
CRIMINAL RESPONSIBILITY FOR MURDER AMONG REMAND PRISONERS SENT FOR FORENSIC PSYCHIATRIC ASSESSMENT IN SRI LANKA

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Introduction

There is lack of research on criminal responsibility among offenders with mental illness in Sri Lanka. 'Unsound mind', defined in penal code of Sri Lanka, excludes persons from responsibility for acts of crime. Psychiatric diagnosis does not always exclude those from criminal responsibility. A forensic psychiatric assessment is used to judge responsibility for a crime. Psychiatrists are requested by courts to give opinions on such matters.

Aims

Describe proportions of those who were deemed to not responsible for the crime of murder due to insanity.

Methods

Retrospective study, where hospital records and court reports of persons charged with 'murder', and were admitted for psychiatric assessment in year 2011, maintained by the forensic psychiatry unit at the National Institute of Mental Health, were analyzed.

Results

42 were admitted (38 males, 4 females). 37 (88%) of them had a mental illness. Out them 13(35%) were deemed to be having an 'unsound mind' at the time of the alleged offence. 12 (32%), were found to be of 'sound mind' thus responsible for the charge of murder, despite having identified mental illnesses. In 13(31%) the mental state could not be reconstructed due to lack of information. Most common diagnosis was schizophrenia.