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Spanish Forensic Scientists Urged to Increase Specialisation

Research carried out by the Department of [Criminal Law](#) of the University of Granada has analysed for the first time all the criminal sentences passed in Spain since 1870 in which the defendant was acquitted of the charge or the sentence was reduced on account of [mental disorder](#). The research confirms that those related to alcohol consumption were the most frequent pathologies in Spain.

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This research, in which more than 3000 sentences were studied, has reported the need for greater cooperation between Criminal Law and Psychiatry at determining the effect of each disorder on the individual's responsibility, and also warns of the lack of specialisation of [forensic scientists](#) in charge of

determining the mental condition of the accused. As these forensic scientists have no specific training in Psychiatry, sometimes medical reports do not provide the full guarantee needed.

The research, carried out by [Doctor](#) Gema María Fonseca Morales and directed by professor María José Jiménez Díaz, has revealed that under previous Penal Codes, Spanish justice has maintained a hesitan, fluctuating and sometimes contradictory line in cases regarding some alterations such as personality or neurotic disorders. However, since the implementation of the current punitive text, sentences are proving more rigorous from the perspective of medical-psychiatric science and closer to current international classifications of mental diseases.

This UGR research has revealed that the main axis of jurisprudence in this field is the poor application by the Spanish Courts of the complete exemption of criminal responsibility. This can be attributed to the fact that for a very long period of time a complete and absolute alteration of reasoning and willing capacity (in practice nearly a coma) was necessary to declare incapacity for responsibility. This is an untenable requirement as in this situation it would be barely impossible to offend.

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