

Children & the Courts

The role of the Expert Witness

The view from the witness box



DW Winnicott (1896-1971)

“there is no such thing
as a baby”

Mother infant
interactions

“the good enough
mother”

Bowlby (1907-1990)

Attachment Theory

Epigenetic Principle - need to pass through successive clearly defined stages. Each must be passed through.

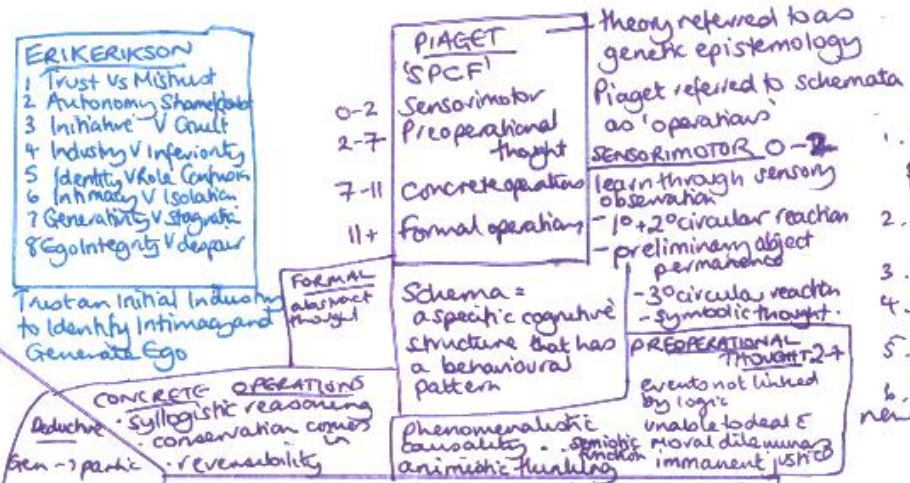
Theodore W. Lidz - exponent of life-cycle theory

NORMAL DEVELOPMENT:

Described by:

- Freud 1903 - psychoanalytic
- Erikson 1968 - psychosocial
- Piaget
- Anna Freud 1968
- Melanie Klein 1911
- Bowlby - attachment bonding
- Learning theory

Studies: New York LT Study 1986 onwards - Chess & Thomas.
Winnicott - transitional object not used by institutionalized child



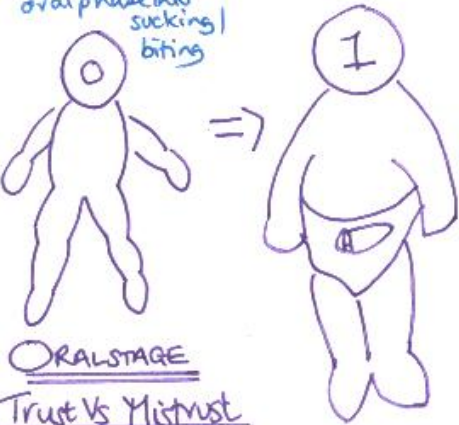
ADOLESCENCE Identity Vs Role Confusion

- Leads to
1. Separation from parents + independence
 2. Establish sexual identity
 3. Commitment to work
 4. Development of moral system
 5. Capacity for loving relationships
 6. Form new relationships w/ parents

LATENCY PERIOD

Industry vs Inferiority

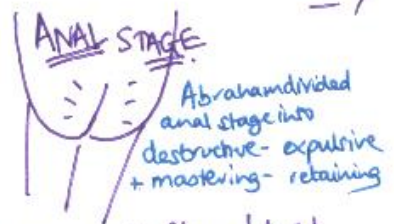
Abraham divided oral phase into sucking / biting



ORAL STAGE

Trust Vs Mistrust
Sensorimotor
- If unsatisfactory may have difficulty forming intimate relationships.
8/12 stranger anxiety
- separation anxiety - evidence that bonding has occurred.

1 → 2/3



Autonomy Vs Shame / Doubt

Develop a sense of being in control of self.
Pleasure is gained at achieving bladder control etc.
Exploratory behaviour begins - indicating the strength of attachments.
Some exploratory behaviour has to be restricted: (fire, running into road)
→ temper tantrums (child doesn't get own way)

2 1/2 - 5



Initiative Vs Guilt

Socialization:
Sexual identity established
Conscience develops
Defence mechanisms begin
Magical thinking reflects child's confidence in being allowed to express themselves
Psychoanalytically → oedipal conflict
- feel rivalry with parent of same sex for attention of other parent.
→ eventually overcome by identification with same sex parent.

- Sensorimotor: 10-20° circular reaction, object permanence, symbolic thought
- Preoperational: thought, phenomenalistic causality, animistic function, animistic thinking, immanent thought
- Concrete operations: reversibility, conservation, syllogistic reasoning
- Formal operations: abstract thought, hypothetico-deductive reasoning

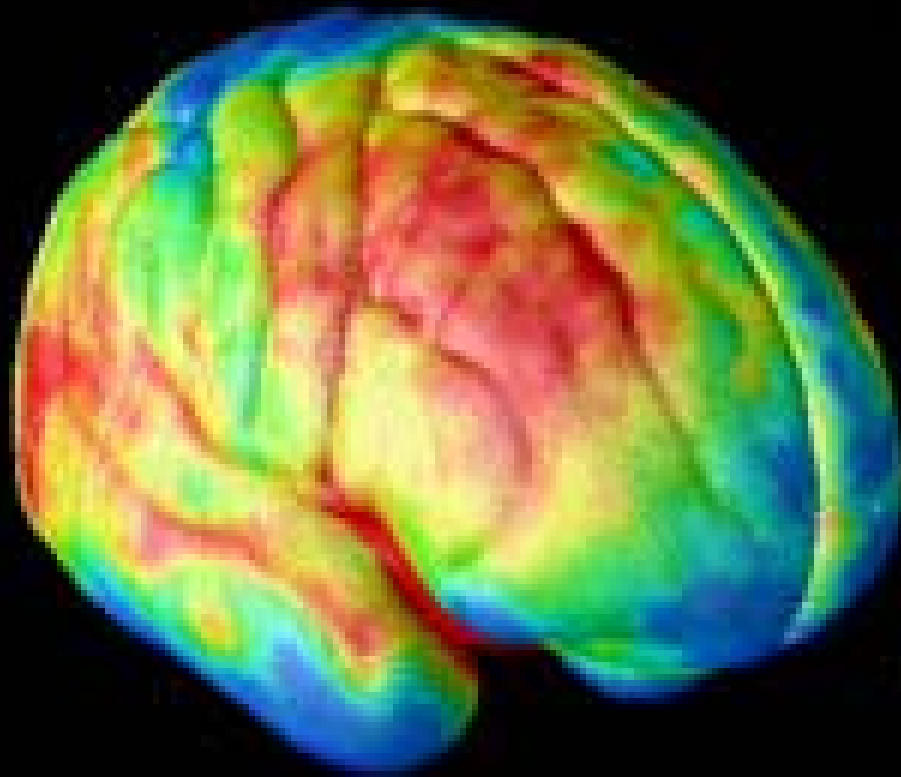
children or gender re-family 10

Defence - base one =
REPRESSION = consign to unconscious thoughts unacceptable to conscious
- may influence conduct and emotions + be expressed in dream
hypnosis or psychoanalysis

Biopsychosocial Framework

Integrating both

**Developmental and Systemic
perspectives**



Gray Matter Amount

1.0
0.9
0.8
0.7
0.6
0.5
0.4
0.3
0.2
0.1
0.0



Genes

Environment

Gender

Temperament

Trauma

PTSD

**Pre existing
vulnerability**

**Parental
Response**

AREAS OF ASSESSMENT.

- . Continuity and Quality of attachments.
- . Preference
- . Parental Alienation
- . Child's Special Needs
- . Education
- . Gender Issues
- . Sibling Relationships
- . Parents' Physical and Psychiatric Health.
- . Parents' Work Schedules
- . Parent's Finances
- . Styles of Parenting and Discipline
- . Conflict Resolution
- . Social Support Systems
- . Cultural and Ethnic Issues
- . Ethics and Values
- . Religion.





- mutual respect
- trust
- goodwill
- communication
- problem solving

Out of the Frying Pan

Into the Fire

“Where is the wisdom we
have lost in knowledge ?
Where is the knowledge we
have lost in information?”

T.S. Elliot

The Rock (1934)

Meadow's Law

- In reference to cot deaths
- One in a family is a tragedy
- Two is suspicious.
- Three is murder.

A cautionary tale

if you have two
psychiatrists

you will get three
different conclusions

“the trial judge is not bound
to slavishly follow the
opinion of an Expert
Witness”

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