in writing. His first article for a national newspaper, The Independent, appeared in 1994. In 1995 he won first prize in the annual Koestler Awards for prose. His first article in The Guardian newspaper appeared in 1998 and he began writing a regular column for the paper entitled A Life Inside in 2000. A year after his release from prison in 2004 James became a trustee of the Prison Reform Trust and from September 2009 until September 2011 he was a trustee of the Alternatives to Violence Project Britain. Erwin is a patron of CREATE, Blue Sky and The Reader Organisation charities, a Fellow of the Royal Society for the Encouragement of the Arts (FRSA) and an Honorary Master of the Open University. Erwin now works full-time as a freelance writer.

Gillian Jones QC, Red Lion Chambers

Gillian has a high-profile practice defending and prosecuting in cases involving murder/manslaughter, organised crime, misconduct in public office (deaths in custody/fraud/sexual misconduct), death by dangerous driving and serious sexual offences, with specialist expertise in trials involving vulnerable witnesses. Gillian is Course Director, 'Vulnerable Witness Advocacy Course' (Inns of Court College of Advocacy). Contributing Editor: Archbold, 'Criminal Law & Practice' 2019; Rook & Ward, 'Sexual Offences, Law & Practice'; 'Case Management/Ground Rules Hearings' Toolkits, Advocates Gateway. SFO QC Panel. CPS Specialist Panels: Fraud, Rape, Organised Crime, Confiscation/Asset Recovery. Recorder 2012, Serious Sexual Offences ticket 2016. Appointed Head of Chambers 2018.

Martin Jones - Chief Executive of the Parole Board

Martin has been Chief Executive of the Parole Board since 2015; and has overseen a 60% reduction in the number of outstanding parole cases; the recruitment of over one hundred new members; implementing a new strategy to improve progression of IPP prisoners; and a complete overhaul of digital working to introduce paperless working and digital recording of hearings. During 2018 Martin dealt with the controversy and subsequent fallout of the DSD and NBV v Parole Board and Others case including implementing the subsequent Rule change allowing the provision of PB summaries and contributing to the various policy reviews. Prior to 2015 Martin had spent over twenty years in a range of senior operational and policy roles in the justice system, including: the HMCTS response to the public disorder in 2011; and as head of sentencing policy implementing LASPO 2012 and other changes to sentencing law.

Keith

Keith is an ex-prisoner, who was released in 2012 after 26 years. After an unsuccessful period in Approved Premises, Keith was recalled for 6 months and then released to a Therapeutic Rehab Hostel in the community. After 2 & a half years there, Keith moved into independent living for the first time in his life aged 54. Keith has lived alone for almost 3 years now without any major problems and he has gained employment for the Quakers and he is involved in numerous Service User Involvement Projects, including facilitating groups, training and Public Speaking and Engagement.

HHJ Noel Lucas QC

His Honour Noel Lucas QC is the Resident Judge at Wood Green Crown Court and was appointed as a Circuit Judge in 2014, following a distinguished career at the Criminal Bar. He was called to the Bar by Middle Temple in 1979. He joined Red Lion Chambers in 2006 was appointed Queen's Counsel in 2008. His prior judicial appointments are as Assistant Recorder in 1999 and as a Recorder in 2000.

Dr Caoimhe McAnena – Forensic Clinical Psychologist and Senior Lecturer in Forensic Psychology, Goldsmiths

Caoimhe is a Chartered Forensic and Clinical Psychologist with 17 years' experience in forensic mental health services. She specialised in risk assessment, treatment and consultation with personally disordered sex offenders, and has managed specialist community services for high risk offenders. Caoimhe regularly provides reports on risk and treatment for the Courts, Social Services and the Parole Board, and has expertise in supervision and consultation on a range of forensic issues. Caoimhe has published in the area of treatment for sexual offenders and she is currently Director of the MSc in Forensic Psychology at Goldsmiths College and Clinical Director of Henry de Bracton Psychology Chambers which provides specialist psycho-legal assessments and reports in criminal and civil courts and to the Parole Board.

Brian McKenzie - Consultant Clinical Psychologist

Brian studied and trained in South Africa, qualifying as a Clinical Psychologist in 1983. He moved to UK in 1987 following the hardening of political stance against opponents of the racial divide and worked for 10 years in adult mental health where he developed a strong interest in social and psychological factors leading to extended stays in hospital. Brian moved to forensic mental health services where he has practised since, frequently giving evidence in Criminal and Court, Tribunal & Parole hearings. He qualified as a Chartered Forensic Psychologist in 2005 and became a non-medical Responsible Clinician in 2015, only the second in the London & SE area. Brian currently works part time in the NHS and lectures at Portsmouth University on the Doctorate of Forensic Psychology.

Professor David Ormerod - Criminal Law Commissioner, Red Lion Chambers

David Ormerod was appointed Law Commissioner for Criminal Law and Evidence on the 1 September 2010 and is on secondment from Queen Mary until 2015. He is Professor of Criminal Justice at Queen Mary, University of London. He is the author of numerous journal articles and book chapters, and several hundred case commentaries. He is also a practising member of 18 Red Lion Court where he is instructed for the defence and for the Serious Fraud Office and the Revenue and Customs Prosecution Office in serious fraud cases.

Andrew Sperling – Director SL5 Legal

Andrew Sperling is a Solicitor-Advocate, who was admitted as a Solicitor in 1996 and granted Higher Courts Civil Advocacy rights in 2010. He specialises in Judicial Review, Parole Board advocacy and human rights. He has extensive practical experience of the criminal justice and penal systems. He was a Finalist in the national Legal Aid Lawyer of the Year Awards in 2013. He was a founder member of the Association of Prison Lawyers (APL) which was established in 2008 and was its Chairman between 2011 and 2013. In April 2014 Andrew was commissioned to work on stakeholder engagement and governance projects for the Parole Board which included drafting a Constitution for the Parole Board, a Code of Conduct for Parole Board Members and EasyRead guides to parole designed to help people with learning and communication disabilities. He is the Managing Director of SL5 Legal and a member of the Management Committee of the Legal Aid Practitioners Group.

Tony

Tony has served 15 years in prison in total, on a variety of sentences, due to repeat offending. He was released in 2016 to a supported hostel where he made significant changes to his lifestyle, and he moved to independent accommodation in 2017. Tony currently works for The Quaker Organisation and is involved in service user groups and public engagement.

Dr Karen Van Gerko - Clinical Psychologist

Dr Karen Van-Gerko has over 12 years of experience as a Chartered Clinical Psychologist in forensic mental health services including prisons, community and a range of secure hospitals. She specialises in the assessment and treatment of personality disorder and other complex presentations amongst those with serious offending histories. Dr Van-Gerko currently manages a community assessment, treatment and consultation service for high-risk men with sexual convictions, and leads on developing service user involvement across London's Personality Disorder Pathway. She has particular interests in Autism and offending.

Further Reading:

Desistance

Maruna, S., 2001. Making good: How ex-offenders reform and reclaim their lives. Washington: American Psychological Association.

Paternoster, R. and Bushway, S., 2009. Desistance and the 'feared self'. Towards an identity theory of criminal desistance *The Journal of Criminal Law and Criminology*, 99(4), pp. 1103-1156.

Sampson, R.J. and Laub, J.H., 1993. *Crime in the Making: Pathways and Turning Points Through Life*. Cambridge, Mass.: Harvard University Press.

Walton, J.S., Ramsay, L., Cunningham, C. & Henfrey, S. (2017), New directions: integrating a biopsychosocial approach in the design and delivery of programs for high risk services users in Her Majesty's Prison and Probation Service, *Advancing Corrections: Journal of the International Corrections and Prison Association*, 3, 21-47.

Treatment outcome studies:

Lösel, F., & Schmucker, M. (2005). The effectiveness of treatment for sexual offenders: A comprehensive meta-analysis. *Journal of Experimental Criminology*, 1, 117-146.

Schmucker, M., & Lösel, F. (2015). The effects of sexual offender treatment on recidivism: An international meta-analysis of sound quality evaluations. *Journal of Experimental Criminology*, 11(4), 597-630.

Cuijpers, P., & Cristea, I. A. (2015). How to prove that your therapy is effective, even when it is not: a guideline. *Epidemiology and Psychiatric Sciences*, 25(5), 428-435.

Denial and Risk

Craissati J (2015) Should we worry about sex offenders who deny their offences? *Probation Journal*, 62, 395-405

Harkins L, Howard P, Barnett G, Wakeling H and Miles C (2015) Relationships between denial, risk, and recidivism in sexual offenders. *Archives Sexual Behavior* 44: 157–166

On the flaws in human judgement:

Kahneman, D. (2011). *Thinking, fast and slow*. London: Allen Lane.

Neal, T. M. S., & Grisso, T. (2014). The cognitive underpinnings of bias in forensic mental health evaluations. *Psychology, Public Policy, & Law*, 20, 200-211.

Dror, I. E., & Murrie, D. C. (2017). A Hierarchy of Expert Performance Applied to Forensic Psychological Assessments. *Psychology, Public Policy, and Law*.

Limitations of risk prediction:

Kroner, D. G., Mills, J. F., & Reddon, J. R. (2005). A coffee can, factor analysis, and prediction of antisocial behaviour: The structure of criminal risk. *International Journal of Law and Psychiatry*, 28, 360-374.

Coid, J., Yang, M., Ullrich, S., Zhang, T., Sizmur, S., Farrington, D., & Rogers, R. (2011). Most items in structured risk assessment instruments do not predict violence. *Journal of Forensic Psychiatry & Psychology*, 22(1), 3-21.

Murrie, D. C., Boccaccini, M. T., & Tussey, C. (2009). Rater (dis)agreement on risk assessment measures in sexually violent predator proceedings: Evidence of Adversarial Allegiance in Forensic Evaluation? *Psychology, Public Policy and Law*, 15(1), 19-53.

Rufino, K. A., Boccaccini, M. T., & Guy, L. S. (2011). Scoring subjectivity and item performance on measures used to assess violence risk: The PCL-R and HCR-20 as exemplars. *Assessment*, 18(4), 453-463.

Singh, J. P., Grann, M., & Fazel, S. (2013). Authorship Bias in Violence Risk Assessment? A Systematic Review and Meta-Analysis. *PLOS ONE*, 8(9), e72484.