FORENSIC AND EXPERT SOCIAL ANTHROPOLOGY CURRICULUM

This document is intended to be read in conjunction with the RAI Code of Practice for Forensic and Expert Social Anthropology, the RAI Practitioner Levels for Forensic and Expert Social Anthropology, and Continuing Professional Development for Forensic and Expert Social Anthropology.

Candidates for examinations at certification at FESA Level I and II are expected to have knowledge and practical experience in the provision of fact and opinion evidence with respect to human culture. This includes undertaking forensic investigations in order to establish fact evidence, and providing expert opinion and advice based on facts already established.

Areas of law in which forensic and expert social anthropologists may be asked to undertake forensic investigations to provide expert opinion and advice may include, for example, culturally-based land claims and negotiations, cultural heritage preservation, criminal trials (both as defense and prosecution), asylum claims, etc.

Candidates are expected to have an in-depth understanding of the following areas relating to practice within the field.

> NOTE: This document is modelled on the RAI Forensic Anthropology Curriculum Document (Version 12). It has been adapted in order to reflect the practice of forensic and expert social anthropology as distinct from forensic physical anthropology.

1   FORENSIC AND EXPERT SOCIAL ANTHROPOLOGICAL PRACTICE

Forensic and Expert Social Anthropology refers to a specific range of activities undertaken by appropriately qualified social anthropologists, which involve the provision of fact and opinion evidence to courts or other legally empowered bodies. This includes the conduct of forensic investigation, including either or both fieldwork and/or desktop work, and the provision of expert opinion and advice based on facts already established.

Candidates are expected to be able to demonstrate application of knowledge regarding:

- Forensic investigation in the establishment of fact evidence

- Modelling and analysis of fact evidence in the course of its refinement

- Development of expert opinion evidence on the basis of the modelling and analysis of fact evidence

- Clear demonstration of reasoning from fact to opinion using independently testable social anthropological theory and methodology

- Provision of expert advice on the basis of established fact and opinion evidence

2 UNDERSTANDING LEGAL-ADMINISTRATIVE STRUCTURES AND PROCESSES

An understanding of legal-administrative structures and processes is crucial to the effective and reliable delivery of FESA services. This involves an understanding of the roles and associated functions of, and relations between, participants in relevant legal-administrative processes, planning for forensic investigations including planning of associated fieldwork, participant observation, and direct consultation, review of secondary sources, and peer review of subsequent expert reports prior to submission.

2.1 ROLES, FUNCTIONS, AND RELATIONS IN LEGAL-ADMINISTRATIVE PROCESSES

Candidates are expected to be able to demonstrate application of knowledge regarding:

- All relevant legislation and other relevant legally and administratively binding regulations governing the legal-administrative processes in which they are engaged.

- The roles and assigned functions of judicial officers or other representatives of presiding authorities overseeing legal-administrative processes in which the FESA practitioner is engaged.

- The roles and assigned functions of legal representatives of parties to relevant legal processes where relevant, such as barristers/trial lawyers, solicitors/attorneys, etc.

- The roles and assigned functions of other staff, e.g., paralegals/legal assistants/legal secretaries.

- The roles and assigned functions of community liaison or community facilitation staff engaged by non-governmental organisations representing or otherwise advocating for the rights and interests of parties to relevant legal-administrative processes.

- The roles and assigned functions of FESA practitioners.

- The roles and assigned functions of other experts including but not restricted to interpreters, guides, geospatial information systems technicians, historians, linguists, archaeologists, etc.

- The formal relations between each of these roles, arising from the functions formally assigned to them.

2.2 FACT AND OPINION EVIDENCE

Candidates are expected to be able to demonstrate application of knowledge regarding:

- The distinction and relation between fact and opinion evidence.

- The critical function of clear reasoning from fact to opinion in setting out causal explanations for expert opinion.

- Legislation and associated guidelines regulating the provision of evidence to relevant legal-administrative processes.

- Acceptable theoretical, methodological, and ethical procedures for collecting and processing fact evidence, modelling and analysing that evidence in the course of processing it, and formulating an opinion about that evidence, including the provision of subsequent associated advice.

3   FORENSIC INVESTIGATION

Forensic investigation involves the recording of information and data using specialised social anthropological fieldwork and/or desktop methods, including one or a combination of participant observation and direct consultation, and secondary source reviews.

Candidates are expected to be able to demonstrate application of knowledge involved in:

- Assessing locations, times, and broader conditions necessary for a successful investigation.

- Identifying appropriate sources and the means of recording information from them, including relevant individuals for consultation and relevant secondary sources, including any associated logistical requirements.

- Determining appropriate participant observation, direct consultation, and secondary source review techniques to be used in the investigation.

- Identifying fact evidence thresholds associated with relevant legal-administrative processes, as well as acceptable methods for reasoning from fact to opinion, prior to commencing investigation.

- Verifying, documenting, and explaining the FESA practitioner's role and assigned functions, to clients and other stakeholders where necessary.

3.1   FIELDWORK PLANNING

Candidates are expected to be able to demonstrate application of knowledge regarding:

- The purpose and relevance of fieldwork to the investigation.

- The structure and sequence of fieldwork activities, including participant observation and direct consultation, and the role and functions of, and relations between, fieldwork participants, including colleagues, clients, and stakeholders.

- The role of documented fieldwork planning, including coordination with other fieldwork participants, including colleagues, clients, and stakeholders.

- Consent and authority of fieldwork participants, including colleagues, clients, and other stakeholders.

- Resource and equipment requirements, including e.g., appropriate vehicles, accommodation, catering, geospatial and first aid equipment.

- Health and safety principles and requirements associated with fieldwork, including responsibilities and limitations of the FESA practitioner.

3.2   PARTICIPANT OBSERVATION AND DIRECT CONSULTATION

Candidates are expected to be able to demonstrate application of knowledge including:

- The purpose and relevance of participant observation and direct consultation to the investigation.

- Responsibilities and limitations of FESA practitioners in participant observation and direct consultation.

- Necessary consultation methods, including note-taking, photography, audio and video recording, GPS mapping and other relevant information and data collection techniques.

- Relevant data collection and processing equipment and responsibilities, including e.g., software and hardware specifically connected with geographic information systems, audio and video recording and production, fieldnote digitisation, and specialist software systems.

- Recording of participant observation and direct consultation processes and findings, including equipment usage, and auditable logs of all fieldwork excursions and consultations conducted.

- Ethical principles and legal requirements associated with the ownership, custodianship and stewardship of information and data collected in the course of participant observation and direct consultation.

3.3   SECONDARY SOURCE REVIEW

Candidates are expected to be able to demonstrate application of knowledge involved in:

- Establishing the purpose and relevance of secondary source review to the investigation.

- Identifying relevant and appropriate secondary source repositories, e.g., libraries, archives, and databases.

- Identifying relevant owners, custodians, and stewards of secondary sources from whom access permissions must be sought, or who may otherwise facilitate access.

- Developing and documenting formal strategies for collecting, modeling, and analysing secondary source data, and its purpose in the investigation.

3.4 HANDLING OF EVIDENCE

Candidates are expected to be able to demonstrate application of knowledge involved in:

- Effective maintenance of case records and notes.

- Processes involved in appropriate repatriation of collected data and information to owners following investigation.

4 PREPARATION OF EXPERT REPORTS

Candidates are expected to be able to demonstrate application of knowledge regarding:

- Regulations on the form and substance of expert reports required by relevant legal-administrative processes.

- Concepts, terms, and definitions to be used in such reports, relating to the roles of forensic investigators, expert witnesses, and expert advisors.

- Concepts, terms, and definitions to be used in such reports, relating to the presentation of fact and opinion evidence, and/or expert advice.

- At least one standardised approach to the formulation of expert reports, reflecting the criteria above.

5 CROSS-EXAMINATION AND LIVE PRESENTATION OF EVIDENCE

Candidates are expected to be able to demonstrate application of knowledge regarding:

- Responsibilities involved in attending court or other relevant legal-administrative forums as an expert witness.

- Laws and etiquette governing the presentation of evidence in a courtroom or other relevant legal-administrative forum.

6 CULTURAL MODELLING AND ANALYSIS

Candidates are expected to understand the causal links between culturally distinct systems of ideas and the instantiation of one or more distinct patterns of social interaction relevant to a given legal matter. They will be able to recognise, identify, record, and analyse accurately both

the ideas articulated by members of a culturally distinct community, and the patterns of social activity within that community to which those ideas are linked. Candidates will be able to work with individual community members, groups of community members, and relevant secondary sources in the course of undertaking fieldwork and desktop investigations, including by participant observation, direct consultation, and by the review of secondary sources.

6.1 GENERAL CULTURAL CHARACTERISTICS OF A COMMUNITY

Candidates are expected to be able to demonstrate application of knowledge regarding:

- The cultural basis of a relevant community's social extent, comprising one or a combination of idea systems, including but not limited to, kinship, religion, language, and/or economy for example.

6.2 RECORDING

Candidates are expected to be able to demonstrate application of knowledge regarding:

- Interview, consultation, photography, audio or video recording, GPS mapping and other relevant information and data collection techniques.

- Data collection and processing equipment and responsibilities, including e.g., software and hardware specifically connected with geographic information systems, audio and video recording and production, fieldnote digitisation, statistical analysis, network analysis, specialist software systems.

7 CULTURAL PROFILES

Candidates must be competent in identifying the cultural profile of both individuals and the communities of which they are members. This includes knowledge of the theoretical concepts behind assessment techniques and be able to apply both fieldwork and desktop techniques which are available for each assessment. Candidates should understand the influences of both population and individual variation of any technique that they use.

7.1 ASSESSMENT OF KINSHIP, LANGUAGE, RELIGION, AND ECONOMY

Candidates are expected to be able to demonstrate application of knowledge regarding:

- Appropriate techniques for the assessment of idea systems relevant to kinship, language, economy and religion in different circumstances, including at both individual and community levels, and the ability to justify the technique chosen and the method of identification.

- Appropriate data sources data for the comparison of kinship, language, religion, and

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economy.

- Testable techniques available for use in the identification of kinship, language, economy, and religion.

- Statements on the potential errors and limitations for any given technique.

- Implications of individual circumstances and personal history for any given member of a cultural community when considering the culturally distinct idea systems articulated by that person, and the associated instantiated social interactions in which they engage.

- Implications of historical impacts on any given cultural community when considering the culturally distinct idea systems distributed across that community and the instantiation of those idea systems in patterns of social interaction across the community.

- Use of relevant and appropriate equipment and software.

8   IDENTIFICATION OF IDEA SYSTEMS

Idea systems comprise relatively integrated sets of concepts, terms, and definition acquired by and distributed among all members of a given culturally distinct community, which can be named by most adult community members. Idea systems are typically theorised in terms of some combination of prescriptive and proscriptive causal theory as a means both of explaining existing instances of social interaction, and predicting future instances of social interaction. All culturally distinct communities maintain a minimum of four core idea systems, including but not limited to kinship, language, religion, and economy. Candidates must be able to identify key features of each of these idea systems.

8.1   KINSHIP

Kinship is a conceptual, terminological, and definitional system that is used by culturally distinct individuals and communities to designate the roles and associated functions of, and relations between, infants, children, adults and elders, as primary and secondary providers and recipients of care, which persist in modulated forms over the course of an individual's lifetime. Candidates are expected to be able to:

- Identify key cognatic and affinal roles and associated functions, relations between them, and their modulation over the course of relevant individuals' lifetimes between infancy and old age.

- Identify the wider function of kinship in the cohesion and persistence of the relevant community across geographic space and historical time.

8.2   LANGUAGE

Language is a resource for generating meaning, which is used by culturally distinct individuals and communities to generate and exchange meanings between one another. At the level of social anthropological study (as distinct from linguistic study), language acquisition and distribution are recognised as contributing to the cohesion and persistence of a community over time. Candidates are expected to be able to:

- Identify the key language(s) used by relevant individuals over the course of their lives, and by relevant communities across geographic space and historical time.

- Identify variations in the distribution of language repertoire relative to reservoir across the relevant community.

8.3 RELIGION

Religion is a conceptual, terminological, and definitional system that is used by culturally distinct individuals and communities to designate the roles and associated functions of, and relations between, mythological or quasi-mythological entities, particularly deities, which collectively contribute to a body of cosmogenic theory. Cosmogenic theory encodes causal explanations for the origin of purported systems of order in perceptible reality, including both human and non-human constituents. With regard to human constituents, living individuals may claim or be attributed material authority by relevant communities on the basis of cosmogenic theory. Candidates are expected to be able to:

- Identify key mythological or quasi-mythological entities in the cosmogenic theory of relevant communities, including the roles and associated functions of those entities, and the relations between them.

- Estimate relative degrees of prescriptive and proscriptive normative authority attributed to the cosmogenic theory of relevant communities by their members.

- Identify the roles and associated functions of, and relations between, past and/or presently living individuals who are claiming or are attributed authority on the basis of cosmogenic theory within and by relevant communities.

- Identify the geographic extent of sacred sites and objects associated with the relevant cosmogenic theory.

8.4 ECONOMY

Economy is a conceptual, terminological, and definitional system that is used by culturally distinct individuals and communities to designate roles and associated functions of, and relations connected with, acquisition and distribution of material resources including goods and services such as but not limited to lands, waters, food, shelter, tools, education, healthcare, and

child and aged care. Candidates are expected to be able to:

- Identify key roles of ownership, custodianship, and stewardship in the relevant economic theory of relevant communities, and the distinct classes of resource to which they apply.

- Identify ideologies of acquisition and distribution within relevant communities, including relative degrees of hierarchical and egalitarian objective within those ideologies.

- Identify the geographic extent of the territories over which the economy is purported to operate.

9   IDENTIFICATION OF INSTANTIATED SOCIAL INTERACTION

Idea systems associated with kinship, language, religion, and economy each give rise to, and are in turn contextualised by, domains of patterned social interaction that are typically identifiable by members of relevant cultural communities themselves. Candidates are expected to demonstrate an ability to identify instances of patterned social interaction corresponding with each of these four domains, using some combination of fieldwork and desktop-based modelling and analysis.

9.1   KINSHIP

Candidates are expected to be able to demonstrate application of knowledge regarding elicitation of autochthonous kinship theories, including:

- The roles and associated functions of, and relations between, self-centric and sociocentric kin terms.

- Kinship networks to which relevant individuals belong.

9.2   LANGUAGE

Candidates are expected to be able to demonstrate application of knowledge regarding:

- Basic areal linguistic modelling and analysis, including differentiation between language varieties such as language family, language group, dialect, etc.

- The distinction between language identity and language use.

- The distinction between language variety and language community.

9.3   RELIGION

Candidates are expected to be able to demonstrate application of knowledge regarding

elicitation of autochthonous cosmogenic theories, including:

- The roles and associated functions of, and relations between, mythological or quasi-mythological entities.

- The roles and associated functions of, and relations between, past and/or presently living individuals claiming or attributed authority on the basis of that theory.

- The roles and associated functions of, and relations between, sacred sites associated with that theory.

9.4 ECONOMY

Candidates are expected to be able to demonstrate application of knowledge regarding elicitation of autochthonous economic theories, including:

- The roles and associated functions of, and relations between, owners, custodians, and stewards of goods and services, including at least three classes of resource, e.g., food, shelter, and healthcare.