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## INCOMING PRESIDENT'S REPORT



Dr. Robin McGee  
APNS President

**G**reetings to all psychologists! With pleasure I am writing to introduce myself, our new executive, our goals for this year, and our fall newsletter.

As for myself, I obtained my Masters, Ph.D., and clinical training in Ontario. I came to Nova Scotia in 1994 and have been here since. I have worked fulltime in the public system my entire career. I worked as a clinical psychologist with the Child and Youth Mental Health Team at Annapolis Valley Health for 11 years. I joined the Annapolis Valley Regional School Board in 2005, and now serve as their Consultant for Psychology Services. I also maintain a very small private practice. As a result of my varied background, I am able to understand the concerns of psychologists in health, education, and private practice. I hope that I can translate those experiences into value for APNS.

APNS has an all-new executive this year. We are delighted to have the combined talents of Dr. Michael Ross (President-Elect), Lesley Hartman (Treasurer), and Chemène Jewer (Secretary). For the first time we have students from the Industrial/Organizational Program. The student rep position is being shared between Sonya Stevens and

Natasha Scott. Debra Garland continues to provide invaluable guidance as our Past President. Dean Perry continues to serve as our member-at-large, and our new representative to the Council of Professional Associations of Psychologists (CPAP). Between us, we represent a broad and multifaceted range of psychology practice across different regions of our province.

This year, APNS has several objectives. First, we will continue to provide important Continuing Education workshops. The Ethics workshops offered in Halifax and in the Valley were very well received. Many psychologists asked for Ethics workshops to be offered annually. We hope to make this a regular offering, and plan to hold an Ethics workshop in Cape Breton in the spring. At the Ethics workshops, we learned that psychologists are facing a range of challenges from a consistent standard of practice with regard to consent policies, security of test data, and appropriate record-keeping. These challenges are present both in individual and institutional practice domains. Along with the NSBEP, we hope to offer continuing education and advocacy regarding fundamental and specialized ethical concerns. Second, in partnership with the NSBEP, we plan to visit rural areas to hear the voices of the membership. We have plans to visit in the

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# Custody and Access Edition

## CUSTODY AND ACCESS - INTRODUCTION ~ Debra Garland, Guest Editor



*Debra Garland has been in private practice in Dartmouth, Nova Scotia since 1997. She offers services to individuals, families, government agencies and Family Court with a focus on custody access, parental capacity and psychoeducational assessments, as well as parenting and co-parenting interventions. She is a Past President of APNS and maintains memberships in CPA, AFCC and CRHSPP.*

At first glance it would appear that an issue about custody and access would be narrow in focus, however, most of us in our practices have had involvement in some manner with individuals affected by divorce. Within this issue are contributions from psychologists who conduct assessments, provide interventions to adults, families, and children, who teach about psychological theory related to attachment and relationships, a Supreme Court Justice offering an opinion on alienation, and a Family Lawyer with a legal perspective on assessments. This is not an all inclusive group of professionals but it does demonstrate the multidisciplinary involvement that occurs and is necessary as it relates to custody and access. Further inclusions could have been mediators, social workers, and child therapists. The purpose, in part, of this issue is bring to the forefront some of the developments in this arena, such as co-parenting work, as well as demonstrate the empirically based approach to assessments that psychologists use, the learned opinions of our colleagues in the legal arena, and psychologists who treat the effects of divorce on adults and children.

When colleagues ask what my areas of practice include and I inform them Custody Access there is often a quizzical furrowing of the brow as if wondering why

anyone would select such a potentially acrimonious area of practice; in honesty there are times when I ponder this question myself. However, the answer is always that it is fascinating and continues to develop in ways that make it a vibrant area of practice. Aside from assessment of parents in relation to parenting ability and custody access arrangements, this field has advanced to embrace a multi-disciplinary approach not just with other professionals providing services such as therapy and treatment but also includes lawyers practicing collaborative law, the courts themselves supporting and encouraging program development to children, adults, and families. Legislation is changing; in other countries and other Canadian provinces legislation has been developed to support Parenting Coordinators or Special Masters, individuals working with parents to resolve custody access issues without or limited court involvement whose purpose is to facilitate parenting relationships. With increased divorce rates most of us have worked with parents and/or children affected by divorce and will continue to do so. The articles within this issue will hopefully illuminate some of the challenges and advances in this area of focus.



My thanks to our contributors, Valorie Rule, Robert Milks, Laraine Birnie, Mark Knox, and Justice James Williams, I hope you enjoy their articles as much as I did.

## INCOMING PRESIDENT'S REPORT (continued from page 1)

Annapolis Valley, South Shore, and the Chignecto Region in the fall, and Cape Breton and Tri-County in the spring. These meetings will provide the membership with an opportunity to describe regional issues as well as provincial issues (e.g., entry level qualifications, continuing competency). Come out and be heard!

The guest editor for our fall newsletter is APNS Past President Debra Garland. The theme of this newsletter is Custody and Access, and related issues. It dovetails nicely with our upcoming workshop on high-conflict personalities, offered by therapist and lawyer Bill Eddy. I have been told he is an electrifying speaker. I hope to see you there for what promises to be a rewarding day.

### CONDUCTING CUSTODY ACCESS and/or PARENTING CAPACITY ASSESSMENTS ~ Val Rule



*Valorie Rule has been a registered psychologist in Nova Scotia since 1986 and registered in Newfoundland and Labrador since 1988. In her private practice she offers a range of psychotherapy services and specializes in court assessments. She maintains membership in APNS, CPA, CRHSPP, AFCC and ATSA and is currently*

*serving as a Board member for the Nova Scotia Board of Examiners in Psychology.*

The Custody Access, and/or Parenting Capacity Assessment, specifically focuses on the parents' ability to provide a type of parenting style that will allow the child to grow and mature physically, cognitively, socially, emotionally, and spiritually to such an extent as to cause, one day, the child to become a capable, functioning, and autonomous adult. In the case of a Custody Access Assessment, the Psychologist also focuses on the parenting arrangement that meets the best interests of the child.

Informed consent is required from those individuals participating in an assessment. The assessor should fully and clearly describe limits to confidentiality including the referral questions, the individuals who are parties to the evaluation, who will see the report, and who owns the report. Individuals assessed are advised everything they say will be "on the record" and their information will in all likelihood, appear in the report. Informed consent is required from all sources of information, including collateral contacts. The individual must be advised that they under no obligation to participate in the assessment process, regardless of whether it is court ordered. In court-ordered assessments, the Psychologist may advise the parties to consult with their legal representative.

When determining the most effective manner in which to conduct an assessment, the assessor must remain mindful that there are limitations in the external validity of assessment measures. No approach to a forensic evaluation has been empirically demonstrated to be perfectly valid or reliable (Barnum, 1997). Contemporary theories and research studies on parenting behaviour continue to focus predominately on optimal parenting rather than minimal parenting competence (Budd, Poindexter, Feliz, & Naik-Polan, 2001). There is little consensus, either clinically or

legally, on the criteria used to determine minimal parenting competence. The constructs or behaviours assessed vary widely depending upon the circumstances and the nature of the referral question. It is important to use assessment techniques for the purpose they were designed and to refrain from misuse or over-interpretation of data. It is equally important to refrain from disregarding or minimizing assessment results when the data are consistent across different forms of assessment. The relevant considerations in choosing a test battery include: the population on which the test was standardized, reliability, validity, outcome studies, proper applications of the tests, and the limitations on the predications that can be made about individuals. When using computerized interpretations, it is important to consider how the scores apply to the individual (Matarazzo, 1986).

Competence in forensic assessment includes a reasonable level of understanding of the differences of age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language, or socio-economic status. Ethical practice for psychologists requires the acquisition of competence in the awareness (of) human differences and how those differences might influence evaluation results. The assessor should consider the consequences of the findings and ensure that they are supported by adequate and accurate data collection, and by research. The assessor must make full disclosure of the limits of any of the acquired data.

Evaluation methodology varies among professionals; however typically would include an evidence based, multi-method, multi-modal strategy to acquire assessment data. This includes a thorough review of the relevant literature provided by the referral source, clinical interviews with the parents assessed and with the children if appropriate, and the administration of a psychological test battery that is relevant to the components of parenting capacity and to any issues requested through the referral questions. The test battery may include instruments that measure attribution style, cognitive ability, personality structure, depression, anxiety, anger, substance use, and any other measures relevant. The test instruments must have sound psychometric properties intended for the purpose for which they are used. In addition, clinical observations conducted focus on the attachment

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## *Custody and Access Edition*

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### **CONDUCTING CUSTODY ACCESS and/or PARENTING CAPACITY ASSESSMENTS** *(continued from page 3)*

relationship, communication, play, the ability of the parents to read and respond to the children's needs and the children's responses to the parent's behaviours. Finally, included are collateral information acquired from individuals whom the parents provide contact information for, and from any professionals who may be involved with the family or individual family members. Data interpretation occurs giving each component the appropriate weight. For example, if the psychometric test data suggests the parent's approach to the assessment portrays him/her to be functioning in a healthier manner than actual, what is commonly termed a "fake good" approach, their self-report and test battery results have less weight. Thus clinical observations, collateral information, and literature review has more weight. The assessor interprets all the data and formulates a diagnostic workup, based on the working hypothesis developed through the assessment and follows this with clinical impressions, summarizing the data. The clinical impressions are either supported or rejected by collateral data, psychometric test results, and a review of the relevant research pertaining to the construct to which the working hypothesis pertains. This is followed by recommendations that are pertinent to the concerns or issues noted in the summary section of the assessment and are intended to help the family, in particular the children.

The goal of this type of assessment is to provide a document that is comprehensive and offers a description of each parent's history, their perception of their children, followed by the results of the psychometric test battery. The reader should "get to know" the parent's strengths and weaknesses through this information, and have some insight regarding how the parents view the world, their community, their family unit, and themselves. The reader should have clear and relevant collateral information documented, and a description of the clinical observations of the family to compare to the self-reported information from the parents. The reader should have an appropriate diagnostic workup to review. The summary of the report provides the reader descriptions of the strengths of the parents and concerns that resulted from the assessment process as well as an opinion regarding the prognosis of the parent's ability to meet the child or children's needs/interests.

The Psychologist must make every attempt to offer recommendations that address the concerns raised and intended to be helpful to the family. When making recommendations, the assessor must focus on the issues contained in the referral questions. The recommendations must flow naturally from the material acquired from the assessment and must relate directly to the child's best interests.

The hallmark of a comprehensive, helpful assessment is the ability to recognize that the summary "fits" the acquired data and that the recommendations "fit" the summary. In other words, the summary and recommendations must make sense. Anything less, does a disservice to the family.



### EXPERT REPORTS IN FAMILY LAW MATTERS: A LEGAL PERSPECTIVE ON PRODUCING A GOOD EXPERT REPORT ~ Mark Knox

Mark Knox graduated from Dalhousie Law School in 1985. His practice includes criminal and family law matters. He has received assessments in multiple cases from a variety of assessors. He has encountered a variety of expert witnesses in approximately 25 years of practice.



What makes an impressive player? Not just athletic skill but an understanding of the rules. A player who always gets fouled out is no help to the team. Similarly, the psychologist who understands the legal arena will make a more impressive witness. Their reports will be more likely to withstand scrutiny. They will be less likely to trip up in Court. In other words, you may be an expert in your field, but you should understand the legal rules.

#### The objective:

The Court's objective in a custody/access is to determine the best interests of the child. In the context of a divorce case, Section 16 of the Divorce Act deals with custody and access. Section 16(a):

“In making an order under this section, the Court shall take into consideration only the best interests of the child of the marriage as determined by reference to the condition, means, needs and other circumstances of the child.

(9) In making an order under this section, the Court shall not take into consideration the past conduct of any person unless the conduct is relevant to the ability of that person to act as a parent of the child.

(10) In making an order under this section, the Court shall give effect to the principle that a child of the marriage should have as much contact with each spouse as is consistent with the best interests of the child and, for that purpose, shall take into consideration the willingness of the person for whom custody is sought to facilitate such contact.”

The provincial law applies if the case arises post-separation, but pre-divorce or outside of a marriage union. In Nova Scotia Section 18(5) of the Maintenance and Custody Act applies:

“In any proceeding under this Act concerning the care and custody or access and visiting privileges in relation to a child, the Court shall apply the principle that the welfare of the child is the paramount consideration.”

#### How have the Courts interpreted best interests?:

“I would therefore hold that in the case at bar the dominant consideration to which all other considerations must remain subordinate must be the welfare of the child. This is not to say that the question of custody will be determined by weighing the economic circumstances of the contending parties. The matter will not be determined solely on the basis of the physical comfort and material advantages that may be available in the home of one contender or the other. The welfare of the child must be decided on a consideration of these and all other relevant factors, including the general psychological, spiritual and emotional welfare of the child. It must be the aim of the Court, when resolving disputes between rival claimants for the custody of a child, to choose the course which will best provide for the healthy growth, development and education of the child so that he will be equipped to face the problems of life as a mature adult. Parental claims must not be lightly set aside, and they are entitled to serious consideration in reaching any conclusion.” (King v. Low [1985] S.C.J. No.7)

A particular Nova Scotia case is often cited, which contains a list of factors to help a Court determine best interests:

“Nevertheless, there have emerged a number of areas of parenting that bare consideration in most cases including in no particular order the following:

1. statutory direction Divorce Act;
2. physical environment;
3. discipline;
4. role model;
5. wishes of the children - if, at the time of the hearing such are ascertainable and, to the extent they are ascertainable ...;
6. religious and spiritual guidance;
7. assistance of experts, such as social workers, psychologists, psychiatrists, etc.;

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### **EXPERT REPORTS IN FAMILY LAW MATTERS** *(continued from page 5)*

8. time availability of a parent for a child;
9. the cultural development of a child;
10. the physical and character development of the child by such things as participation in sports;
11. the emotional support to assist in a child developing self-esteem and confidence;
12. the financial contribution to the welfare of a child;
13. the support of an extended family, uncles, aunts, grandparents, etc.;
14. the willingness of a parent to facilitate contact with the other parent ...;
15. the interim and long range plan for the welfare of the children;
16. the financial consequences of custody. Frequently the financial reality is the child must remain in the home or, perhaps alternate accommodations provided by a member of the extended family. Any other alternative requiring two residence expenses will often adversely and severely impact on the ability to adequately meet the child's reasonable needs; and
17. any other relevant factors. (Foley v. Foley [1993] N.S.J. No. 347)

More recently as noted by our Court of Appeal in *Burgoyne v. Kenny* [2009] N.S.J. No. 143, the Court notes:

“The [Foley] list does not purport to be exhaustive nor will all factors be relevant in every case. Each case is decided on the evidence presented, determining a child's best interests not simply a matter of scoring each parent on a generic list of factors. As *Abella J.A.*, as she then was, astutely observed in *MacGyver v. Richards* [1995] 11 R.F.L. (4th) 432...

27.... deciding what is in a child's best interests means deciding what, objectively, appears most likely in the circumstances to be conducive to the kind of environment in which a particular child has the best opportunity for receiving the needed care and attention.”

Joint custody is ordinarily not appropriate where poor communication and distrust is likely to continue past the stress of litigation: *Roy v. Roy* [2009] O.J. No. 1635 (Ontario Superior Court of Justice). However, if there is a reasonable expectation that distrust will dissipate with

time, joint custody may be a relevant option.

Shared parenting (where a child spends at least 40% of the time with one parent) may be appropriate in a few cases where the parents have similar economic circumstances, good communication skills, similar parenting style and a flexible child.

Parallel parenting may be an option for cases characterized by poor communication, high parental conflict but two parents who offer adequate parenting skills.

In the recent case of *Baker-Warren v. Denault* [2009 N.S.J. 209, the Court Order for parallel parenting was influenced by the finding of alienating behaviours by the mother.

#### **What are these various form of custody?**

Often the title is not as important as the context. For example, an Order which purports to be “joint custody” may in reality and in its language vest final decision-making authority with one parent and simply bestow alternating weekend access on the other.

The following is a very general bird's eye synopsis:

- Sole custody vests the sole custodian with ultimate decision-making.
- Joint custody connotes a sharing of major decisions.
- However both types of orders are truly defined by the language used to define the terms or outline decision-making and access.
- Shared custody generally indicates an almost equal sharing of time between households, i.e. week on week off. Some ask ‘Would you like to move houses every week?’
- Parallel parenting separates the need for shared communication and is typified by orders detailing, for almost every eventuality, the decision-making jurisdiction of each parent and detailing a very specific schedule of access. In essence, the parents are set on two parallel and never intersecting tracks. Some might say a manufactured utopia for parents and an artificial game plan for children.

Custody and access may be revisited by the Courts if the parents show a change in circumstances. The change however must be “material.” That is, the needs of the

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### EXPERT REPORTS IN FAMILY LAW MATTERS: *(continued from page 6)*

child or the ability of the parent to meet the needs must be shown to have changed and further that the change was not considered by the original Court. A common change in circumstance occurs when one parent wants to move away with the child. Mobility cases often pit the status quo custodial arrangement against the factor of frequent contact with the other parent. For a full discussion, see the Supreme Court of Canada case of *Gordon v. Goertz* from 1996.

A more contentious change in circumstance argument is based on a parental alienation claim. A finding of alienating behaviour leaves some Courts to transfer custody as a last resort. In *C.L.J. v. J.M.J.* [2006], Justice Lynch of our Supreme Court transferred custody to the father upon finding that the mother had contributed to the son's resistance to access. The judge noted:

"I am fully aware that a change in custody will cause great emotional anxiety for [the son], but nothing else has worked."

Other Courts, upon finding alienation, choose not to switch custody. They essentially note that the cure would be worse than the disease. For a further discussion see "Alienated Children and Parental Separation: Legal Responses in Canada's Family Courts, Balla Fidler et al.(2007) 33 *Queens Law Journal*, 79-137."

#### **The Rules - Evidence and Procedural Points**

Rules of evidence have evolved to ensure that only relevant evidence is considered. Is the evidence reliable, on point (i.e. necessary), credible and trustworthy.

Generally, witnesses may not offer opinions or testify about hearsay. An exception to both, however, is the expert rule. An expert's opinion will be considered by the Court if four (4) criteria are met:

- relevance
  - necessity
  - absence of exclusionary rule
  - the expert is properly qualified to give the opinion (*R. v. Mohan*, Supreme Court of Canada)
- Expect your evidence to be scrutinized from all four (4) perspectives.

Necessity should mean more than simply being "helpful." That is, the report should provide information that is likely to be outside the Court's knowledge or presents evidence that would not otherwise be available to the Court. For example, observations of parent/child interaction, discussion of children's wish, psychological capabilities of the parents and discussion of the developmental and specific psychological needs of the child.

Relevance means reliability. Remember, behaviour science will be viewed with suspicion. Defending your report will be easier if the report adheres to guidelines and recommendations such as the APA and Association of Family and Conciliation Courts (AFCC).

The expert's report should be organized regarding interviews with parties and children, collaterals, documents reviewed and psychometric testing employed and interpreted. For example, know why the MMPI is used more often than the MCMI II in custody and assessment cases.

Potholes to be aware of:

- opinions offered by lay witnesses and in documents
- be aware that recording a phone call can be a Criminal Code offence (s. 184) - it is an offence to intercept or record a private conversation between two other persons - so be on the lookout if one parent offers to record a phone call between a child and the other parent)
- be attuned to the circumstances of the hearsay offered in your report. An expert's report may be discounted if shown that the underpinnings of the report are questionable. For example, the expert should consider necessity consideration when there are multiples hearsay, i.e. why not get the information directly from the party who has the direct knowledge. Reliability considerations should include the following:
  - Spontaneity
  - Timing
  - Bias or reason to fabricate
  - Demeanour
  - Sufficient detail
  - Consistency with other evidence
  - Knowledge basis

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### EXPERT REPORTS IN FAMILY LAW MATTERS: (continued from page 7)

For a full discussion see *D.A. Roley Thompson: "Are There Any Rules of Evidence in Family Law"* (2003) 21 C.J.F.L.Q. 245. This article contains a full discussion of children's hearsay. An expert who parrots children's statements without applying trustworthiness criteria is open to easy attack.

#### Conclusion

Without doubt, honest and objective experts develop a reputation that cannot be obtained otherwise than through solid expertise. All professionals involved learn of reputations; an objective expert develops a priceless reputation, gaining an immediate advantage over another who has not been "straight down the centre", and unbiased.

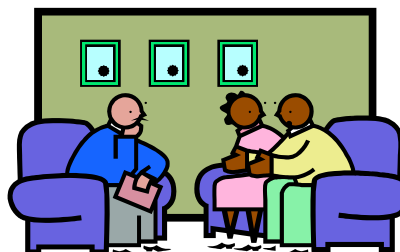
Soon, the Supreme Court Family Division (and perhaps the Family Court as well) will consider adopting new rules that have been in effect in the Supreme Court, Trial Division since January 2009. Of particular note are the rules regarding Expert Reports (Rule 55.04)

- 1) The opinion expressed in my report is an objective opinion;
- 2) I am prepared to testify in Court to the opinions expressed in my report;
- 3) My report includes everything I consider relevant to the opinions expressed, and if applicable, draws attention to anything that might lead to a different conclusion;
- 4) I will answer questions in writing from the opposing party as soon as reasonably possible after receiving any such questions; and

- 5) I undertake to notify each party if there is a change in any of the opinions expressed in my report, or a change in a material fact that was not considered, as soon as practical after either incident would occur.

Although not included here (to save space and time) subsection 55.04(2)(a)-(d) sets out additional requirements for an expert, as does subsection 55.4(3)(a) - (e). Obviously the rules committee was concerned about making expert evidence easier to understand, more transparent and objective.

I hope these observations will assist you in the preparation of custody access reports.



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### SHOULD JUDGES CLOSE THE GATE ON PAS AND PA?<sup>1</sup> ~ Justice R. James Williams

*By Justice R. James Williams  
Supreme Court of Nova Scotia (Family Division)  
FAMILY AND CONCILIATION COURTS REVIEW, Vol. 39  
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## Custody and Access Edition

### DIVORCING THE NARCISSIST ~ Laraine Birnie



*Laraine Birnie is a Christian psychologist in Bedford, working primarily with women who have suffered work-related stress, relationship issues, separation or divorce, as well as those suffering from emotional, physical or sexual abuse. She assists women in dealing with their family of origin issues, anxiety and depression using various*

*cognitive / behavioural techniques as well as assertiveness training. She also deals with parenting issues, time management and grieving. Her practice is mainly adult women, however it includes some female adolescents.*

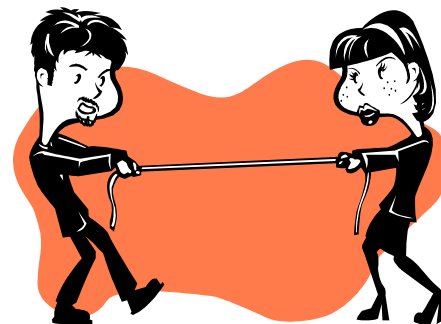
The basic assumption of Family Court is that in a divorce both parties are equally competent and caring parents for the children. Conversely it is also an adversarial system where both sides try to prove that they are the better parent. Divorcing couples resort to court when they cannot agree on what is best for the children, often because a parent with an inflexible personality style is unwilling or unable to negotiate fairly or justly.

In my practice I have seen a stream of women and children who have been victimized by the adversarial court process and this biased view. This assumption works against a woman who has been a victim of emotional and psychological abuse by a partner with a disordered (often narcissistic) personality. The traits of narcissistic individuals make divorce a nightmare for a woman who hopes that the court will protect her children from the unhealthy influence of her disordered husband.

Narcissistic fathers have predictable patterns in terms of their reaction to divorce. First of all, whether he or the abused woman is the one who decides to leave the marriage the narcissist will view this as an injury to his ego. Despite evidence to the contrary, he views himself as a wonderful husband and father and so experiences tremendous anger at the woman for daring to leave the marriage. When he realizes that she is not going to continue to meet his needs, the sense of entitlement and grandiosity triggers his rage and he sets out to punish her. His primary disability, the inability to love and connect on a deep emotional level, means that he now focuses on protecting his finances and his ego. Because he projects all the problems onto his wife he sees the divorce as her fault, and is only too eager to use the

court system to try and restore his bruised ego by demanding custody or unreasonable access.

Because of his superficial connectedness to others, and his focus on material things, the narcissist's immediate concern is how little support he can get away with paying.



Thus, he may fight for custody to save on child support payments, or threaten bankruptcy or under-report his income, all of which he justifies because of his wife leaving him. He also is desperate to prove that he is a great father. No matter that the child may not want to see him, because now the mother is not there to help make the time enjoyable. Since he is now on his own with access visits he will typically drag the child along to something he wants to do, rather than what the child wants, or dump the child with a relative while he continues to do his own thing. The child is often upset, reluctant to go, and then the mother may find herself back in court accused of "preventing" the child from seeing the father. She is in a no win situation. She does not want to force her child to visit, knowing that the child has already figured out that he or she is not a priority, but if the child does not go for visits then the police may be called and the child is taken for the visits against his or her will.

Children are often intimidated by a disordered father and so suffer silently rather than share their feelings with him. I have seen a woman fight the court system for two years trying to limit the access of an abusive and narcissistic father, only to have the court grant the father unlimited visits, and then have the father never visit his daughter again. For the narcissist the court battle is all about saving face, not about developing a relationship with the child. In court the narcissist is often able to convey a "normal" impression in front of the judge, and the frustrated wife may well appear less than healthy because she is stressed beyond belief.

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### ATTACHMENT TO TEACHING OR TEACHING ATTACHMENT ~ Bob Milks



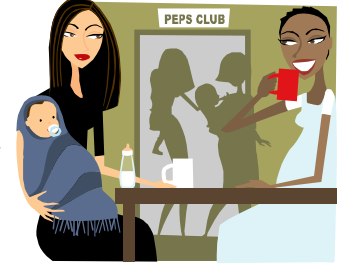
BOB Milks earned his Graduate diploma from UNY at Albany. Shortly after obtaining a New York State Permanent Certification in School Psychology in 1975 he immigrated to Canada, where he worked as a psychologist in the public school systems in Newfoundland and Nova Scotia. He provides psychoeducational, developmental, AD/HD assessment, counselling and consultation, program development and evaluational services to rural Eastern Nova Scotia and Western Cape Breton. He is an instructor at the Strait Area Community College.

I have stumbled upon a new passion in my life. I love teaching developmental psychology to college students. Now, I am not deluded about the outcome of this new adventure. If one in five hundred were to finish an undergraduate degree in psychology, or one in one thousand became a registered psychologist, I would be a remarkable teacher indeed. For most, developmental psychology will be the last psychology course they ever take. I am really quite okay with that because in developmental psychology we get to look at attachment; really, really look at attachment. I tend to believe very strongly that what we know about attachment in human beings is the one psychological construct that will serve them, their partners, their children, and their children's children as long as the knowledge is passed on.

Why do I think attachment theory is so terribly important for my students to know about and understand? Certainly not because someone thought it was important for me to know about it. I still have the undergraduate text that introduced me to Harlow's wire monkey mommies, but nobody ever mentioned Bowlby or Winnicott; let alone suggested reading their original work. I am certain I never heard the "A word" mentioned in three years of graduate school, and we were specifically being prepared to work with children and their families. I think it is essential that my students know as much as possible about attachment theory because they are, or are going to be partners, parents, grandparents, and/or "helping professionals" of some variety.

With apologies to Dr. Harlow, we do not start with primate studies. We start with the *Fetal Brain & Cognitive Development* (Joseph, 1999) which makes a compelling case for a degree of cognitive capacity in the fetus. Whether you accept the idea that the near term fetus is capable of learning-related activity is pretty much irrelevant because the evidence presented for

neuronal differentiation, the myelination of activated brainstem axons, and "pruning as a function of experience" is irrefutable. If the infant arrives in the world with the structures necessary for cognition already developing, then it is very difficult to argue that experiences and interaction with the environment do not influence that development.



My students bring babies (theirs, nieces, nephews, or neighbours) less than one year old to class so we can see affect attunement and the implications it has for the development of sense-of-self and the parent-child connection. Stern (1985) argues that attachment is evidence of the infant's "working model of mother" and requires both "a sense of self and other" and active constructions of representations of interactions with a "self-regulated other" (i.e., the emotionally available and appropriately responsive care giver). There is nothing like a live one month old to hold people's attention while I talk about the importance of "object relations".

Research has consistently identified the relationship between the infant's temperament and attachment style. Temperamentally "challenging" infants are more difficult and at least initially less rewarding to parent. This increases the likelihood that they will form one of the insecure attachment styles. That does not need to reflect the quality of parenting the child receives but it can most definitely be a predictor of future outcomes.

*For instance, a temperamentally difficult infant is in many ways more difficult and less satisfying to care for than a more easygoing infant. The increased burden of caring for a difficult infant makes it less likely that the infant's needs will be met as consistently as those of the more temperamentally easygoing infant. These relationship differences between caregivers and temperamentally different infants stand to shape different attachment patterns.*  
(social.jrank.org)

The concept of "goodness-of-fit" between the developing infant or child and his environment is useful as we explore the relative contributing factors in early personality development. Temperamentally difficult

continued on page 22

## *Custody and Access Edition*

### **ATTACHMENT TO TEACHING OR TEACHING ATTACHMENT** *(continued from page 21)*

infants are more at risk to form an insecure attachment if their caregiver is negatively affected by the infant's difficult behaviors. Goodness-of-fit can have a greater impact on developmental outcomes than parental responsiveness or temperament when considered separately. It is the interdependent relationship between brain development and the child's environment; the differentiation and pruning driven by second-by-second, minute-by-minute, day-by-day experience that determines how the life-long patterns will be formed. Temperament is the filter through which these experiences are organized and incorporated into the working model of mother.

We explore the work of Mary Ainsworth and the "Strange Situation" (Ainsworth, 1969) but it is less the attachment phases and patterns and much more what the attachment patterns predict about future development and behavior that I want my students to focus on. The long-term consequences of attachment quality are significant and consistent. Children displaying secure attachment are more sociable, more positive in their social and familial interactions, less dependent on teachers, less aggressive and disruptive, consistently rate as more empathetic, and more mature in their interactions at school and in their communities. (Carlson, Sampson & Sroufe (2003). The positive impacts continue through adolescence as securely attached individuals display more social skills, have more intimate friends, are more likely to be rated as leaders, and have higher self-esteem and better grades (Jacobsen & Hofmann, 1997). Insecure attachment correlates with less positive and supportive friendships, early sexual activity and higher risk sexual practices (Carlson, Sroufe, Egeland, 2004). An avoidant attachment pattern correlates with the most negative behavioural patterns.

The predictive capacity of early attachment patterns is evident through early, middle, and late adulthood as well. My students are amazed to learn that some researchers believe that quality of attachment in infancy is a better predictor of adult male sexual dysfunction than a history of sexual abuse (Kinzl, Mangweth, Traweger, & Biehl, 1996)

Most theory, be it genetic or biological, psycho-analytic formulations, or attachment theory, assumes that the connection between family process and child outcomes

is driven by the parent-child relationship. I will never argue that what happens in the relationship between parents and children is not important for a child's development. However, I want my students to seriously consider the relationship between the parental couple as core to the well-being of all family members. Recent research has explored the role of couple relationships in links between adult attachment and children's adaptation at 14 months; 6 years; late adolescence, and early adulthood. One study clearly demonstrates that adolescents with parents that function as a secure base for each other, see their parents as a secure base for themselves. These adolescents display levels of maladaptive behavior which are significantly lower than peers with parents displaying insecure attachment and negative parenting behavior (Woodhouse, Dykas, and Cassidy, 2009).

Cowan and Cowan sum the new research up nicely.

*Other findings support the hypothesis that there are compelling links among the quality of the parents' relationship as a couple, the quality of each of their relationships with the child, and the child's adaptation. Furthermore, they support the notion that the relationship between the parents plays a key role in the transmission of parenting patterns and attachment security across the generations. What is most remarkable about the consistency of these findings is that the measures of adult attachment, couple attachment, parent-child attachment, and marital quality range across interview, questionnaire, and observational methods. (Cowan & Cowan, 2009)*

Given that the ability to engage in critical thinking is one of the skills I try to foster in my students, the logical question is:

*What could be done to break the cycle of insecure attachment that can be perpetuated from generation to generation? What kind of external intervention would be required? (Boyd, Bee, and Johnson, 2009)*

Any psychologist who conducts parenting capacity or custody and access assessment knows that an adult's internal model of attachment is a strong predictor of their parenting behaviors. Psychologists know this, but my adult students, many of whom can recount stories from their childhoods that could bring you to tears, do

*continued on page 23*

### ATTACHMENT TO TEACHING OR TEACHING ATTACHMENT *(continued from page 22)*

not. There is a very strong tendency to parent as you were parented unless you make a serious and informed effort to break the familial pattern. That degree of effort usually requires support.

A recent article by Diane Benoit of the University of Toronto argues that:

*...an attachment-based intervention should focus both on improving caregiver sensitivity (to promote secure attachment and the associated positive socio-emotional outcomes) and on reducing and/or eliminating atypical caregiver behaviours (to prevent or reduce disorganized attachment and associated negative outcomes).* (Benoit, 2009)

The author identifies these atypical caregiver behaviours as, “*failing to keep a child safe, failing to comfort a distressed child, laughing while the child is distressed, mocking or teasing a distressed child, asking for affection and reassurance from the child, or threatening to harm*”. Benoit’s literature review found that interventions which focused on behavioural training for parent sensitivity, used video feedback, involved fewer than five sessions, had a later start, (i.e. after the infant is six months or older), and were conducted by non-professionals were most successful. Other researchers have concluded that to be effective, interventions need to focus specifically on those atypical caregiver behaviours associated with disorganized attachment, (Bakermans-Kranenburg, van IJzendoorn & Juffer, 2003)

Traditionally, those of us who teach developmental psychology write test questions that ask our students to differentiate between “authoritarian” and “authoritative” parenting. It is becoming increasingly clear to me that I should write more questions that explore my student’s

understanding of the impact of “atypical caregiver behaviors” on subsequent generations. I cannot conceive of anything I could share that has the potential to do more good and prevent more harm. I regularly suggest to clients that parenting is the most important job they will ever do. Now, thanks to decades of psychological research I have the opportunity to share knowledge with the potential to help my students do that job better.

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### DIVORCING THE NARCISSIST ~ Laraine Birnie *(continued from page 20)*

Sadly many mediators and court assessors do not have sufficient clinical training to recognize the personality disorders and are taken in by their charm and manipulation. This naivety on the part of those on whom the courts depend for recommendations only further contributes to the abuse of women and children in the court system. Because divorcing a narcissist is such a traumatic experience many women and their children will require therapy to help them through this

ordeal, grieve the loss of being loved, and hopefully regain their mental health.



## Custody and Access Edition

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### CO-PARENTING: A DIFFERENT METHOD FOR RESOLVING CONFLICT ~ Debra Garland



Separation, divorce, the ending of common-law relationships where children are involved all have the potential for conflict, with this conflict is the potential for children to become caught in the middle (Garrity & Baris, 1994). With the expectation of total

loyalty by each parent of the children, circumstances often occur when a child perceives a need to align with one parent, typically the residential one; the fallout from this alignment can be devastating to the non-residential parent and to the child. This and other issues can escalate resulting in ongoing court involvement; in the United States, other countries, and even in one or two Canadian provinces legislation has been developed to support the role of Parenting Coordinators or Special Masters, professionals who can provide arbitrary conflict resolution. These professionals assist parents in negotiating and findings new ways of behaving and managing issues related to custody and access. In Nova Scotia we do not yet have such legislation but a growing area of practice for those professionals conducting custody and access assessments is working with parents to develop a viable *co-parenting* relationship. With divorce rates in Nova Scotia hovering around 28%, the caveat with this figure is that this does not include cohabitation or couples who separate but not divorce the ability of parents to communicate and co-parent becomes a problem for a significant number of Nova Scotians. ([http://www.vifamily.ca/library/cft/divorce\\_05.html](http://www.vifamily.ca/library/cft/divorce_05.html))

The focus of this article is on the expanding area of practice emerging typically termed co-parenting. Co-parenting is an intervention that focuses on developing and supporting communication between parents. The role is similar to that of a Parenting Coordinator without the supporting legislation thus participation is voluntary and intervention strategies are not enforced except by client compliance.

The role of the co-parenting facilitator is to work with the parents recognizing that the likely source of problems begins with parental conflict, that the children *are not* the source of the difficulties. Parents understand the co-parenting facilitator is a trained mental health professional and has knowledge of child development, family dynamics and psychological functioning. It is

also understood that the co-parenting facilitator is *not* functioning as a therapist to either parent or children. The co-parenting facilitator may, for the purpose of intake only, meet each party separately to screen for suitability to the co-parenting process; any information obtained during intake is confidential to the co-parenting facilitator and *will not* be disclosed to the parties. The co-parenting facilitator works actively with parents to evolve resolution to issues of conflict but does not have the ability to impose any decision upon parents. The purpose of the co-parenting process is to assist parents in developing resolution skills with each other, respecting each other's rights and feelings but primarily focused on the child's needs.

The greater the conflict between divorcing couples the greater the likelihood of contact with family courts. Widespread recognition of this has encouraged the development of psycho-educational programs focused on conflict resolution and reduction and the encouragement of improved parent-child relations (Grych, 2005). Supreme Court Family Division in Halifax, Port Hawkesbury, and Sydney, Nova Scotia have a mandatory Parent Education Program that strives to reduce conflict by educating parents to some of the changes they can expect, such as ways in which to avoid conflict with the other parent; while attendance is in the scheduled an application to the court can have proceedings move forward regardless of program attendance. The efficacy of such programs is unknown as they tend to be rated on a satisfaction scale rather than on empirically based methodology. So, while these programs may prove informative to some parents chances are these would be the individuals who would have eventually reduced hostilities regardless while those individuals (approximately 25%, Garrity & Baris, 1994 [American statistic]) continue in increasing conflict which can persist over a period of years, through, and perhaps because of repeated court hearings, etc. One of the outcomes of this persistent conflict is a parent losing contact with a child via a variety of reasons which may include child adjustment (Pedro-Carroll, 2005), parental conflict that includes behaviours often associated with "alienation" of the nonresidential parent (Johnston & Kelly, 2004; Gardner, 2006), the diminished capacity of a parent (Garity & Baris, 1994) and post-separation adjustment of a parent (Saposnek, 1991).

*continued on page 25*

### CO-PARENTING: A DIFFERENT METHOD FOR RESOLVING CONFLICT (continued from page 24)

Parents who become involved in the co-parenting process are either mandated via the court system or have reached the end of their resources emotionally, psychologically, and financially. However, not every parent is a good candidate for this process; thus, screening is a first step to ensure that adequate safety strategies are in place for parents and child. Each parent requires an independent therapist/psychologist who may at times be contacted by the co-parenting facilitator.

While a co-parenting intervention may facilitate the development of communication between parents that typically results in reduced stress of children, a renewal of a parent-child relationship that had been impeded or significantly reduced, etc. co-parenting is not the “silver bullet” that fixes everything. The success of the intervention relies most heavily on parental participation, in particular, a willingness to appreciate the other parent’s perspective and to assume personal responsibility. Psychologists working in this area of practice are well aware of the potential to be drawn into the conflict between parents and the unconscious or conscious attempts by a parent to form an alignment with the co-parenting facilitator; these are demanding clients with which to work. It therefore behooves any professional working in this capacity to immediately establish clear boundaries and expectations between psychologist and clients.

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## Reports

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### APNS ANNUAL GENERAL MEETING ~ May 22, 2009

The APNS Annual General Meeting was held in conjunction with a workshop on the Application of CHC Theory to Psycho Educational Assessments presented by Dan Stephenson. The workshop attracted an enthusiastic audience of psychologists. The workshop was held in the Bethune Building, of the QEII Health Services Centre with the AGM held at noon hour on the same day. The AGM attracted about 30 people who heard reports from the outgoing President, Debra Garland and the incoming President, Robin McGee. Laurie Tracey presented the Treasurer's Report and Gordon Butler and James Peake presented their report on the annual financial review. Thanks to all who participated.

In addition to the regular business meeting, Robin McGee, on behalf of the Executive presented the Brian Dufton and the Gerald Gordon Award.

The **Gerald Gordon Memorial Prize** was established in 1987 to recognize the considerable contribution that Dr. Gerald Gordon made to APNS as well as to the creation of the Nova Scotia Board of Examiners in Psychology. This award reflects his belief in the importance of encouraging promising students to consider a career in psychology. The recipient receives

a \$250.00 award toward books in the student's area of interest, as well as a one-year student membership to APNS. The **Gerald Gordon Prize** was awarded to Patrick Horsman, of Saint Mary's University.

The **Brian Dufton Memorial Prize** was established in 2006 to recognize the contribution made by Dr. Brian Dufton. Among his many accomplishments as a clinician, author/reviewer and instructor, Dr. Dufton's sense of humor, love of music and spirituality touched many. The recipient of the award receives \$500.00 to help support the student's education, as well as a one-year membership to APNS. The **Brian Dufton Graduate Prize** was awarded to Sonya Stevens of Saint Mary's University.

*Thanks to all the universities and professors  
who participated in the  
Dufton and Gordon Awards.  
Thanks also Louise Stringer-Warren,  
Debra Garland and Robin McGee  
who reviewed nominees.*

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### Membership Statistics 2008-2009

*(At May 22, 2009)*

344 Full Members

16 Students

11 Retired/Inactive Members

3 In Absentia

4 Honorary

Total Membership: 378

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**TREASURER’S ANNUAL REPORT AND FINANCIALS 2009-2010**

- On March 31, 2008 total liabilities and equities equalled \$80,265.51
- On March 31, 2009 total liabilities and equities equalled \$83,580.20
- This includes a GIC and Business Savings account that equals \$54,045.00

**POINTS OF INTEREST**

In October 2008 we decided to take advantage of better interest rates and transferred a GIC from TD Bank to a Business Savings Account with ING Direct. This new account offered 3.00% with zero fees and no minimum balance, and holds approximately \$26,789.50. We also renewed our original GIC at TD Bank for 2-years at 4.00%. This account holds approximately \$37,255.50. We continue to work towards our \$100,000 reserve fund goal and were able to deposit \$10,000 from this budget year. This exceeds last years suggested amount by \$5000.

Membership continues to be consistent. While the budget reflects a decrease in overall fees it is important to note that \$2500 worth of members fees was submitted after the year-end cut-off, bringing the total to \$65,795.00. The budget reflects a significant decrease in earnings through our continuing education workshops. However, we continue to see CE as a viable source of income in the future. Unfortunately we had fewer workshops to offer this year due to a lack of available speakers. We estimate this loss at approximately \$14,000. The good news is that we have 5 workshops in-line for this budget year and \$7500 in the budget to put towards total promotions. Income generated through the Private Practice Directory is consistent. We increased the fee by \$30.00 this year, which does not appear to be a deterrent for our members.

Submitted by: Laurie Tracey, MA

**ANNUAL FINANCIALS AND BUDGET**

		Budget 08-09	Actuals at Mar. 31, 2009		Budget 09-10
<b>INCOME</b>					
<b>Administration</b>					
Membership Fees	\$	65,000.00	\$	63,295.00	\$ 64,000.00
Interest Earned	\$	2,100.00	\$	2,781.99	\$ 2,500.00
Total Administration	\$	67,100.00	\$	66,076.99	\$ 66,500.00
<b>TOTAL ADMIN</b>	<b>\$</b>	<b>67,100.00</b>	<b>\$</b>	<b>66,076.99</b>	<b>\$ 66,500.00</b>
<b>Member Services</b>					
CE Workshop	\$	24,975.00	\$	10,035.00	\$ 12,000.00
Total CE	\$	24,975.00	\$	10,035.00	\$ 12,000.00
Publications					
	N.S. Psychologist Ads	\$ 1,000.00	\$	346.00	\$ 750.00
	Private Practice Dir.	\$ 10,900.00	\$	14,085.00	\$ 13,000.00
Total Publications	\$	11,500.00	\$	14,431.00	\$ 13,750.00
<b>TOTAL MEMBER SERVICES</b>	<b>\$</b>	<b>36,475.00</b>	<b>\$</b>	<b>24,466.00</b>	<b>\$ 25,750.00</b>
Advertising - Web Ads	\$	750.00	\$	1,150.00	\$ 1,200.00
Promotion - Sponsor	\$	1,250.00	\$	1,250.00	\$ 00.00
Total Ad & Promotions	\$	2,000.00	\$	2,400.00	\$ 1,200.00
Other	\$	.00	\$	981.10	\$ .00
<b>TOTAL INCOME</b>	<b>\$</b>	<b>105,575.00</b>	<b>\$</b>	<b>93,924.09</b>	<b>\$ 93,450.00</b>

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# Reports

## ANNUAL FINANCIALS AND BUDGET (continued from page 27)

### EXPENSES

#### Administration

AGM Meeting	\$	200.00	\$	335.40	\$	300.00
Total AGM	\$	200.00	\$	335.40	\$	300.00
Office Expenses	\$	1,000.00	\$	484.34	\$	500.00
Office supplies	\$	750.00	\$	979.51	\$	1,000.00
Office Copying/Printing	\$	1,000.00	\$	487.60	\$	500.00
Executive Travel	\$	1,500.00	\$	1,657.17	\$	1,750.00
Phone	\$	1,400.00	\$	1,210.76	\$	1,200.00
Office Rent	\$	4,250.00	\$	4,214.28	\$	4,300.00
Miscellaneous	\$	300.00	\$	981.10	\$	00.00
Amortization	\$	00.00	\$	255.24	\$	200.00
Website/Internet	\$	750.00	\$	228.15	\$	400.00
Postage/Delivery	\$	3,700.00	\$	4,843.43	\$	4,200.00
Total Office	\$	14,650.00	\$	15,341.58	\$	14,050.00

#### Committees/Reps

APA Rep (Coun/Adv)	\$	350.00	\$	-	\$	200.00
APA SLConfrence	\$	2,000.00	\$	575.87	\$	1,500.00
APA BOPN (PHWA)	\$	500.00	\$	250.00	\$	250.00
APA Pub Educ Rep	\$	250.00	\$	.00	\$	250.00
Advocacy Committee	\$	200.00	\$	90.40	\$	200.00
CE Committee	\$	200.00	\$	00	\$	200.00
Elections	\$	350.00	\$	210.47	\$	200.00
Executive	\$	500.00	\$	234.48	\$	500.00
Post Trauma	\$	200.00	\$	-	\$	200.00
Membership	\$	200.00	\$	-	\$	200.00
Archivist	\$	100.00	\$	-	\$	100.00
InterestGroups/RgReps	\$	200.00	\$	-	\$	200.00
NSP Editorial	\$	50.00	\$	-	\$	50.00

Total Committees/Reps	\$	5,100.00	\$	1,361.22	\$	4,050.00
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Financial Reporting	\$	1,100.00	\$	757.10	\$	1,000.00
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Bank/Finance Charges	\$	1,700.00	\$	1,833.61	\$	1,700.00
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Total Financial	\$	2,500.00	\$	2,590.71	\$	2,700.00
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Licenses, Insur, Fees	\$	1,650.00	\$	1,601.00	\$	1,650.00
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Reg Joint Stock	\$	27.21	\$	27.21	\$	28.50
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Total Licenses, Insurance & Fees	\$	1,677.21	\$	1,628.21	\$	1,678.50
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Staffing Wages	\$	41,000.00	\$	40,098.99	\$	41,000.00
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Training	\$	500.00	\$	-	\$	500.00
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Total Staffing	\$	41,500.00	\$	40,098.99	\$	41,500.00
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Memberships APA	\$	150.00	\$	134.19	\$	150.00
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Membership CPAP CPAP/CRHSPP	\$	1,522.00	\$	1600.00	\$	1,600.00
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Total Affiliations	\$	1,672.00	\$	1734.19	\$	1,750.00
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Donations/Benevolent	\$	250.00	\$	400.00	\$	350.00
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President's Award	\$	-	\$	-	\$	.00
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Student Scholarships	\$	750.00	\$	750.00	\$	750.00
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Total Awards/Grants	\$	1,000.00	\$	1,150.00	\$	1,100.00
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<b>TOTAL ADMIN</b>	<b>\$</b>	<b>68,599.21</b>	<b>\$</b>	<b>64,744.26</b>	<b>\$</b>	<b>67,128.50</b>
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Continued on page 29

**ANNUAL FINANCIALS AND BUDGET** *(continued from page 28)*

	Budget 08-09	Actuals March 31, 2009	Budget 09-10
<b>Member Services</b>			
CE Workshops	\$ 18,253.00	\$ 11,743.20	\$ 9,000.00
EPPP materials	\$ -	\$ 300.00	\$ 300.00
<b>Total CE</b>	<b>\$ 18,253.00</b>	<b>\$ 12,043.20</b>	<b>\$ 9,300.00</b>
Advocacy Project	\$ 900.00	\$ 2,491.47	\$ 500.00
CPAP Advoc'y Training	\$ -	\$ 1,239.18	\$ 1,000.00
Psych Mo /Outreach	\$ 4,000.00	\$ 1,842.97	\$ 2,000.00
Total Advocacy	\$ 4,900.00	\$ 5,573.62	\$ 3,500.00
Publications - NSP	\$ 2,500.00	\$ 2,206.58	\$ 2,500.00
PPD	\$ 2,000.00	\$ 2,221.86	\$ 2,300.00
Total Publications	\$ 4,500.00	\$ 4,428.44	\$ 4,800.00
<b>TOTAL MEMBER SERVICES</b>	<b>\$ 27,653.00</b>	<b>\$ 22,045.26</b>	<b>\$ 17,600.00</b>
Promotions/Outreach	\$ 6,000.00	\$ 2,783.82	\$ 6,000.00
Advertising	\$ 1,500.00	\$ 1,186.95	\$ 1,500.00
Total Promotions	\$ 7,500.00	\$ 3,970.27	\$ 7,500.00
<b>TOTAL EXPENSES</b>	<b>\$ 103,752.21</b>	<b>\$ 90,759.79</b>	<b>\$ 92,228.50</b>
<b>NET Surplus or Loss &lt; in brackets&gt;</b>	<b>\$ 1,822.79</b>	<b>\$ 3,168.30</b>	<b>\$ 1,221.50</b>
Forward to Reserve fund	\$ 5,000.00	\$ 10,000.00	t.b.a.



*The APNS membership years runs from September 1 to August 31.*

*Enclosed with this mailing is a membership renewal form.*

*If you have not yet renewed your membership, please complete the form and return it to the APNS office by September 30, 2009*

*The APNS member renewal form is also available on our website at:  
<http://www.apns.ca/membership.html>*

## Reports

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### PSYCHOLOGISTS, TORTURE, AND THE APA ~ Pat O'Neill, Ph.D., APA Council Rep

I have come to the end of my three-year term as your representative to the Council of the American Psychological Association. In this, my last column, I would like to update you on the most difficult issue APA has faced during my term: the involvement of psychologists in torture at Guantanamo Bay and other "black sites". It is this matter that has brought most questions to me from APA members, Nova Scotia Psychologists, and others (friends and relatives included).

Over and over during the past three years, APA members and others have demanded to know what APA's stand is, or they have criticized what they perceive that stand to be. And over and over, officials of APA have pushed back with explanations, rationales, denials, and so forth. As your representative I have supported all attempts to disengage APA from torture. The positions I supported did not carry the day. As we discovered in the membership referendum last year, however, Council is out of step with grassroots APA members.

Here are the main issues:

First, most health professions have taken the position that it is unethical for their members to work at Guantanamo in any capacity other than to provide care (e.g., doctors caring for patients). APA has not done so, pointing out that some APA members are in the military and have to go where they are sent and do what they are told to do. The military, responding to pull out of psychiatrists from Guantanamo, said it found psychologists more congenial to work with anyway.

Second, APA's latest version of its Code of ethics contains what many call the Nuremberg defense: APA Standard 1.02 states, "If psychologists' ethical responsibilities conflict with law, regulations, or other governing legal authority, psychologists make known their commitment to the Ethics Code and take steps to resolve the conflict. If the conflict is unresolvable via such means, *psychologists may adhere to the requirements of the law, regulations, or of the governing legal authority*. Standard 1.03 provides the same rationale for obeying one's employer when the employer's directives contravene the code.

Standards 1.02 and 1.03 can be interpreted to mean that any psychologist could use the so-called Nuremberg defense -- "I was only following orders" -- alluding to the defense used by Nazis who worked in concentration camps.

Those who want change are asking for the following language to be appended to both standards: "*This Standard can never be interpreted to justify violations of basic human rights.*" In addition, they want APA to follow the lead of other health professions and ban its members from working at Guantanamo Bay in other than clearly treatment capacities. The matter is particularly acute as the passage of time brings to light involvement of psychologists (some who acted as civilian consultants) in what is euphemistically called "enhanced interrogation".

In 2007 there were demonstrations at the APA Convention in San Francisco against the perceived involvement in violations of human rights by some psychologists.

In 2008, the first petitioned resolution in the history of the APA (i.e., originating from the membership) was passed by a large margin – 8,792 to 6,157. The meaning of the referendum was clear: psychologists should not work at sites "where persons are held outside of, or in violation of...international law". The APA President at the time said of the referendum, "we are going to follow it." But a year after the vote, the result has not been implemented.

During the recent APA Council meeting in August 2009, we received several strong messages urging us to take action. For example, a group of retired U.S. military officers called on APA to revise Articles 1:02 and 1:03. They explained that even American military doctrine is counter to the Nuremberg defense. "In the case of the prosecution for the massacre of unarmed civilians in My Lai in Vietnam in March 1968, a military court categorically ruled out the so-called Nuremberg Defense in a defense of an accused war criminal who claimed an order(s) from superiors sanctioned an otherwise criminal act."

*continued on page 31*

**PSYCHOLOGISTS, TORTURE, AND THE APA** (continued from page 30)

At the Council meeting, we all received copies of a letter from Manfred Nowak, the UN Special Rapporteur on Torture, who wrote to APA President James Bray calling for implementation of APA's referendum.

Dr. Nowak is the highest United Nations authority on violations of human rights. Specifically, he stated that the APA must:

- a) Invoke (APA's) referendum and immediately request that the Obama administration, the Department of Defense, and the US intelligence agencies remove psychologists from Guantánamo and any other sites where international law is being violated or where inspectors are prohibited from assessing that conditions are in compliance with international law.
- b) Amend the APA ethics code (standards 1.02 and 1.03) where it permits psychologists to follow domestic law and military orders and regulations even when

these conflict with international law, the United Nations Principles of Medical Ethics and the APA's own ethics code.

Dr. Nowak went on to state that, "Every day that you delay invoking the referendum is another day where psychologists are, by their presence and participation in these operations, acquiescing in human rights violations."

Dr. Nowak's letter was not discussed by Council.

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*APNS would like to thank Dr. O'Neill for his APA updates over the past three years in his role as APA Council Representative. APNS' new representative, Dr Charles Hayes will start his term in January, 2010.*



**Welcomes its Latest Members** as of August 31//09

**Daniel Chorney, Ph.D.**  
**Barbara Fox, Ph.D.**  
**Elizabeth Harvey, M.Psy.**  
**Olga Komissarova, M.Psy.**  
**Paula Luedemann, M.Ed.**  
**Kim MacLean, Ph.D.**

**Kristen McLeod, Ph.D.**  
**Natasa Mitrovic**  
**Natasha Scott, M.A.**  
**Danielle Shelley, M.A.**  
**Sonya Stevens, M.Sc.**  
**Jaime Williams, Ph.D.**

**We would like to thank the membership for supporting APNS in its efforts to promote the interests of Nova Scotia psychologists through advocacy, continuing education and the support of special interests in the field.**

## Reports

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### NEW BRANDING FOR APNS CONTINUING EDUCATION 2009 - 2010

This is the bold new logo for APNS Continuing Education events. It will be unveiled for the upcoming workshop “Understanding and Managing High Conflict Personalities” with Bill Eddy.



During this year, the APNS Executive discussed and approved the “branding” of CE, as part of the plan to have CE events more visible to psychologists and other related disciplines, thereby increasing interest and involvement in APNS Continuing Education events. It also fits well with the direction that the Committee has taken: to have events booked at least two years ahead, so that psychologists can plan their own professional development knowing what is available locally from APNS.

The logo was selected from a number of designs and colour choices. It is vibrant and active. The accompanying slogan is “lifelong learning for wellness” and together, the logo and slogan convey the energy and commitment that psychologists have for their professional growth and development.

The logo can be used in a variety of ways, and will not always be used in the full colour version. We hope that it will become synonymous with excellence in the offerings that the CE committee organizes.

Many thanks to Laurie Tracey who spearheaded this branding and ensured it happened. As always, our committee appreciates all the work that Susan Marsh does, and in particular with this branding project.

I would also remind APNS members that our Committee is always looking for workshop topics and presenters, so please feel free to contact any of us and give us your suggestions.

Carolyn Humphreys,  
Chair, Continuing Education Committee

### UPCOMING WORKSHOPS

**Oct. 16:** *Please note the Vicky Wolfe workshop has been postponed.*

**Oct. 24: High Conflict Personalities in Litigation, Negotiation & Mediation**  
**Bill Eddy, LCSW, Attorney, Therapist, Mediator, Author** See enclosed brochure.

**May 28, 2010: The Meeting of Mind & Body** presented by **Gordon Asmundson, Ph.D.**  
This workshop deals with health anxiety across the lifespan, and its intersection with conditions that have a physical component (e.g. chronic pain).

**June 11, 2010: Helping Divorcing Families: Interventions that Work** presented by **Rhonda Freeman**  
This workshop will present a model which matches specific interventions to assess the level of conflict in a family.

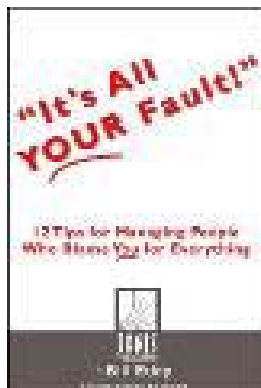
**Oct. 29th, 2010: Being a Brain-Wise Therapist**  
**Bonnie Badenoch, PhD, LMFT**  
Dr Badenoch is the Founder of Center for Hope and Healing in Irvine, California. Since 1991, this nonprofit counseling center has been dedicated to providing therapy for families suffering with intergenerational legacies of abuse, neglect, attachment struggles, and emotional pain. As a clinician, she has worked primarily with survivors of severe abuse and neglect. She is also President of GAINS (Global Association for Interpersonal Neurobiology Studies), and a long-time student of Dr. Daniel J. Siegel

**Workshop By Request - Professional Practice**  
The Ethics workshop was so popular last year that we intend to hold it again in 2010. Please let us know if you are interested in attending We are hoping to hold one in Sydney next Spring as well as repeating one in Halifax.

The following list is just a few workshops that could be made available in your area, if we have enough interest.

- Ethics for Psychologists
- Promoting and Marketing your Practice
- Mental Health for the Mental Health Practitioner
- Financial and Accounting for Private Practices
- Legal/Financial Requirements for Private Practice
- Testing & Assessments

BOOK REVIEW: “It’s All Your Fault!” ~ Ann Wetmore



“It’s All Your Fault!”: 12 tips for managing people who blame others for everything. Author: **Bill Eddy**, Attorney, Mediator and Therapist, c2008, Janis Publications, 355p.

This might be considered a “pre-review”, as I recently received this volume and have been impressed with the contents during a quick

skim/read. Bill Eddy, who is both a therapist and an attorney, will be in Halifax on **October 24<sup>th</sup>** for an all day, APNS-sponsored workshop on “**High Conflict Personalities in Litigation, Negotiation & Mediation**”. It seems timely to present a brief overview of his work for this Fall APNS Newsletter:

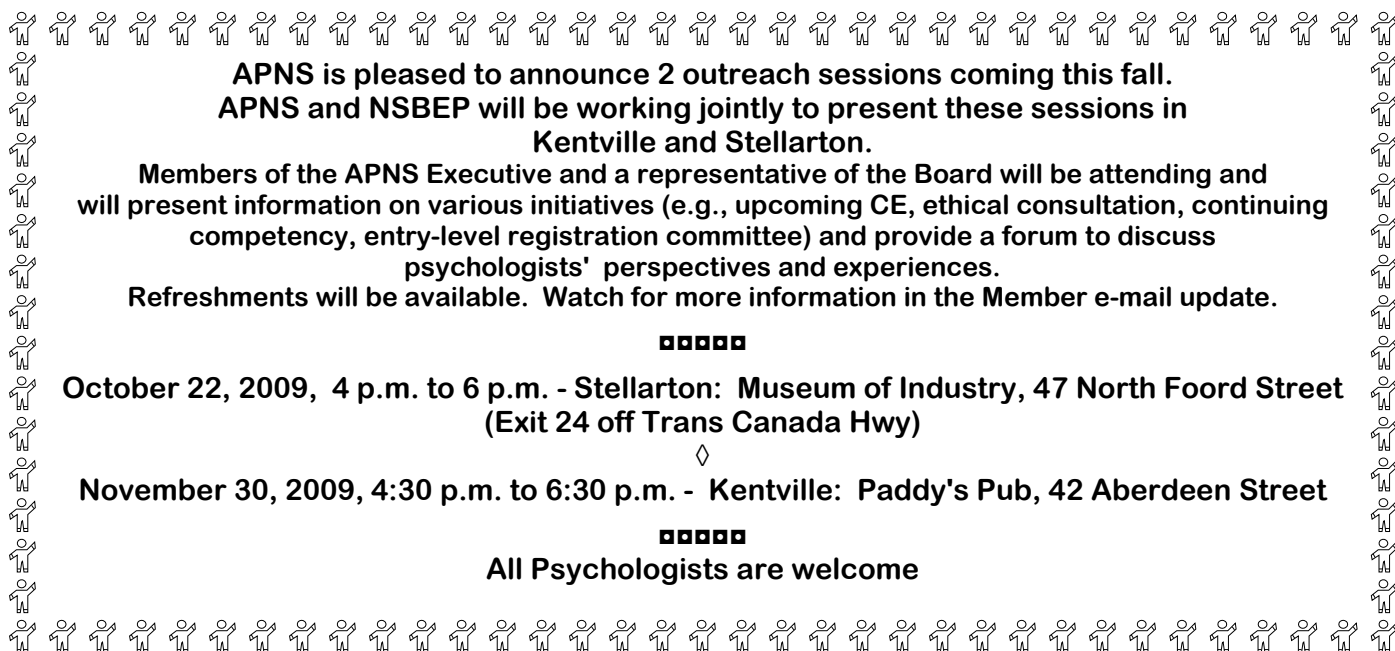
Mr. Eddy stresses that he is presenting a *theoretical* framework describing **High Conflict Personalities** (HCPs – his term), who are characterized by blaming, avoiding acceptance of responsibility for their own behaviours, poor empathy skills, “uncompromising” thinking, and negativity. These individuals, he writes, often make “Mistaken Assessments of Danger” based on familiar cognitive distortions, such as “all or

nothing thinking”, “jumping to conclusions”, “personalizing” and “emotional reasoning” in addition to “wishful thinking”, “tunnel vision” and “exaggerated fears”. While he includes brief discussions of Borderline, Histrionic, Narcissistic and Anti-social disordered personality characteristics, he rightfully emphasizes that he is not encouraging untrained diagnoses, but rather, attempting to foster a greater understanding of a spectrum of dysfunctional behaviours/traits that sometimes cluster in predictable patterns, whether or not they meet full diagnostic criteria.



Many helpful examples are discussed in the text, ranging from neighbour disputes to dealing with difficult employees/bosses, or coping with a divorce or litigation situation with an **HCP** who is determined to win “at all costs”. Mr. Eddy includes many helpful **TIPS**, such as “don’t diss the narcissist”, and “don’t bend boundaries with borderlines”. Throughout the book, he states and restates, “**SET LIMITS**” and “**Don’t Take It Personally!**” Well worth reading and remembering!

Submitted by Ann Wetmore


  
**APNS is pleased to announce 2 outreach sessions coming this fall.**  
**APNS and NSBEP will be working jointly to present these sessions in**  
**Kentville and Stellarton.**  
**Members of the APNS Executive and a representative of the Board will be attending and**  
**will present information on various initiatives (e.g., upcoming CE, ethical consultation, continuing**  
**competency, entry-level registration committee) and provide a forum to discuss**  
**psychologists' perspectives and experiences.**  
**Refreshments will be available. Watch for more information in the Member e-mail update.**  
  
**October 22, 2009, 4 p.m. to 6 p.m. - Stellarton: Museum of Industry, 47 North Foord Street**  
**(Exit 24 off Trans Canada Hwy)**  
 ◇  
**November 30, 2009, 4:30 p.m. to 6:30 p.m. - Kentville: Paddy's Pub, 42 Aberdeen Street**  
  
**All Psychologists are welcome**

## Reports

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### WORKING WITH CHILDREN & ADOLESCENTS IN DIVORCED FAMILIES & STEPFAMILIES

The *APNS Child and Adolescent Psychology Interest Group (CAP-I)* is comprised of psychologists who work with children and adolescents and their families. The Group meets regularly during the academic year to share information on topics of interest and to provide an opportunity to get to know our colleagues who work in a range of settings (schools, hospitals, universities, private practices, forensics, etc).

*Presentation to the Child Adolescent CAP-I*  
30 May 2009

*Dr Elizabeth Church, Professor and Psychologist,*  
*MSVU*

When working with children and adolescents who have experienced the divorce and re-partnering of their parents, it is important to understand the current Canadian context. The divorce rate is now fairly stable, with about 38% of marriages ending in divorce. The majority of divorced Canadians remarry/re-partner fairly quickly, with the divorce rate in subsequent marriages being higher than in first marriages. Over the last thirty years, the number of repeat divorces has tripled in Canada. This means that some children experience significant disruptions as their parents partner and re-partner many times during their childhood. They may live in multiple family structures, for example, moving from a two-parent family to a single-parent family to a stepfamily back to a single-parent family, and so on. There is substantial evidence that frequent family transitions place children at risk. Children from divorced families have double the rates of emotional and behavioural problems compared to children in intact two-parent families, while about 25-33% of children experience emotional/behavioural problems following their parent's remarriage. Although the initial period following the change can be turbulent, most children adapt fairly well over time if their family situation stabilizes. Children's adjustment is affected by a complex interaction of factors including the child's age and sex at the time of the divorce or remarriage, conflict between parents, financial stresses, parental distress and/or non-involvement, and parenting styles.

A stepped-care model, where the clinician starts with the least intrusive and therapist-driven approach and moves to the next level only if required, is a useful framework to adopt in working with children and adolescents in divorced and stepfamilies. Clinicians

should ensure they are competent before working in this area: they should be knowledgeable about the effects of divorce/re-partnering on children and the dynamics of single-parent families and stepfamilies and should be skilled at working with family systems. Well meaning, but uninformed, clinicians can do more harm than good if they assume that single-parent families and stepfamilies are governed by the same norms as two-parent non-divorced families.

A psycho-educational approach is often sufficient. Many parents lack an understanding about the processes of divorce and remarriage and their effects on themselves and their children. Information about what to expect can normalize many of the stresses they are experiencing. There are a number of good research-based books written for the layperson.

Other families benefit from what I call "transition therapy." The aim here is to support the children and the parents, including stepparents, so they can move through transitions more smoothly. Divorce and remarriage are viewed as processes, not just as events. The clinician may work with parents, stepparents, children, and/or the whole family system. For example, following divorce, clinicians can help parents establish an effective co-parenting relationship and develop a parenting plan that takes into account the age and developmental needs of the children. In new stepfamilies, relationship boundaries often need to be clarified. Children often need a place where they can express their views and preferences. Generally about two-to-six sessions are adequate, although the family may return for other sessions periodically.

Support groups can benefit those individuals who feel isolated and alone. There is some evidence for the positive effects of group therapy for children of divorce. Stepparents, in particular stepmothers, often welcome the opportunity to share their experiences with other stepparents. Since parents often need to learn how to parent differently in new family contexts, parenting groups can be effective.

Family, couple, and/or individual therapy are indicated for situations where the preceding approaches have not been successful, or where there are more significant problems. In these families, there are

*continued on page 35*

## WORKING WITH CHILDREN & ADOLESCENTS - REFERENCES (continued from page 34)

usually high degrees of conflict, as well as resentment, anger, and/or disengagement. Co-occurring psychological problems, such as depression and anxiety, are often present. Issues such as loss and alienation are usually in the forefront, and therapists generally focus on addressing and resolving conflicts, and repairing, re-aligning, and strengthening relationships.



### KEY REFERENCES

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- Visher, E. B., & Visher, J. S. (1988). *Old loyalties, new ties: Therapeutic strategies with stepfamilies*. New York: Brunner/Mazel.

### Readings for Layperson

- Bray, J. & Kelly, J. (1998). *Stepfamilies: Love, Marriage, and Parenting in the First Decade*. Broadway Books.
- Church, E. (2004). *Understanding Stepmothers*. Toronto: HarperCollins.
- Emery, R. (2004). *The truth about children and divorce*. New York: Plume.
- Hetherington, E. M., & Kelly, J. (2002). *For Better or For Worse: Divorce Reconsidered*. New York: Norton.

### Congratulations to the following who have recently become Registered Psychologists\*

Sean Barrett, Ph.D.  
Natrasha Corbin, M.A.S.P.  
Liza Gabriel, M.A.S.P.

Maura MacKinnon, M.A.S.P.  
Ann Marie Penny, Ph.D.  
Anne Pleydon, Ph.D.

### Congratulations to the following who have recently become Candidates\*

Marc-Robert d'Entremont, M.A.S.P.    Jaime Williams, Ph.D.  
Danielle Shelley, M.A.                      Aimee Yazbek, Ph.D.

*This information provided by NSBEP as of August 15, 2009*

### NSBEP NOTES

As you may know, the Nova Scotia Board of Examiners in Psychology, in collaboration with the Association of Psychologists of Nova Scotia, is establishing a committee to examine the question of whether NSBEP should be moving to the doctoral level for entry to practice psychology in Nova Scotia.

There are several factors that have contributed to this question arising now. The Canadian Psychological Association has identified doctoral level entry to practice for Canadian Psychology as an aspirational goal for more than a decade.

Across North America there has been a clear trend in recent years toward doctoral level entry to practice. There are fewer and fewer jurisdictions that register psychologists at the Master's level.

This trend is evident here in Canada, as well. The Ordre des Psychologues du Quebec has moved to the doctoral level for entry to practice. The College of Psychologists of New Brunswick is also moving to the doctoral level as of July 1, 2011. Likewise, the Prince Edward Island Psychologists Registration Board has begun the process of moving to the doctoral level for registration.

The Nova Scotia Board of Examiners in Psychology also has some concerns about the impact of changes to the Agreement on Internal Trade that will soon be adopted. In essence, psychology regulatory bodies across the country will have much less control over a psychologist registered in one jurisdiction transferring to another jurisdiction. NSBEP is concerned that Nova Scotia, with a lower level for entry to practice, may become a jurisdiction where applicants obtain initial

registration with the ultimate goal of practicing elsewhere.

The Entry Level Committee has been asked to explore the merits of moving to the doctoral level for entry to practice psychology in Nova Scotia. The committee has also been charged with identifying barriers to such a change and any unintended consequences that may result from such a change.

The Board selected committee members from a pool of nominees in an effort to reflect a variety of constituents of psychology in Nova Scotia. Members of the committee are:

- Stephen Gleich, M.Sc.
- Maureen Gorman, Ph.D., Chair
- Julia Holt, Ed.D.
- Elizabeth W. MacInnis, M.A.
- Richard G. McGillivray, Ph.D.
- Brad M. Peters, M.Sc.
- E. Lisa Price, Ph.D.
- Michael A. Ross, Ph.D., APNS Representative

As has been stated elsewhere, NSBEP expects that this is likely to be a slow and thoughtful process. Should NSBEP decide to move to the doctoral level for entry to practice, this would have no effect on the status of psychologists currently registered at the master's level with NSBEP.

Allan R. Wilson, Ph.D.  
Registrar, NSBEP



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**LETTERS FROM THE MEMBERSHIP**

I should like to thank Dr. Charles Hayes for his “OPEN LETTER TO NSBEP: Musing on NSBEP Investigations” and to support his suggestions for addressing concerns about the regulatory process in NSBEP investigations and procedures. I, as well as Dr. Hayes, have experienced being consulted by registrants on how complaint issues have been handled. I share his hope that his comments (and those of others) will influence NSBEP policies positively.

In addition to looking at the many potentially helpful suggestions offered by Dr. Hayes, I hope that NSBEP will also consider preparing a statement, specifically for registrants addressing complaints, clarifying when, how, about what and to whom communication is acceptable during the process. A clear memorandum outlining options available to defendant psychologists and the consequences of their choices could be of considerable assistance in dealing with fear, anxiety and frustration during a lengthy investigation.

Other professions have a designated person (or persons) with various resources made available to support and help members who find themselves in difficulty professionally. Consideration might be given

to the appropriateness of engaging a psychologist (or psychologists) to consult and guide registrants with professional/legal/ethical concerns.

Psychology has been responsible in large measure for the development of techniques of dispute resolution. NSBEP has the opportunity to enhance perceptions of the profession protecting the public (and psychologists) through demonstrating effective use of negotiation, mediation, and other dispute resolution methods to achieve mutual satisfaction in resolving most complaint issues. Positive publicity about psychological interventions for dealing with such difficult situations in a mutually helpful way has great potential for presenting the profession of Psychology in a positive light. The current Psychologists’ Act specifically allows such resolution, and our Code of Ethics encourages such practice. If NSBEP reports actively promoting and encouraging this practice the costs of handling complaints may be reduced considerably and all involved are likely to be more satisfied with the outcomes.

Respectfully submitted,  
Rilda van Feggelen (Retired)



## Acknowledgements

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### LINDA MCALPINE REMEMBERED



Linda passed away in July after a length and courageous struggle with cancer. She will be remembered for her passion for her clients, her professionalism, and her simple, dignified, and caring manner.

Linda worked at the Sir Frederick Fraser School for the Blind as a psychologist from the early eighties. She was a compassionate advocate for special education and the visually impaired, later extended her training and skills into working with the hearing impaired as the School became integrated with the Atlantic Provinces Resource Centre for the Hearing Impaired. Linda took pride in being accepted into the Clinical PhD at Dalhousie University and worked on her degree for several years until her health concerns made it impossible to continue.

#### **McALPINE, Linda Marjorie - Obituary**

— Passed away on July 8, 2009, in Halifax. She was the daughter of the late Marjorie (Warner) and Donald McAlpine. Linda was born in Montreal, QC., but became a true Maritimer. Linda lived a fabulous life filled with travel, adventure, friends and family. Linda's sister, Suzanne Raboy (Mitch and daughter, Svyeta); brothers, Michael Warner (Joanne and daughter, Mackenzie), Doug (Pat) Warner all remain to keep her spirit alive. Linda's remaining family and best friends rejoice in the wonderful memories she gave to all. Linda spent her life caring and advocating for the Special Needs Community at ASPEA. Funeral service will be held on Saturday, July 11 at 9:30 a.m. in J.A. Snow's Funeral Home, 339 Lacewood Dr., Halifax. In lieu of flowers, donations may be made to a favourite charity of choice and would be appreciated by the family.



## Advertisements

The advertisements on these pages are paid placements. APNS does not take responsibility for the content and does not necessarily subscribe to the opinions expressed in these advertisements.

### Psychologist Position

**Dr. Kiran Pure & Associates Ltd** is looking for a registered psychologist to join its practice for 20-25 hours per week. The practice provides assessment, treatment, diagnostic, and consultation services for children, adolescents, and families who present with a range of developmental, cognitive, academic, and mental health issues. The age range for children and adolescents seen in the practice is between 2 - 19 years.

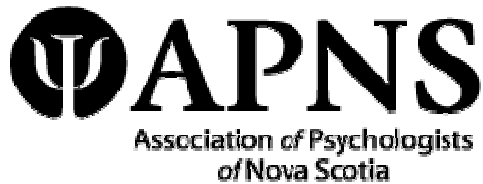
The successful applicant should have a degree in clinical psychology with a specialty in Child Psychology. Specifically, the successful candidate should have a background in pediatric and developmental psychology, cognitive behaviour therapy, family therapy, solution focused therapy, assessment services (developmental, cognitive, academic, mental health), and consultation. Psychologists in the practice actively work with other professionals in the community via school meetings, providing workshops to daycares, schools and group homes for youth, and by offering training opportunities to graduate students, and paraprofessionals who work with children with special needs. The practice does not accept any court ordered assessments. All support services are provided by a team of three people. The hours of practice are Mondays to Fridays 9:00 a.m. to 8:00 p.m.

Psychologists interested in applying for a position at Dr. Kiran Pure & Associates Ltd can forward a curriculum vitae and names of two referees to Kiran Pure at [kpure2@eastlink.ca](mailto:kpure2@eastlink.ca) or by facsimile to 902.444.3665. Please forward applications by October 31, 2009. Successful candidates will be contacted for an interview by December 15, 2009.



visit the apns website for:

- Member News
- Events & Workshops
- Job Postings
- Private Practice Listings
- Past Newsletters
- APNS Documents
- Post-Trauma Services
- ...and more to come!



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Please contact the chair or APNS office for further information or to communicate changes to the list of committees & representatives.

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Susan Marsh

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**Public Education Campaign Coordinator:**  
 Dean Perry

**APA Council of Representatives:** Patrick O'Neill

**Archivist:** Maria Angelopoulos

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 Eileen Donahoe, Kentville  
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**Contact the APNS Office for more info on how to contact your regional rep.**

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Heather Higgins  
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 Debra Garland  
 Louise Stringer-Warren

### Membership:

Wendy Digout

### Publications:

T.B.A.

### Post Trauma Services:

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### Interest Groups:

Child/Adolescent Clinical / Educational Issues  
 Ethical Issues  
 Rural Issues  
 Testing/ Assessments

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1/4 Page	\$250.00
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Mail-Outs	\$150.00	plus mailing costs by weight x # of members
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Job Postings	\$25.00

Inserts \$25.00 for single sheet paper, additional costs as per weight as relates to postage cost

Mail-Outs	\$100.00	plus mailing costs by weight x # of members
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Job Postings	\$25.00	per 60 days

## Publication Information

The Nova Scotia Psychologist is published three times each year by the Association of Psychologists of Nova Scotia. Its purpose is to foster communication within the psychology community. Submission of articles is encouraged, as well as letters to the Editor. The Editor reserves the right to select and edit manuscripts and letters submitted for publication. Publication does not necessarily imply endorsement by APNS or by the Editorial Board of The Nova Scotia Psychologist.

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