

† Reading about. . .

Forensic Psychiatry

by A. Balfour Sclare

The term forensic psychiatry is used broadly here to describe the involvement of the psychiatrist at any stage—pre-trial, during the trial, or post-trial—of the legal process, whether this be criminal or civil. In its widest sense, it is also concerned with the procedures associated with the Mental Health Acts. The subject interdigitates closely with general and adolescent psychiatry, mental handicap, criminology, sociology, social work, psychology, legal studies, alcohol and drug dependence studies. Accordingly, reading in forensic psychiatry must necessarily carry the student into such related fields.

No better general conspectus of modern forensic psychiatry can be found than in Gunn's (1977) review article on the subject. Broad statistical perspective is provided and reference is made, among other things, to the role of alcohol and epilepsy in crime. An older reference which remains of great value is Sir David Henderson's (1950) paper on criminal conduct and its treatment. In 1978 Henderson's clear thinking still seems advanced. He advocated the provision of good psychiatric units for pre-trial observation and post-trial treatment, and rightly counselled modesty on the part of the psychiatrist regarding his ability to cure mentally ill offenders. For a more encyclopaedic incursion into the general background and historical development of psychiatry in relation to the law, Professor Nigel Walker's (1968) treatise on *Crime and Insanity in England* is recommended. Walker shows that the practice of forensic psychiatry can be traced back to the 11th century when a man committing homicide, who was found to be insane, 'did not in turn become the victim of the spear'. He also contributes a valuable discussion of the liberal Scottish concept of diminished responsibility which originated in the views of Sir George Mackenzie, the King's advocate, in the 17th century.

There are a number of readable paperbacks in the journalistic field. Brenden Behan's *Borstal Boy* (1958), gives the playwright's account of his turbulent early

life and prison experiences. *The Courage of His Convictions* (Parker and Allerton, 1962) and *The Twisting Lane* (Parker, 1969) provide live accounts from convicted prisoners. *The Frying Pan* (Parker, 1970) gives a realistic description of life in Britain's only psychiatric prison at Grendon Underwood. *The St. Albans Poisoner* (Holden, 1976) provides a grim account of Graham Young who was twice admitted to Broadmoor Hospital for murder by thallium poisoning. *A Sense of Freedom* (Boyle, 1977) tells of the writer's disturbed childhood, murderous career and rehabilitation in the special unit in Barlinnie Prison, Glasgow.

Homicide, although infrequent in comparison with other crimes, continues to fascinate and even frighten psychiatrists. The review of 400 homicides by Gillies (1976) in the west of Scotland clarifies many medico-legal issues. Henderson (1956) and Sclare (1977) have offered guidance regarding the comportment of the psychiatrist in court. The Royal College of Psychiatrists' publication *Daniel McNaughton* (West and Walk, 1977) gives a comprehensive historical account of the most celebrated mentally ill murderer in British history.

There is a massive literature on the psychiatric approach to delinquency and on the concept of psychopathy. *A Glasgow Gang Observed* (Patrick, 1973) provides good insight, based on the author's personal experiences within an urban gang, into the structure and group dynamics of a teenage gang. The medico-psychiatric element of delinquency is well described by Scott (1966) and of psychopathy by Gunn (1971). An older work (Pearce, 1952) represented a new shift towards understanding the young offender in his social context and is still worth reading owing to its balanced approach emphasizing multifactorial aetiology. An interesting paper (Ogden, 1959) discusses the use of surgical treatment in the rehabilitation of certain delinquents. Jones (1954), in describing the use of therapeutic community methods in the treatment of psychopathy, made an important contribution.

The specific problems of female offenders are ably summarized by Gibbens (1971). An interesting

† An occasional feature in the Book Section where contributors give their personal choice of important, memorable or informative literature.

study carried out in a women's prison (Dalton, 1961) demonstrated that almost half of the prisoners committed their offence during menstruation or the premenstruum; premenstrual tension was more specifically associated with the crimes committed.

Sir W. Norwood East's *Medical Aspects of Crime* (1936) is of great historical interest in that his pioneer work in forensic psychiatry started within the prison setting. His chapter on attempted suicide notes the frequent association of such behaviour with alcohol intake and is rarely given credit in the present Stengel-Kessel-Kreitman climate of understanding suicidal behaviour. Another chapter on alcohol and crime speculates upon the possibility of alcohol-induced damage to the unborn child, thus foreshadowing current interest in the foetal alcohol syndrome (Jones *et al*, 1973).

Turning again to more recent studies of the psychiatrist's role in the penal process, the writer commends the Edinburgh investigation (Woodside, 1976) of psychiatric referrals from courts, noting the comparatively poor record of patient cooperation in treatment. The same author in collaboration with colleagues (Woodside *et al*, 1976) has described a successful experiment in the management of patients with sociopathic disorders within the secure unit of a psychiatric hospital. Binns *et al* (1969) have provided a good description of the valuable Scottish practice of pre-trial remand in hospital under the Mental Health (Scotland) Act 1960. The recently published Maudsley Monograph (Gibbens *et al*, 1977) on medical remands in the criminal court constitutes the first full-scale study of this procedure. This study concludes that consultants in general psychiatry must continue to play a conspicuous role in remand procedures and that the probation service should represent an ideal collaborator in this process.

Forensic psychiatry, as Sir Norwood East well knew, is closely intertwined with criminology. Washbrook (1977) discusses the problem of psychiatric illness in the convicted prisoner, and asserts that the concept of the open-door psychiatric hospital is pushing an undue number of psychiatrically ill persons into the prison system. At an historical level, the multi-author volume on *Pioneers in Criminology* (Mannheim, 1960) contains chapters of particular psychiatric interest on great names such as Lombroso, Aschaffenburg and Maudsley. A well written introduction to criminology (Fox, 1976), although inspired in the United States, is perfectly relevant to Britain, and is worth reading for its clear exposition. *Crime, Criminology and Public Policy* (Hood, 1974) has much to say about the Cambridge Institute of Criminology and the work of its first director, Sir Leon Radzinowicz. The four-volume history of

English criminal law and its administration from 1750 (Radzinowicz, 1948-68) is an authoritative work in which due credit for legislative reform is given to the growth of public opinion.

The study of deviant behaviour is approached from the standpoint of sociology in the well-known work of Clinard (1957) who finds the framework of 'urbanization' particularly relevant to the understanding of deviance. The paperback *Crime in a Changing Society* (Jones, 1965) likewise stresses the societal factor in deviant conduct, while Fyvel (1963) gives a racy account of the problem of rebellious youth in the welfare state. While not particularly concerned with crime, Booker's (1969) *The Neophiliacs* provides a colourful analysis of the post-war evolution of 'youth culture' which is of course relevant to the study of new behaviour patterns among young people.

Finally, the postgraduate reader will catch useful glimpses of the future of forensic psychiatry through perusal of the *Report of the Committee on Mentally Abnormal Offenders* (Butler Report, 1975). The recommendation to establish regional secure units, originally foreshadowed in the *Report on Forensic Psychiatry* (Harper Report, 1969), is soundly based but will scarcely be implemented without political and philosophical controversy among many doctors and nurses. The blessed word 'coordination' is appropriately and frequently employed in the Report in advocating closer integration of forensic psychiatry with the prison, probation and social services for the future.

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