

# Forensic Psychiatry

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# Psychiatry

- It deals with study of mental illness with particular reference to diagnosis & treatment of mental disorders.

# Forensic Psychiatry

- It deals with application of psychiatry in the administration of justice.

# Insanity(Lunacy/Unsoundness of mind/Mental derangement)

- Disorder of mind or personality in which there is derangement or impairment of mental or emotional components.

# Delusion(Disorder of thought)

- False & firm belief in something which is not fact & which persists even after its falsity has been clearly demonstrated.

# Types:

Delusion of grandeur	Imagines that he is rich but in fact he is poor. - Schizophrenia, Mania
Delusion of poverty	Imagines that he is poor but in fact he is rich. - depression
Delusion of persecution	Imagines that other people are out to harm him. - paranoid schizophrenia
Delusion of reference	Imagines that people/events relate or refer to him in some special way.
Delusion of influence/control	Imagines that his thoughts & actions are controlled by some external agency.
Delusion of infidelity	Imagines that his spouse is unfaithful
Delusion of self-accusation	Keeps blaming himself for trivial accidents which occurred in the past.
Hypochondriacal delusion	Imagines that he had some disease e.g. depression

# Hallucination (Disorder of perception)

- False sensory perception without any real external stimulus.
- Types:
  - Auditory (common in schizophrenia, severe depression)
  - Visual
  - Olfactory
  - Tactile(common in cocaineism)
  - Psychomotor: feeling of movement of part of body

# Illusion (Disorder of perception)

- **Misinterpretation of real external stimulus.**



# Impulse control disturbance (Impulse)

- Sudden & irresistible force compelling a person to the conscious performance of an action without any motive or forethought.

Types	
Kleptomania	Irresistible impulse to steal articles of little value.
Pyromania	Irresistible impulse to set fire objects
Mutilomania	Irresistible impulse to hurt animals
Dipsomania	Irresistible impulse to drink alcohol
Trichotomania	Irresistible impulse to pull out one's own hair.
Sexual impulse	
Suicidal impulse	

# Obsession

- Single idea or thought constantly entertained by the patient, which is irrational, but persists in spite of all efforts to drive it from the mind.

# Cognition

Refers to higher mental functions like

- consciousness
- orientation (time/place/person)
- attention
- concentration
- memory
- intelligence

# Insight

- Awareness of one's own mental condition.

# Phobia

Irrational fear of objects, situation or activity.

- Claustrophobia: fear of inside closed place.
- Agoraphobia: fear of open space.
- Acrophobia: fear of heights.
- Nyctophobia: fear of darkness.
- Mysophobia: fear of uncleanliness.
- Hydrophobia: fear of water.

# Neurosis

- Emotional disorder in which patient does not loses touch with reality.

# Psychosis

- Psychiatric disorder in which patient loses touch with reality.

	<b>Neurosis</b>	<b>Psychosis</b>
Severity	minor	major
Insight	present	absent
Contact with reality	present	absent

# Lucid interval

- Temporary period of resolution of symptoms in mentally unsound individuals.
- MLAs:
  - 1) He will be held responsible for his acts.
  - 2) He can make a valid will
  - 3) He can give evidence
  - 4) He can make a contract



# Delirium

- Acute confusional state characterized by clouding of consciousness, restlessness, disorientation, incoordination & others such as hallucination, delusion, illusion.

# Diagnostic criteria:

- Clouding of consciousness
- At least two of the following:
  - 1) perceptual disturbances
  - 2) incoherent speech
  - 3) disturbance of sleep-wake cycle
  - 4) altered psychomotor activity
- Disorientation & memory impairment
- Acute/sub acute variations

# Causes:

- Acute infectious diseases i.e. high fever state
- Head injury
- As a result of drugs /in alcoholics
  - In alcoholics d/t - Sudden withdrawl
    - Acute intoxication
    - Injuries & infections
- Others:
  - Endocrine dysfunction
  - Diseases:hepatic/uremic encephalopathy, CO narcosis
  - Vitamin deficiency: thiamine
  - Electrolyte imbalance
  - Epilepsy
  - Post-operative state

# Intelligence quotient (I.Q)

- Intellectual capacity of an individual in relation to his chronological age expressed as percentage.
- $$\text{I.Q.} = \frac{\text{Mental age}}{\text{Chronological age}} \times 100$$
- Mental age calculated by 'Binet-Simon test':  
Here, subject's performance compared with average performance at that particular age.

# Grading:

- Mild (Feeble minded/Moron): I.Q. 50-70
- Moderate (Imbecile): I.Q. 35-50
- Severe: I.Q. 20-35
- Profound (Idiot): I.Q. 0-20

# Dementia

- Impairment of mental faculties.
- Types:
  - Organic: d/t lesions in brain
  - Senile: in old age d/t atherosclerotic changes
  - Dementia paralytica (GPI)

# Somnambulism (sleep-walking)

- Motor activity during sleep.
- Precipitating factors:
  - i) extreme fatigue/previous sleep deprivation
  - ii) large bedtime doses of tranquilizers / antidepressants.
- Characteristic features:
  - i) Primarily disorder of childhood.
  - ii) Associated with nightmares & nocturnal enuresis.

# Classification of Psychiatric disorder

<b>ICD-10 (International classification of diseases, injuries &amp; health, 10<sup>th</sup> edition, 1992)</b>		
I.	Organic mental disorders	<ul style="list-style-type: none"><li>✓ Delirium</li><li>✓ Dementia</li></ul>
II.	Disorders d/t psychoactive substance abuse	<ul style="list-style-type: none"><li>✓ Alcohol, cannabis, cocaine, LSD, phencyclidine, amphetamine</li></ul>
III.	Schizophrenia, Schizotypal & Delusional disorders	<ul style="list-style-type: none"><li>✓ Schizophrenia</li><li>✓ Persistent delusional disorders</li><li>✓ Acute psychotic disorders</li></ul>
IV.	Mood (Affective) disorders	<ul style="list-style-type: none"><li>✓ Mania</li><li>✓ Depression</li><li>✓ Bipolar affective disorder</li><li>✓ Persistent mood disorder</li></ul>



V.	Neurotic, Stress related & Somatoform disorders	<ul style="list-style-type: none"> <li>✓ Anxiety</li> <li>✓ Phobia</li> <li>✓ Obsessive-compulsive disorder</li> <li>✓ Stress &amp; adjustment disorder</li> </ul>
VI.	Behavioral syndromes associated with physiological & physical disturbances	<ul style="list-style-type: none"> <li>✓ Eating disorder</li> <li>✓ Sleeping disorder</li> <li>✓ Sexual dysfunction</li> <li>✓ Puerperal psychiatric condition</li> </ul>
VII.	Disorders of Adult personality & Behaviour	<ul style="list-style-type: none"> <li>✓ Personality disorder</li> <li>✓ Impulse control disorder</li> <li>✓ Gender identity disorder</li> </ul>
IX.	Mental retardation	<ul style="list-style-type: none"> <li>✓ Mild</li> <li>✓ Moderate</li> <li>✓ Severe</li> <li>✓ Profound</li> </ul>
X.	Disorders of psychological development	<ul style="list-style-type: none"> <li>✓ Speech &amp; language disorder</li> <li>✓ Developmental disorder</li> </ul>
XII.	Unspecified mental disorders	

# Causes of Mental illness

- Heredity
- Genetic
- Perinatal causes
- Acquired physical disorders in childhood
- Organic
- Traumatic
- Endocrinal
- Metabolic
- Nutritional
- Others

# Diagnosis of Mental Illness

- Preliminaries
- History
  - Present complaints
  - Family history
  - Personal history
- General condition
- Mental condition

- Mental condition
  - Habits
  - Talk: talkative/irrelevant/aphonia
  - Speech: stammering/slurring/aphasia
  - Writing: rational intelligent ideas/irrelevant unintelligent word collection/insulting language/obscene language
  - Mood: apathic/irritable/euphoric
  - Behaviour: impulsive/reservative/obedient
  - Sleep: insomnia/somnambulism
  - Memory: good/bad
  - Thought content: delusion/hallucination/illusion
  - Gait: staggering/normal/slow/hurried
  - Attention: attentive/over-reactive
  
- Lab. invest.
- Opinion

# Mental illness & responsibility

- **Responsibility:** Means liability of sane person for his actions & consequent punishment if such actions are contrary to law.

1) Civil

2) Criminal

# Civil Responsibility

- Marriage
- Business contract
- Management of property
- Capacity to depose as a witness
- Testamentary capacity
- Validity of consent
- Guardianship

# Marriage

- If one of the party is insane at the time of marriage, then such marriage declared as “null & void”.
- If insanity develops after the marriage, then it may ground for divorce only.

# Business contract

As per Indian Contract Act, 1872

- If one of the party is insane at the time of signing a contract, then such contract becomes legally invalid.
- If insanity develops after signing a contract, & if it is found that the continuation of such contract will not be harmful for either party, then its continuation will be legal; but if it is harmful, then its continuation will not be valid.



# Management of property

- If court feels that mentally ill person is incapable of looking after himself or his own property, then an order can be issued for appointing a guardian.
- If it feels that the person can look after himself but is unable to manage his own property, then a manager can be appointed.

Manager will prepare inventory of the property within 6mths of his appointment. He does whatever is best for the management of the property of the mentally ill with the knowledge & under the guidance of the court. He is paid for his service from the property of the mentally ill person.

# Capacity to depose as a witness

As per sec.118 of IEA,

- An insane person is not competent to give evidence, if he is incapable of understanding the questions put to him or giving rational answers to them.

# Testamentary capacity

- Def: Capacity of a person to make a valid will.
- Will: Document detailing the disposition of a property owned by a person, which is prepared by him during his lifetime, but takes only after his demise.

The person who makes his will is testator. It can be changed at any no. of time during his lifetime.

# Eligibility for making a will

As per Indian Succession Act of sec.59, the following persons are eligible for making a will:

- Every person of sound disposing mind who is over 18yrs of age.
- An insane person can not make a will, unless he is in lucid interval.
- An intoxicated person can not make a will, unless it is certified by a doctor that he is in possession of his senses.
- A deaf, mute & blind person can make a will, if he can communicate properly.
- Convicts are not debarred from making a will.

# Conditions while making a will

A person should

- Have sound disposing mind.
- Have thorough knowledge about his wealth & property.
- Be free from undue influence or fraud.
- Do it voluntarily.
- Understand the nature & consequences of the act.

# Procedure

- The will must always be in writing exception are members of Armed forces who are engaged in warfare. These can make a oral will (Privileged will).
- There is no particular format for a will as per law. In fact, it need not even be executed on a stamp paper. Typing is desirable, but not essential. The testator can write a will himself using a fountain pen or ball pen (Holograph will).
- The will must be witnessed by at least two witnesses, neither of whom can be beneficiaries. It is preferable that one of them should be a doctor. The signature/thumb impression of the testator himself is mandatory & both the witnesses also sign in presence of each other & of the testator.

# Validity of consent

As per Sec.90 IPC, Consent of insane person:

Consent is not valid, if such consent is given by a person who, by reason of unsoundness of mind/intoxication, is unable to understand the nature & consequence of that to which he gives his consent.

# Guardianship

- Insane person can not acts as legal guardian of minor.



# Criminal Responsibility

- **McNaughton Rule**
- **Sec.84 IPC**

# McNaughton Rule

According to this rule, to establish the defence on the ground of insanity, it must be clearly shown that

- 1) at the time of commission of an offence, the accused was of unsound mind &
- 2) that unsoundness of mind was of degree & nature which rendered accused incapable of knowing the nature of the act & that he was doing what was either wrong or contrary to the law.

# Sec.84 IPC

**Act of a person of unsound mind:**

Nothing is an offence which is done by a person who, at the time of committing it, by reason of unsoundness of mind, is incapable of knowing the nature of the act, or that he is doing what is either wrong or contrary to the law.

	<b>True insanity</b>	<b>Feigned insanity</b>
Onset	Gradual	Sudden
Motive	Absent	Present
Precipitating factors	Present (like stress, financial loss etc)	Absent
Symptomology	Simulating to particular type of mental disorder	Not specific
Continuence of signs & symptoms	Does not care whether being observed by others or not	Expressions exaggerated in presence of others
Facial expression	Vacant & fixed	Frequent changes
Skin, lips tongue	Dry, fissured, dirty	Almost normal
Personal hygiene	Does not pay attention to his hygiene	Pays attention to his personal hygiene
Insomnia	Present	Can not withstand lack of sleep
Fatigue	Can withstand fatigue	Can not withstand fatigue
Frequent examinations	Does not mind	Resents since he fears detection

# **Mental Health Act, 1987**

- Came into effect in April 1992
- Chapters

# Chapter I

Deals with definitions.

- ✓ The term mentally ill person is used instead of lunatic
- ✓ The term mentally ill prisoner is used instead of criminal lunatic.
- ✓ The term psychiatric hospital is used instead of mental hospital.

- Mentally ill person:

A person who is in need of any treatment by reason of any mental disorder other than mental retardation.

- Mentally ill prisoner:

One who has committed a crime by reason of his mental illness or becomes mentally ill while undergoing sentence in jail for some offence.

## *Chapter II:*

Mental health authorities at Centre & State level.

## *Chapter III:*

Guidelines for establishments & maintenance of psychiatric hospitals & nursing home.

- Private psychiatric hospitals & nursing homes can be run only on a valid license which is to be renewed for every 5yrs.
- Provision of an Inspecting officer who will inspect the psychiatric hospitals & nursing homes to prevent any irregularities.
- Special hospitals for
  - Under the age 16yrs.
  - Addicted to alcohol & other drugs.
  - Mentally ill prisoners.

### *Chapter IV:*

Deals with procedure of admission, detention & discharge of mentally ill person in psychiatric hospitals & nursing homes.

### *Chapter V:*

Deals with inspection, discharge, leave of absence & removal of mentally ill person.

### *Chapter VI:*

Judicial inquisition regarding mentally ill person possessing property.



### *Chapter VII:*

Liability to meet the cost of maintenance of mentally ill person detained in psychiatric hospital/nursing home.

### *Chapter VIII:*

Protection of human rights of mentally ill person

### *Chapter IX:*

Deals with penalties & procedure